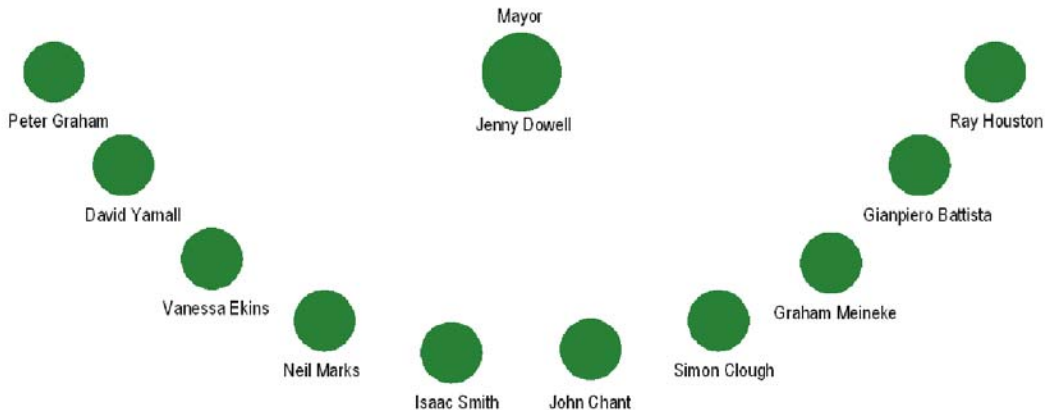


Notice of Council Meeting



Ordinary Meeting

An ORDINARY MEETING of LISMORE CITY COUNCIL will be held at the COUNCIL CHAMBERS, Oliver Avenue, GOONELLABAH on **Tuesday May 12, 2009** and members of Council are requested to attend.

Paul G. O'Sullivan
General Manager

May 5, 2009



Agenda

Opening of Meeting and Prayer (Mayor)

Apologies and Leave of Absence
Councillor John Chant

Confirmation of Minutes
Ordinary Meeting held on April 14, 2009.

Disclosure of Interest

Public Access Session

Public Question Time

Condolences

Mayoral Minutes

Notice of Motions
Councillor Houston – Roseview Estate
Councillor Clough – Public access to toilets in CBD
Councillor Yarnall – Planning Review

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

Reports

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Evans Head Wastewater Scheme 33

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Committee Recommendations

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Confidential Matters – Committee of the Whole

Sale of Land for Unpaid Rates **Error! Bookmark not defined.**



Strategic Plan Summary

Lismore regional city

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

Notice of Motion

Cr David Yarnall has given notice of his intention to move at the next meeting of Council:

That in the interest of transparency and open government, the current 'best practice' planning review be instructed to:

1. Accept written submissions from the public for a period of 30 days.
2. Accept public submissions only that address the guidelines of the 'best practice review'.
3. With the exception that public submissions be accepted regarding the recent rezoning at McLean's Ridges and North Lismore.

Staff Comment

Executive Director of Development & Governance

This Notice of Motion goes well beyond the terms of reference, scope and budget of the 'development planning best practice' review. The review is limited to development assessment matters and it does not include strategic land use planning considerations including changes to the Local Environment Plan (LEP) both of which relate to the McLean's Ridge and North Lismore cases. Secondly the review does not include opening it up for public written submissions as it is largely a desktop internal review. There have been a number of case studies identified for the reviewer to consider and some of those parties have sent in material as part of that consideration.

If the Notice of Motion was passed there are a number of consequences namely:

1. The scope and terms of reference for the review would be extended significantly. If the Notice of Motion was resolved then the McLean's Ridge LEP changes and the North Lismore industrial rezoning would be included into the process. Obviously the McLean's Ridge proposed LEP change was controversial but as far as I'm aware the North Lismore industrial rezoning did not attract the same level of controversy. I'm not sure what value there would be in including this case study in the review.
2. The timeframe for the review would have to be extended beyond the current date of 30 May 2009, as the timeline is tight and the independent consultant, is well into the review.
3. In terms of funding additional funds would have to be allocated at the expense of other established priorities.

Considering the primary purpose of the review, the Notice of Motion is not supported.

General Manager

The planning process review has been initiated by management to serve two key purposes:

1. To identify Council's methods in the development assessment process which warrant alterations to current operational practice.

Notice of Motion

2. To guide management in determining the preferred staffing structure for implementing contemporary best practice planning processes.

Given that these determinations are fully the responsibility of the General Manager it is not appropriate for Council to direct the terms of this internal management initiated review.

The outcomes of the review will be the subject of Councillor briefing in due course after which the Council and the community will have the opportunity to evaluate the implemented performance of any process changes in respect to future development applications and to provide feedback to management. In the circumstances, that is a measured, appropriate course of action.

On the basis that the independent review process has commenced with a clearly defined scope supported by an identified, albeit limited budget, and that the core issues are unquestionably operational, the Notice of Motion is not supported.

(ED09/4052:EF09/631)

Notice of Motion

Cr Ray Houston has given notice of his intention to move at the next meeting of Council:

1. That the developers of the proposed Roseview Estate be requested to sign the draft Planning Agreement within 60 days or to withdraw their submission to rezone the land at 15 Roseview Road McLeans Ridges until the revision of the Lismore Rural Housing Strategy is completed and ratified.
2. That should the developer not sign the Agreement or withdraw their application within the 60 days, a report be prepared outlining Councils options pertaining to the rezoning application.

Councillor Comment

The developer has already had in excess of a year to sign the agreement and has not done so which begs the question; “are they prepared to proceed?” The developer contribution, even at its current value will still leave Council committed to considerable spending on infrastructure. Costs of provisions for roads and infrastructure will rise with time further adding to the financial burden for council and the broader community. At the recent workshop the proponent representative did nothing to allay economic concerns and asked only that the contribution be reduced to allow the development to proceed. This is clearly not possible for council to grant and thus we are at stalemate yet again. This could continue indefinitely, leaving council holding the financial burden.

There are still concerns among councillors and in the community that there are significant issues regarding the plan such as the costs to council and ratepayers, insufficient provision for community services, impact upon the road network including access to the community block and its facilities and the sustainability of the development generally.

Council has a resolution on its books to the effect that the Review of the Lismore Rural Housing Strategy be completed as a matter of urgency and to date that approved motion has not been acted upon. Even in difficult financial times, it is imperative that such commitments be met.

Staff Comment

Executive Director of Development & Governance

A considerable amount of time and energy has been invested by Council, the developers and the community to this date and it is reasonable for Council to seek a resolution of the matter. However, the developers cannot be forced to sign the Agreement and if, after 60 days, the developer has not signed the draft Planning Agreement or withdrawn the rezoning submission, Council will need to give further consideration to the rezoning application and the extent of the developer contributions. The approach advocated in the notice of motion is a reasonable approach in bringing this matter to a head in a way that gives the applicant time to consider their approach.

The Department of Planning has in recent correspondence urged Council to undertake a review of the proposed developer contributions with the proponent. It is suggested that the issues raised in this letter be fully explored should a report be required post the 60 day period if this Notice of Motion is adopted. A copy of the letter is attached for the Council’s information.

(ED09/4050:EF09/631)



NSW GOVERNMENT
Department of Planning

Contact: Stephen Murray
Phone: 02 6641 6600
Fax: 02 6641 6601
Email: northcoast@planning.nsw.gov.au

Mr P O'Sullivan
General Manager
Lismore City Council
PO Box 23A
LISMORE NSW 2480

Our ref:
Your ref:
File: G06/00044

31 March 2009

Dear Mr O'Sullivan

Subject: Proposed Rural Residential Rezoning and Draft Planning Agreement – Lot 16 DP 1011612, Roseview Road, McLeans Ridges

I am writing to you in respect to correspondence received from Mr Easson of EG Property Group in relation to a rural residential rezoning request, and associated draft planning agreement, for the above land. Despite our previous written advice to Council dated 5 September 2008 concerning best practice methods for developing planning agreements in a fair and equitable manner, Mr Easson of EG Property Group has raised concerns over the manner in which the draft planning agreement has been negotiated to date. In particular Mr Easson has raised concerns over:

- The prohibitively high estimated cost of approximately \$44,000 per lot in contributions and works (excluding section 94) under the current draft planning agreement;
- The lack of opportunity to address Councillors formally to discuss concerns over the level of contributions and works being required; and
- The level of contributions and works being required in light of the recent State review into development contributions which identified a \$20,000 threshold per residential lot/dwelling as the point at which a local contribution requires assessment as to affordability.

From the information provided, it is unclear how a number of matters required under the draft planning agreement could be considered to be reasonable or justified in their quantum, including:

- A \$2336 per lot monetary contribution towards Boatharbour Road. Boatharbour Road is located to the north of the site, has no direct frontage to the site, and there are no obvious traffic generating destinations that would require residents from Roseview Road to regularly use Boatharbour Road;
- The construction of a 3 metre concrete footpath/cycleway/emergency access within the site, remote from similar infrastructure, in a rural residential area and context;
- A \$10,820 per lot contribution towards Cowlong Road, plus the physical construction to upgrade Cowlong Rd between Camerons Road and Roseview Road to a 9 metre road formation with a 7m bitumen seal, particularly when considering the proportional impact of the proposed 25 lots on Camerons Road in comparison to the existing rural residential development in the area which utilises the same infrastructure.

Northern Region 76 Victoria St Grafton NSW 2460 Locked Bag 9022 Grafton NSW 2460
Telephone: (02) 6641 6600 Facsimile (02) 6641 6601 Website planning.nsw.gov.au

As advised in previous correspondence, planning authorities should not rely on their peculiar statutory position in order to seek to obtain unreasonable public benefits from developers under planning agreements. I also draw your attention to the recent announcements regarding the review of infrastructure contributions to reduce impacts on housing affordability having regard for the current economic climate. The review requires that any contributions in excess of \$20,000 per lot can not be levied unless approved by the Minister. While the new procedures only apply to section 94 contributions the Planning Circular (PS 08-017) issued 23 December 2008 clearly identified that the Department will be monitoring agreements to ensure that Councils employ similar principles when negotiating planning agreements. It is noted that the Executive Director, Rural and Regional Planning wrote to you in this regard recently.

The draft planning agreement as proposed does not appear to respect the current approach to contributions, and I have concerns over the impact on the feasibility of the development and housing affordability that the currently proposed contributions and works will have.

It is requested that Council undertake a review of the proposed levies with the proponent of this development. Such a review should be based on the recent approach to development levies and the principles of co-operation, full disclosure, early warning, and agreed working practices and timetables. Council should ensure that fairness is extended to all parties affected by the planning agreement and that the planning agreement can objectively be considered as acceptable and reasonable in relation to the particular circumstances of the proposal and the recent announcements in respect to the threshold amounts for levying infrastructure.

Should you wish to discuss this matter further, please do not hesitate to contact me on the number above.

Yours sincerely


Stephen Murray
Regional Director
Northern Region

cc: Cr Jenny Dowell
Mayor
Lismore City Council

Notice of Motion

Cr Simon Clough has given notice of his intention to move at the next meeting of Council:

That Council liaises with businesses in the CBD area to encourage them to make their toilets available to the public. That Council also provides a guide to those toilets that is also available to the public.

Councillor Comment

Many users of the CBD have been complaining for years about the lack of public toilets. This is a problem that particularly affects parents with young children, the elderly and those with a disability.

Council is not in a financial position to provide more public toilets especially in areas of high demand, such as in the middle of the four streets making up 'the block'.

A public/private partnership between Council and the CBD businesses to provide more toilets would contribute to the CBD revitalisation, 'Lismore Alive' and could be a great opportunity for the newly appointed Town Centre Manager.

Staff Comment

Program Manager Economic Development

Toilets and baby change rooms in the CBD have been on the agenda for many years now. The recent "Lismore Alive" consultation highlighted the issue once again, however when it came to the vote as a priority action, it received a very low priority and didn't make the top 8 actions.

There are a number of toilets (some with baby change rooms) available to the public in the CBD area:

1. Browns Creek carpark
2. Lismore Central
3. Transit Centre
4. Lismore VIC
5. Lismore Library

To go down the path of encouraging private businesses to open their toilets to the general public, as opposed to a discretionary basis to customers/patrons of the business, may encounter opposition from the business community due to legal implications if something untoward should happen in their toilets. In this unfortunate event, the business may be held liable.

(ED09/4055:EF09/631)

Report

Subject / File No. Development Application No. 2007/465 – Proposed Senior's Living Development, 175 Dawson Street, Girards Hill

Prepared by Development Assessment Planner

Reason Development Application called in by two Councillors for determination.

Objective Council Determination of the Development Application

Strategic Plan Link Economic Development, Quality of Life

Management Plan Project Development Assessment

Overview of Report

The proposed development, lodged by the Office of Community Housing, involves the erection of six (6) self-contained units, on-site car parking, earthworks, landscaping and infrastructure works. The development is being undertaken pursuant to SEPP (Seniors Living) 2004.

The site, which is currently vacant, is located within the Girards Hill Heritage Conservation Area (LEP) and the Flood Fringe Area of the Development Control Plan (DCP).

Advertising of the application was undertaken in accordance with Council Policy. Issues associated with the development, raised in the public submissions include: bulk and scale, height and density, heritage conservation, impacts upon amenity of adjoining dwellings, parking, accessibility, runoff, view loss, property value and public notification.

From a locational perspective, the site is considered to be suitable for a Seniors Living development given its relative proximity to Lismore's Central Business District (CBD) and its access to public transport.

However, as detailed in this report, despite complying with numerical standards within SEPP (Seniors Living) 2004 regarding 'building height' and 'density and scale', the development is not considered to demonstrate adequate regard to certain 'Design Principles' within Division 2 of SEPP (Seniors Living) 2004. Of primary concern is the built form and design of the development, which is considered to have an adverse impact upon the neighbourhood amenity and streetscape and character of the Heritage Conservation Area.

The assessment of the application also identified concern in relation to the lack of convenient access from the ground floor units to common areas within the development.

Overall, it is concluded that despite its locational advantages, the site is not suitable for the development as designed.

Background

The subject allotment is currently vacant of any buildings or significant vegetation. A two (2) storey dwelling previously stood on the land. Council granted Consent (DA2005/23) to demolish this dwelling on June 2, 2005.

The Development Application has been amended on two occasions by the applicant, with the latest amendments being submitted to Council on March 31, 2009.

Proposal

The proponent of this development, Office of Community Housing, seeks to provide housing specifically designed for independent seniors. In this respect, this proposal seeks to establish a State Environmental Planning Policy (Seniors Living) 2004 development consisting of six (6) self-contained units, on-site car parking, earthworks, landscaping and infrastructure works. The development falls within the parameters of a self-contained dwelling pursuant to Clause 13 SEPP (Seniors Living) 2004.

The development will be completed in one stage. Plans depicting the layout and architecture of the development are **attached** to this report.

Applicant

Newton Denny Chapelle on behalf of Office of Community Housing.

Location

Lot 1 and 2 DP 818061, 173 and 175 Dawson Street, Girards Hill.

Zoning

2(a) Residential.

Key Issues

- Neighbourhood Amenity and Streetscape;
- Heritage Conservation; and
- Accessibility.

1. Site description

The site is rectangular in shape, has a total area of approximately 828m² and has 16.46 metres frontage to Dawson Street. The site is vacant with no structural improvements following the demolition of the former residential built form in 2005 (DA 2005/23).

The site has a gentle slope, which generally falls from the south-eastern boundary (RL 11.70m AHD) fronting Dawson Street to the north-western boundary (RL 10.43m AHD).

The site is largely clear of its original vegetation, having been developed for residential purposes. The vegetation on this property comprises of grasses and scattered non-native landscape trees, and is of low habitat value.

The surrounding locality is characterised primarily with low density residential housing comprising single dwellings. The visual exposure of the property is commensurate with adjoining residential dwellings fronting Dawson Street.

2. Surrounding properties and environs

The site is adjoined by the residential dwellings to the north (two storey), south (one storey), west (two storey) and by Dawson Street to the east. Across Dawson Street to the east are also residential dwellings (one storey).

The wider locality is also residential in character, comprising old single dwellings, which all form part of the Girards Hill Conservation Area.

3. Proposal

The proposed units are provided within a single building containing two (2) habitable levels above a sub-floor space. The proposal includes 4 x 1 bedroom units and 2 x 2 bedroom units, with all units provided with a kitchen, living area, laundry, bathroom and patio or deck. Each unit is self-contained and is designed on a single level.

The below table outlines the areas allocated to each unit within the development.

UNIT NUMBER	GROUND FLOOR AREA
1	80.9m ² (2 bedroom)
2	56.53m ²
3	57.7m ²
4	80.9m ² (2 bedroom)
5	56.53m ²
6	57.7m ²

As the property is subject to flood inundation, the development has been designed to mitigate the flood risk. This is achieved through the adoption of a floor level established at RL 12.80 AHD. The proposal encompasses the filling of the land with the rear portion by some 800mm in addition to filling a portion of the front (eastern) section of the site by 900mm to obtain access to Unit 1. The part filling of the rear western portion of the site will also address Council's requirement to drain to Dawson Street.

The primary building materials for this proposal are nominated on the plan identified as Sheet A02 of 07 and include in general terms;

- Face brick and aluminium weatherboard walls;
- Galvanised steel roofing, guttering and downpipes;
- Traditional timber balustrades;
- Aluminium double hung windows with architraves; and
- Timber paling fencing.

Vehicular access to the development will be achieved from Dawson Street, which is a sealed kerb and gutter road with an approximate 8m width. The driveway will be constructed partly over a right of carriageway (which benefits the site) located on the access handle of the adjoining Lot 2 DP 818061 and partly on the site. The driveway ranges in width, from approximately 3m to 5.5m and links Dawson Street and the on-site car parking spaces.

Three (3) on-site parking spaces have been provided within the development. All spaces are covered. All vehicles accessing the site will be capable of entering and leaving the property in a forward direction.

The subject site is able to be connected to both reticulated water and sewer.

The stormwater management system for the subject development is designed to ensure stormwater generated from the development site addresses peak flow rates and water quality discharging from the site. Stormwater will be discharged to the street frontage.

4. Public notification

The Development Application was advertised for a period of 14 days (from 30/8/2007 to 14/9/2008). A total of ten (10) public submissions, objecting to the development, were received following the advertising period.

Following amendments to the Development Application, the application was re-advertised for a period of

14 days (from 1 May 2008 to 16 May 2008). A total of fourteen (14) public submissions, objecting to the development, were received following the second advertising period.

Following further amendments to the Development Application (31/3/2009), the application was re-advertised for a period of twenty (20) days (from 9/4/2009 to 28/4/2008). A total of six (6) public submissions, objecting to the development, were received following the third advertising period.

Copies of relevant public submissions from the second and third exhibition periods are included in the **Attachment** to this Business Paper.

Section 5.7 of this report provides a summary of the issues raised in the submissions (including those received from the second and third exhibition period) and an assessment of the issues.

5. Assessment under Section 79C of the E.P. & A Act

5.1 **Any Environmental Planning Instruments**

5.1.1 **State Environmental Planning Policies (SEPPS)**

SEPP (Seniors Living) 2004 applies to the development. Each relevant clause of the SEPP is addressed below.

In-fill self-care housing (clause 14)

The proposed development is classified as “*in-fill self-care housing*”, pursuant to clause 14 of the SEPP. In-fill self-care housing is defined as:

seniors housing on land zoned primarily for urban purposes that consists of 2 or more self-contained dwellings where none of the following services are provided on site as part of the development: meals, cleaning services, personal care, nursing care.

Location and access to facilities (clause 25)

Clause 25 states that:

- (1) *A consent authority must not consent to a development application made pursuant to this Chapter unless the consent authority is satisfied, by written evidence, that residents of the proposed development will have access that complies with subclause (2) to:*
 - (a) *shops, banks and other retail and commercial services that residents may reasonably require, and*
 - (b) *community services and recreation facilities, and*
 - (c) *the practice of a general medical practitioner.*
- (2) *Access complies with this clause if:*
 - (a) *.....*
 - (b) *.....*
 - (c) *in the case of a proposed development on land in a local government area that is not within the Sydney Statistical Division—there is a transport service available to the residents who will occupy the proposed development:*
 - (i) *that is located at a distance of not more than 400 metres from the site of the proposed development, and*
 - (ii) *that will take those residents to a place that is located at a distance of not more than 400 metres from the relevant facilities or services, and*
 - (iii) *that is available both to and from the proposed development during daylight hours at least once each day from Monday to Friday (both days inclusive).*

Note. Part 5 contains special provisions concerning the granting of consent to development applications made pursuant to this Chapter to carry out development for the purpose of certain seniors housing on land adjoining land zoned primarily for urban purposes. These provisions include provisions relating to transport services.

Comment:

In accordance with clause 25 of the SEPP, future residents of the proposed development are considered to have reasonable access to:

- shops, banks and other retail and commercial services that residents may reasonably require;
- community services and recreation facilities; and
- a general medical practitioner.

In particular, there are two (2) bus services that travel along James Street which is within approximately 100m of the site. Both bus services offer 'hail and ride' convenience and include routes that will take future residents to within 400m of all the abovementioned services and facilities. In particular, the bus routes drop off at various locations, including: the CBD (Spinks Park), the Lismore Shopping Square, Lismore Central and the Base Hospital.

These bus services are available during daylight hours at least once each day from Monday to Friday (inclusive).

Water and Sewer (clause 27)

Clause 27 states that:

- (1) *A consent authority must not consent to a development application made pursuant to this Chapter unless the consent authority is satisfied, by written evidence, that the housing will be connected to a reticulated water system and have adequate facilities for the removal or disposal of sewage.*
- (2) *If the water and sewerage services referred to in sub clause (1) will be provided by a person other than the consent authority, the consent authority must consider the suitability of the site with regard to the availability of reticulated water and sewerage infrastructure. In locations where reticulated services cannot be made available, the consent authority must satisfy all relevant regulators that the provision of water and sewerage infrastructure, including environmental and operational considerations, are satisfactory for the proposed development.*

Comment:

The proposed development will be connected to adequate reticulated water and sewage systems.

Site Analysis (clause 28 (1))

Clause 28(1) states that:

- (1) *A consent authority must not consent to a development application made pursuant to this Chapter unless the consent authority is satisfied that the applicant has taken into account a site analysis prepared by the applicant in accordance with this clause.*

Comment:

The applicant has submitted a site analysis that is generally considered to conform to the requirements of this clause.

Design of In-fill self-care housing (clause 29)

Clause 29 states that:

In determining a development application made pursuant to this Chapter to carry out development for the purpose of in-fill self-care housing, a consent authority must take into consideration (in addition to any other matters that are required to be, or may be, taken into consideration) the provisions of the Seniors Living Policy: Urban Design Guideline for Infill Development published by the Department of Infrastructure, Planning and Natural Resources in March 2004.

Comment:

There are certain aspects of the proposed development that are not considered to have demonstrated adequate regard to these design guidelines. In particular:

- a. The proposal is not considered to appropriately respond to the local context of the site, in that it does not retain or re-inforce the overall built form character of the heritage conservation area or nominate a good neighbourhood fit;
- b. The site planning and design of the proposed development is considered to adversely impact upon the neighbourhood character and the amenity, particularly of adjoining dwellings; and
- c. The built form of the development is not scaled so as to minimise its impact upon the existing streetscape.

Design of residential development (clause 30)

Clause 30 states that:

A consent authority must not consent to a development application made pursuant to this chapter unless the consent authority is satisfied that the proposed development demonstrates that adequate regard has been given to the principles set out in Division 2 (clauses 31 – 37).

Neighbourhood amenity and streetscape (clause 31)

Clause 31 states that:

The proposed development should:

(a) recognise the desirable elements of the location's current character (or, in the case of precincts undergoing a transition, where described in local planning controls, the desired future character) so that new buildings contribute to the quality and identity of the area, and

Comment:

The site is located within the Girards Hill Heritage Conservation Area, as listed in the Lismore Local Environmental Plan 2000 (LEP).

Part A, Chapter 12 – Heritage Conservation of the Lismore Development Control Plan (DCP) provides specific comment on the significance and character of the Girards Hill Conservation Area. In its 'Statement of Significance' for the Girards Hill Conservation Area, Chapter 12 states: "*the Girards Hill precinct is notable as a diverse collection of houses unified by their consistent use of timber and iron*". Chapter 12 also outlines the characteristics that define the Girards Hill Conservation Area, stating that the area is "*Residential in character, predominantly single storey featuring many significant individual buildings and groups of buildings from the 1880's to the 1940's*".

The dominant character of the conservation area is single dwelling houses. The dwelling houses in the conservation area include a mix of both single and double storey dwellings. The large majority of the double storey dwellings in the conservation area are as a result of the steep topography or having been raised to ensure the habitable floor level is clear of the flood hazard. In the case of flood prone sites, it is noted that the ground level of the majority of these dwellings are largely non-habitable levels and there are few examples of dwellings having two (2) habitable levels above a sub-floor space. Dawson Street is a mix of both single and double storey dwellings.

When considering this design principle (clause 31a), it is important to note that in addition to being visible from the surrounding properties in Dawson Street, the development will also be visible to the elevated land located south of the site, such as: James Street and John Street. The visual prominence of the proposed development is increased due to the modest scale and single storey design of the adjoining dwellings to the south along Dawson Street.

There are medium density developments (both constructed and approved) within the conservation area, however such examples are the minority and are generally considered to be unsympathetic intrusions in the conservation area.

The proposed development nominates a Residential Flat Building, including six (6) units all contained within the one building. The building is designed to be two (2) stories above a sub-floor space, which is required to ensure that the habitable areas of the building are above the required flood level. The building is approximately 30m long and varies in width, with a maximum width of approximately 11m.

The size and built form of the proposed building is not considered to be consistent with that of the surrounding conservation area, particularly its desirable elements, which is identified as single detached dwellings. In this regard, it is considered that the size and built form of the development does not contribute to the quality and identity of the area and therefore is not considered to have demonstrated adequate regard to this principle.

(b) retain, complement and sensitively harmonise with any heritage conservation areas in the vicinity and any relevant heritage items that are identified in a local environmental plan, and

Comment:

The size and built form of the proposed residential flat building is not considered to be consistent with the predominant character of the Girards Hill Conservation Area, which is residential in nature, predominantly single dwellings. As mentioned above in this report, Chapter 12 – Heritage Conservation of the Lismore DCP states that a characteristic that defines the Girards Hill Conservation Area is that the area is *“residential in character, predominantly single storey featuring many significant individual buildings and groups of building from the 1880’s to 1940’s”*.

Part A, Chapter 12 of the Lismore DCP outlines a number of “Precinct Policies” which are to be adhered to when developing within the subject conservation area. One of these precinct policies states that *“well designed, high quality infill development which respects the scale, form, proportions and materials of the precincts will be favourably considered on sites which are not identified as significant or contributory”*.

The proposed development includes:

- Six (6) units in one (1) building, which has two (2) full stories above a maximum 1.8m sub-floor space;
- Long concrete driveway > 40m;
- Large three (3) bay carport, built to a side and rear boundary; and
- Long elevated disabled access ramp and stairs, which intrudes into the front setback and runs much of the length of the proposed building.

Such built form, on the subject allotment is not considered to retain, compliment or sensitively harmonise with the existing and desired future character of the Girards Hill conservation area. The size and built form of the development is considered to be an unsympathetic intrusion into the conservation area that will erode its character and heritage significance. In this regard, the proposal is not considered to have demonstrated adequate regard to this principle.

(c) *maintain reasonable neighbourhood amenity and appropriate residential character by:*

- (i) *providing building setbacks to reduce bulk and overshadowing, and*
- (ii) *using building form and siting that relates to the site’s land form, and*
- (iii) *Adopting building heights at the street frontage that are compatible in scale with adjacent development, and*
- (iv) *considering, where buildings are located on the boundary, the impact of the boundary walls on neighbours.*

Comment:

The proposed development is not considered to result in unreasonable overshadowing of the living room and private open space area of the adjoining dwelling to the south of the site.

The varied setbacks of the buildings southern façade from the side boundary are desirable design elements and are considered to help reduce the bulk of the development. Despite this however, when considering the context of the site and the character of the conservation area, the overall built form or bulk of the development is considered to adversely impact upon the neighbourhood amenity (particularly of the adjoining residence to the south) and the residential character of the conservation area.

The building form and siting of the development is considered to satisfactorily relate to the sites land form.

The building height of the proposed development at the street frontage is not considered to be appropriately compatible with the adjacent dwellings to the north and less compatible with the adjacent dwellings to the south or the directly adjacent dwellings across Dawson Street to the east. The southeast elevation illustrates that the floor level of the upper storey of the development is at a similar height as the ceiling levels of the two (2) adjacent dwellings. In the context of the site and streetscape, the height of the proposed development is considered to have an adverse impact upon the streetscape and residential amenity.

The proposed carport is located on the side boundary. Given its open, lightweight design, it is not

considered to unreasonably impact upon the neighbouring properties.

(d) be designed so that the front building of the development is set back in sympathy with, but not necessarily the same as, the existing building line, and

Comment:

The front of the proposed building is setback in sympathy with the existing building line in the street.

(e) embody planting that is in sympathy with, but not necessarily the same as, other planting in the streetscape, and

Comment:

Conditions of consent could be applied to any approval to require any plantings proposed as part of the landscaping plan be selected from Council's landscape guidelines.

(f) retain, wherever reasonable, major existing trees, and

Comment:

The site does not have any major existing trees.

(g) be designed so that no building is constructed in a riparian zone.

Comment:

No building is constructed in a riparian zone.

Visual and acoustic privacy (clause 32)

Clause 32 states that:

The proposed development should consider the visual and acoustic privacy of neighbours in the vicinity and residents by:

(a) appropriate site planning, the location and design of windows and balconies, the use of screening devices and landscaping, and

(b) ensuring acceptable noise levels in bedrooms of new dwellings by locating them away from driveways, parking areas and paths.

Note. The Australian and New Zealand Standard entitled AS/NZS 2107-2000, Acoustics—Recommended design sound levels and reverberation times for building interiors and the Australian Standard entitled AS 3671-1989, Acoustics—Road traffic noise intrusion—Building siting and construction, published by Standards Australia, should be referred to in establishing acceptable noise levels.

Comment:

None of the units within the development unreasonably overlook each other.

Given the proposed setbacks and the design of the building, there is not considered to be any unreasonable direct overlooking of the adjoining allotments from living areas and balconies to the adjoining allotments.

The proposed bedrooms are located well away from the proposed driveway and parking areas and therefore are considered to achieve acoustic privacy.

Solar access and design for climate (clause 33)

Clause 33 states that:

The proposed development should:

- (a) *ensure adequate daylight to the main living areas of neighbours in the vicinity and residents and adequate sunlight to substantial areas of private open space, and*
- (b) *involve site planning, dwelling design and landscaping that reduces energy use and makes the best practicable use of natural ventilation solar heating and lighting by locating the windows of living and dining areas in a northerly direction.*

Note. *AMCORD: A National Resource Document for Residential Development, 1995, may be referred to in establishing adequate solar access and dwelling orientation appropriate to the climatic conditions.*

Comment:

The adjoining dwelling to the south of the site has three (3) windows on its northern façade. The middle of these window is the dwellings living / lounge room. The applicant submitted shadow diagrams as part of the development application. These shadow diagrams illustrate that the living room window will achieve access to sunlight for some of the period between 9am and 12pm on June 21. The shadow diagrams further illustrate that at 3pm, the living room window is not impacted by the proposed development.

The principle private open space area of the dwelling is located at the rear of the dwelling (western façade). The shadow diagrams illustrate that this area receives adequate access to sunlight for the period between 12pm and 3pm.

On the basis of the submitted shadow diagrams, it is considered that the living room and private open space of the adjoining dwelling will maintain adequate levels of sunlight.

Each of the units is considered to receive adequate sunlight to their living areas and principal private open space areas. The access to sunlight to the main living area and private open space of Units 1 and 4 is less than desirable. However, given these units also have kitchen, dining and front door windows facing generally in a northerly direction, the access to sunlight for the entire units is considered to be reasonable.

Each of the units has their living and/or dining area windows facing in a northerly direction.

Stormwater (clause 34)

Clause 34 states that:

The proposed development should:

- (a) *control and minimise the disturbance and impacts of stormwater runoff on adjoining properties and receiving waters by, for example, finishing driveway surfaces with semi-pervious material, minimising the width of paths and minimising paved areas, and*
- (b) *include, where practical, on-site stormwater detention or re-use for second quality water uses.*

Comment:

The stormwater management system for the proposed development, including the paved areas, is designed to discharge to the street. In this regard, the proposed development will not unreasonably impact upon adjoining allotments.

The proposed stormwater management system also nominates on-site stormwater detention measures to control the peak flow events. Conditions will be applied to any consent to ensure that the stormwater from the development will comply with the water quality management objectives of Council's Stormwater Management Plan.

Crime Prevention (clause 35)

Clause 35 states that:

The proposed development should provide personal property security for residents and visitors and encourage crime prevention by:

- (a) site planning that allows, from inside each dwelling, general observation of the street, the site and the approaches to the dwelling's entry, and*
- (b) where shared entries are required, providing shared entries that serve a small number of dwellings and that are able to be locked, and*
- (c) providing dwellings designed to allow residents to see who approaches their dwellings without the need to open the front door.*

Comment:

The site planning and design of the units allows, from the inside of each unit, for reasonable observation of the site and the approaches to the dwellings. The site planning allows, from the inside of Units 1 and 4, general observation of the street. In the circumstances, it is not reasonable to require Units 2, 3, 5 and 6 to also achieve observation of the street.

The design of the individual units is considered to allow residents to see who approaches their dwellings without opening the front door. In particular, windows are located beside the front doors and other windows within the units are located so as to allow observation of the approaches to the front door.

Accessibility (clause 36)

Clause 36 states that:

The proposed development should:

- (a) have obvious and safe pedestrian links from the site that provide access to public transport services or local facilities, and*
- (b) provide attractive, yet safe, environments for pedestrians and motorists with convenient access and parking for residents and visitors.*

Comment:

There is a footpath from the subject allotment to the public transport services that run along James Street. The gradient of this footpath is considered to be reasonable.

The proposal nominates pedestrian access, from the street frontage to each unit and the parking areas. This pedestrian access to the units however, is not all wheelchair accessible.

Wheelchair access from the ground floor units, 1, 2 and 3 (plans need to be amended to ensure that Unit 3 has wheelchair access, see comment below under clause 52), to the common areas of the site (parking, garbage and clothes line) is not considered to be convenient. In this regard, wheelchair access from the ground floor units would involve a circuitous route from the units to the public footpath at the front of the site and then back along the proposed footpath (on the southern side of the driveway) to the rear of the site and the common areas.

The vehicular access to and from the site is considered to be appropriate.

Waste Management (clause 37)

Clause 37 states that:

The proposed development should be provided with waste facilities that maximise recycling by the provision of appropriate facilities.

Comment:

The proposed development does provide a designated waste bin area, which provides ample opportunity for maximising recycling.

Self-contained dwellings – standards concerning access and useability (clauses 51 – 73)

Clause 51 states that:

A consent authority must not consent to a development application made pursuant to this Chapter to carry out development for the purpose of self-contained dwellings unless the proposed development complies with the standards specified in this Division.

Siting Standards (clause 52)

This clause states that:

(1) Wheelchair access

If the whole of the site has a gradient of less than 1:10, 100% of the dwellings must have wheelchair access by a continuous accessible path of travel (within the meaning of AS 1428) to an adjoining public road or an internal road or a driveway that is accessible to all residents.

(2) If the whole of the site does not have a gradient of less than 1:10, a percentage (which is not less than the proportion of the site that has a gradient of less than 1:10, or 50%, whichever is the greater) of any dwellings must have wheelchair access by a continuous accessible path of travel (within the meaning of AS 1428) to an adjoining public road or an internal road or a driveway that is accessible to all residents.

(3) Road access

At least 10% of any dwellings that meet the requirements of subclause (1) must have wheelchair access by a continuous accessible path of travel (within the meaning of AS 1428) to an adjoining public road.

(4) Common areas

Access must be provided so that a person using a wheelchair can use common areas and common facilities associated with the development.

Comment:

Given the application is made by the Office of Community Housing, the first floor Units 4, 5 and 6 are not required to comply with this standard (see clause 73).

The site has a gradient of less than 10%. Units 1 and 2 have access to an adjoining public road, driveway and common areas on the site by a continuous accessible path of travel. Unit 3 however, does not comply with the requirement.

It is considered that the plans could be amended so that the Unit 3 also has access to an adjoining public road, driveway and common areas by a continuous accessible path of travel. If Council were to grant consent to the application then such an amendment would have to be made.

Identification (clause 53)

This clause does not apply to the application, as the site does not have two (2) street frontages.

Security (clause 54)

The requirements of this clause can be conditioned to comply as part of any consent.

Letterboxes in multi-dwelling developments (clause 55)

This clause states that:

Letterboxes for multi-dwelling developments:

(a) must be lockable, and

(b) for self-contained dwellings that do not have their own private street entry—must be located together in one or more central locations adjacent to the street entry, and

(c) must be situated on a hard standing area and have wheelchair access by a continuous accessible path of travel (within the meaning of AS 1428)."

Comment:

The proposal nominates the letterboxes located in a central location at the front of the site, situated on a hardstand area that has wheelchair access by a continuous path of travel.

Private car accommodation (clause 56)

This clause states:

If car parking (not being car parking for employees) is provided:

- (a) each car parking space must be not less than 6 metres x 3.2 metres or the design of the development must be such as to enable the size of the car parking space to be increased to an area of not less than 6 metres x 3.2 metres, and*
- (b) any garage or carport must have an internal clearance of at least 2.5 metres as measured from the finished floor level of the garage or carport, and*
- (c) the height at the entry of the garage or carport must be at least 2.3 metres as measured from the finished floor level of the entry, and*
- (d) any garage must have a power-operated roller door, or there must be a power point and an area for motor or control rods to enable a power-operated door to be installed at a later date.*

Comment:

There is adequate space within the carport to ensure that each of the three (3) car spaces comply with the minimum dimensions for a car space as detailed above. A condition would have to be applied in this regard as part of any consent.

The proposed carport complies with the requirements for internal clearance and entry height.

Accessible entry (clause 57), Exterior (clause 58), Interior (clause 59), Living Room and Dining Room (clause 60), Kitchen (clause 61), Main bedroom (clause 62), Bathroom (clause 63) and Toilet (clause 64)

The requirements of these clauses can be conditioned to comply as part of any consent.

Access to kitchen, main bedroom, bathroom and toilet (clause 65)

This clause does not apply to the application pursuant to clause 73.

Lifts in multi-storey buildings (clause 66)

This clause does not apply to the application pursuant to clause 73.

Laundry (clause 67), Storage (clause 68), Doors (clause 69), Surface finishes (clause 70) and Ancillary items (clause 71)

The requirements of these clauses can be conditioned to comply as part of any consent.

Garbage (clause 72)

This clause states:

An outside garbage storage area must be provided in an accessible location.

Comment:

The proposal provides a garbage storage area at the rear of the site adjacent to the parking area. Given the floor level of Units 1, 2 and 3 are raised to comply with the Flood Planning Level, wheelchair access to such area is only available via using the accessible paths to the front of the site and back along the footpath adjacent to the driveway. The use of these accessible pathways is considered to be unreasonably long and circuitous.

Application by certain housing providers (clause 73)

This clause states:

Despite the provisions of clauses 52 and 59–71, a dwelling, or part of a dwelling, that is located above the ground floor in a multi-storey building does not have to comply with the requirements of those subclauses if the development application is made by, or by a person jointly with, the Department of Housing or a local government or community housing provider.

Comment:

The application is made by the Office of Community Housing (Resitech) and therefore qualifies for this exemption. For the purpose of applying this clause, Units 1, 2 and 3 are considered to be the ground floor and therefore need to comply with the requirements of the subclauses. Units 4, 5 and 6 are located above the ground floor and do not have to comply with the requirements.

Standards that cannot be used to refuse development consent for self-contained dwellings (clause 81)

Clause 81 states that:

A consent authority must not refuse consent to a development application made pursuant to this Chapter for the carrying out of development for the purpose of a self-contained dwelling on any of the following grounds:

(a) **building height:** if all proposed buildings are 8 metres or less in height,

Comment:

The proposed building is less than 8m in height.

(b) **density and scale:** if the density and scale of the buildings when expressed as a floor space ratio is 0.5:1 or less,

Comment:

The floor space ratio of the development is 0.48:1.

(c) **landscaped area:** if:

- (i) in the case of a development application made by the Department of Housing or a local government or community housing provider—a minimum 35 square metres of landscaped area per dwelling is provided, or
- (ii) in any other case—a minimum of 30% of the area of the site is to be landscaped,

Comment:

The application is made by the Department of Housing and therefore the landscaped area requirement is $6 \times 35\text{m}^2 = 210\text{m}^2$.

The proposed development nominates approximately 218m^2 of landscaped area and therefore complies with the above requirement.

(d) **Deep soil zones:** if, in relation to that part of the site (being the site, not only of that particular development, but also of any other associated development to which this Policy applies) that is not built on, paved or otherwise sealed, there is soil of a sufficient depth to support the growth of trees and shrubs on an area of not less than 15% of the area of the site (the **deep soil zone**). Two-thirds of the deep soil zone should preferably be located at the rear of the site and each area forming part of the zone should have a minimum dimension of 3 metres,

Comment:

15% of the site equates to a requirement of 124m^2 of deep soil zone plantings.

It is calculated that the proposal nominates approximately 128m^2 of deep soil zone landscaped areas (minimum dimension – 3m) and therefore does comply with the above requirement.

Two thirds of the deep soil areas of the site are not located within the rear setback. The majority is located within the southern side and front setback area, which is less preferable.

(e) solar access: if living rooms and private open spaces for a minimum of 70% of the dwellings of the development receive a minimum of 3 hours direct sunlight between 9am and 3pm in mid-winter,

Comment:

Four (4) of the six (6) units achieve this solar access requirement, which is 66% of the development. The two (2) front units do not quite comply with the requirement, however they do include dining and kitchen windows oriented to the north, which receive well over three (3) hours of sunlight during mid winter.

(f) private open space for in-fill self-care housing: if:

(i) in the case of a single storey dwelling or a dwelling that is located, wholly or in part, on the ground floor of a multi-storey building, not less than 15 square metres of private open space per dwelling is provided and, of this open space, one area is not less than 3 metres wide and 3 metres long and is accessible from a living area located on the ground floor, and

(ii) in the case of any other dwelling, there is a balcony with an area of not less than 10 square metres (or 6 square metres for a 1 bedroom dwelling), that is not less than 2 metres in either length or depth and that is accessible from a living area,

Note. *The open space needs to be accessible only by a continuous accessible path of travel (within the meaning of AS 1428) if the dwelling itself is an accessible one. See Division 4 of Part 4.*

Comment:

All units are assessed as demonstrating reasonable compliance with these requirements.

(g) visitor parking: if:

(i) in the case of development that comprises 6 or less dwellings and is not situated on a clearway—1 space for visitor parking is provided within the development with a maximum parking period of 4 hours, or

(ii) in the case of development that comprises 7 or 8 dwellings and is not situated on a clearway—2 spaces for visitor parking are provided within the development with a maximum parking period of 4 hours for each space,

Comment:

The proposed development provides one (1) visitor car space, which complies.

(h) parking: if at least the following is provided:

(i) 0.5 car spaces for each bedroom where the development application is made by a person other than the Department of Housing or a local government or community housing provider, or

(ii) 1 car space for each 5 dwellings where the development application is made by, or is made by a person jointly with, the Department of Housing or a local government or community housing provider.

Comment:

The proposed development provides two (2) car spaces, which complies.

SEPP (Infrastructure 2007)

This SEPP was gazetted on the 21/12/2007 and later amended on the 20/2/2009 to incorporate Clause 63D.

Clause 63D of the SEPP relates to Development by or on behalf of Housing NSW and states:

(1) *This clause applies to development for any of the following purposes where that development may be carried out with consent:*

- (a) *residential development, but only if it does not result in:*
 - (i) *the construction of a building more than 8.5 metres in height, or*
 - (ii) *more than 20 dwellings on a single lot.*

(b)

(c)

(2) *Development to which this clause applies may be carried out by or on behalf of Housing NSW without development consent.*

(3) *Before carrying out development for a purpose referred to in subclause (1) (a), Housing NSW must:*

- (a) *give written notice of the intention to carry out the development to the council for the area in which the land is located and to the occupiers of adjoining land, and*
- (b) *take into consideration any response to the notice that is received within 21 days after the notice is given, and*
- (c) *take into account the Seniors Living Policy: Urban design guidelines for infill development (ISBN 0 7347 5446 9) published by the Department of Infrastructure, Planning and Natural Resources in March 2004, to the extent that it is not inconsistent with this Policy.*

When considering the above, it is important to note that NSW Housing could withdraw the subject Development Application from Council and as stated in subclause (2) proceed to carry out the development without consent, provided that they comply with subclause (3), which includes giving written notice to Council of their intention to carry out the development and taking into consideration any response received from Council following that notification. It is the position of Council's Planners that Council's response to such a notification would be to request that Housing NSW not proceed for the reasons set out in the recommendation.

SEPP 55 Remediation of Land

During its assessment Council requested a preliminary contaminated land assessment, in accordance with Council's Regional Policy for the Management of Contaminated Land, as the development may disturb an/or expose soils previously treated with organo-chlorines associated with the termite management practices used on the former dwelling.

The applicant has not prepared a preliminary contaminated land assessment for the site. It is considered likely that the potential contamination issue can be satisfactorily resolved. However, given the preliminary contaminated land assessment has not been prepared, if the Council were to grant consent to the development, such resolution would need to be subject to the submission of a preliminary contaminated land assessment of the site to the satisfaction of Council.

5.1.2 Regional Environmental Plan (REP)

Clause 43 – Residential Development

The Council shall not grant consent to development for residential purposes unless:

- *it is satisfied that the density of the dwellings have been maximised without adversely affecting the environmental features of the land;*
-
-
-
-

For reasons outlined in this report the proposed the density of dwellings has not been maximised without adversely impacting upon the environmental features of the land. The development is too dense and the design is not suitable for the locality.

5.1.3 Lismore Local Environmental Plan (LEP)

Zone Objectives

The subject allotment is zoned 2(a) Residential under the provisions of the LEP. The objectives of the 2(a) Zone are:

- (a) *to encourage a wide range of housing densities and types to ensure maximum utilisation of infrastructure and equitable distribution of housing densities, and*
- (b) *to ensure the development of all land within the zone adequately provides for the demand for physical services and community facilities created by the additional population, and*
- (c) *to allow development for other than residential purposes, except where the scale, type and traffic-generating aspects of the development will significantly alter the landscaping, character or amenity of the surrounding residential area, and*
- (d) *to ensure the design quality of new development is compatible with the character of each residential area.*

Comment:

The size and built form of the proposed development is not considered to be compatible with the character of the surrounding residential area. In this regard the proposal is not considered to be consistent with objective (d) of the 2(a) Zone.

Clauses 12, 13 and 17C – Heritage Conservation

Detailed consideration of the proposed developments impact upon the heritage significance of the Girard's Hill Heritage Conservation Area is provided above in section 5.1.1 and below in section 5.3 of this report.

Clause 22 – Development on Flood Affected Land

The proposed development is considered to demonstrate adequate regard to the provisions of this clause. In particular:

- The floor level of the development is above the Flood Planning Level;
- The proposal is for a Seniors Living Development and therefore there is likely to be the need to access the development when the land is flooded. The site is located on the edge of the Flood Fringe Area bordering the Low Flood Risk Area. In this regard, access to the site when the land is flooded will be achievable;
- The proposal is not considered to have an unreasonable impact upon the functioning of the floodway; and
- Given the proposal is for a Seniors Living development, it is considered reasonable that the development be required to prepare an evacuation plan. This requirement can be incorporated as a condition of consent.

5.2 Any Draft EPI that is or has been placed on Exhibition

None directly applicable to the proposed development.

5.3 Any Development Control Plan

Part A Chapter 1 – Residential Development

Bulk and Scale – No external wall of the proposed development exceeds 14m in length without a return, recess or buttress and therefore complies with this requirement.

Medium Density – The proposal nominates more than three (3) dwellings under a single roof and therefore does not comply with this requirement. The resultant built form of the proposal, including six (6) units under one roof, is considered to adversely impact upon the residential and heritage character of the locality.

Service Areas – This issue has been considered in the above assessment of the proposal against SEPP (Seniors Living) 2004.

Building Height – The proposal nominates a building height of 7m, which complies with the requirement of 7.2m.

Front Setback – the proposal complies with the required front setback of 6m.

Side and Rear Setbacks – The proposed residential building complies with the minimum side and rear setbacks.

The proposed carport nominates a zero setback from the southern boundary. The carport structure however, complies with the Building Code of Australia and therefore satisfies with the setback requirements.

Energy Efficiency – The application included a BASIX Certificate for the proposed development. The BASIX Certificate is generally considered to be satisfactory, however it was noted that the species list on the submitted landscaping plan will need to be amended to comply with the BASIX Species list included in Council's Landscaping Guidelines 2007.

Density and Open Space – These issues have been considered in the above assessment of the proposal against SEPP (Seniors Living) 2004.

Landscaping and Privacy (Visual and Acoustic) – These issues have been considered in the above assessment of the proposal against SEPP (Seniors Living) 2004.

Parking and Driveways – The issue of parking has been considered in the above assessment of the proposal against SEPP (Seniors Living) 2004.

This chapter requires that an access to 3 or more dwellings be 5.5m wide, or as a minimum requires compliance with AS2890.1. The proposed driveway does not comply with the minimum width of 5.5m, however Council's Development Engineer is satisfied that the proposed driveway complies with AS2890.1.

Part A Chapter 8 – Flood Prone Lands

The Flood Hazard Category of the subject allotment is "Flood Fringe Area". For new residential development in the Flood Fringe Area, this chapter of the DCP requires the habitable floor areas of the development to be at or above the Flood Planning Level.

The Flood Planning Level for the site is RL 12.6m. The floor level of the proposed development is RL 12.8, which is above the Flood Planning Level.

Part A Chapter 12 – Heritage Conservation

General Streetscape Context and Conservation Areas – The size and built form of the development is not considered to be consistent with the relevant precinct policies within this chapter or the character of the Girards Hill Heritage Conservation Area. Section 5.1.1 discusses this issue in greater detail.

Roof Pitch and Form – The design of the proposed development incorporates predominantly hipped roof elements (approximately 22.5 degree pitch) with a gable on the street elevation and the northern elevation. Such roof form (design and pitch), is generally considered to be consistent with the character of the conservation area.

Galvanised iron roof is supported, provided it is corrugated. The gutters to the roof are to be quad profile and not a square line design.

Verandahs – The proposal nominates a number of balconies / verandahs which is encouraged in the design of new developments. The main roof form is designed to extend over the front verandah, which is considered to be satisfactory.

Windows and Doors – The proposal nominates double hung windows, which provides a strong vertical element in the appearance of the building and is considered to be satisfactory. The windows are proposed to be aluminium and not timber. This is not desirable, however permitted by this chapter and is acceptable in the circumstances.

The proposed sun shades are considered to be a good treatment over the windows.

Building Materials – The proposed use of aluminium weatherboard cladding on the building is not supported and is considered to have an adverse impact upon the conservation area. In this regard, the external weatherboard cladding is to be amended to use lightweight materials such as timber, compressed sheeting, or cement profiled weatherboards.

Colours – Council does not support the submitted colour scheme. If Council resolve to approve the application, it is requested that a revised schedule of colours be submitted to and approved by Council's Heritage Planner, prior to the granting of the Consent.

Carports – The siting and design of the proposed carport is considered to be satisfactory. In this regard, the carport is sited to the rear of the allotment, separated from the main building and nominates a gable roof which is considered to be compatible with the main building.

Fences – The proposed development does not nominate a front fence. The timber fences enclosing the courtyards area is considered to be satisfactory.

Part A Chapter 13 – Crime Prevention through Environmental Design

The proposed development provides satisfactory surveillance of the street and the site. If the application were to be approved, a revised landscaping plan would need to be submitted and at that time consideration given to Crime Prevention principles.

The use of fencing, landscaping and changes in ground level is considered to appropriately define different spaces within the site and result in satisfactory access control and territorial re-enforcement.

The applicant proposed the use of aluminium weatherboards as they are considered to be target hardened and easier to maintain. This material conflicts with the relevant heritage conservation principles and is not recommended to be used. Such an amendment is not considered to unreasonably impact upon consistency with crime prevention principles.

5.4 Any Matters Prescribed By the Regulations

No matters are directly applicable.

5.5 The Likely Impacts of that Development, including Environmental Impacts on both the Natural and Built Environments, and Social and Economic Impacts in the Locality

Context and Setting

The issues of: height, bulk and scale, design, character of the locality, streetscape, overshadowing, privacy, views and compatibility with adjoining properties have been addressed previously in this report.

Traffic and Access

The issues of vehicular access, car parking and public transport have been addressed previously in this report.

The capacity of Dawson Street is adequate to meet the traffic generated by the proposed development.

Utility Services

The site has satisfactory access to a reticulated water supply, electricity and telephone services. The proposed development will also be connected to the existing sewer line in Dawson Street.

Heritage Impact

The impact of the proposed development upon the heritage significance of the Girards Hill Heritage Conservation Area has been addressed previously in this report and is considered to be unsatisfactory.

Natural Resources

The site is largely clear of its original vegetation having been developed for residential purposes. The vegetation on this property comprises of grasses and scattered non-native landscape trees, and is of low habitat value. In this regard, the proposed development is not likely to adversely impact upon any significant flora and fauna.

The stormwater management (water quality and quantity) for the site has been addressed previously in this report.

Natural Hazards

The site is flood prone and has a hazard classification, under the Lismore Floodplain Management Plan, of "Flood Fringe Area". The impact of the flood hazard upon the development has been addressed previously in this report.

The subject allotment is not classified as being bushfire prone and the site is not considered to be subject to unreasonable landslip risk.

Contamination

The issue of contamination has been addressed previously in this report.

Social Impact

There are considered to be both social benefits and costs associated with the development.

The application is made by the Office of Community Housing (Resitech), under SEPP (Seniors Living) 2004. In this regard, the proposal increases the diversity and supply of low cost housing for seniors (over 55) in relatively close proximity to the Lismore CBD. In this regard, the application promotes social equity and therefore positive social impacts.

Notwithstanding the above, the adverse impacts the proposal is considered to have upon the character and heritage significance of the locality may result in adverse social impacts. In particular, the development is considered to adversely impact upon the built form and sense of place within the locality.

Economic Impact

There are likely to be both economic benefits and costs associated with the development.

The construction of the proposed development would result in employment generation and therefore would generate positive economic impacts.

The adverse impacts the proposal is considered to have upon the character and heritage significance of the locality could potentially result in adverse economic impacts. In particular, there

is potential for negative impact to the property values surrounding the development, as a result of the adverse impacts of the development.

5.6 The Suitability of the Site for the Development

From a locational perspective, the site is considered to be suitable for a Seniors Living development given its relative proximity to Lismore's CBD and its access to public transport.

The proposed development, comprising a six (6) unit Residential Flat Building (designed to be 30m long and include two (2) stories above a sub-floor space), is not considered to be suitable for the subject allotment located within the Girards Hill Heritage Conservation Area, which is a residential locality characterised by single dwellings. The built form of the development is not consistent with that of the surrounding conservation area and as a result is considered to have unreasonable adverse impact upon the neighbourhood character and amenity and the heritage significance of the Conservation Area.

The ground floor of the development has to be elevated from natural ground level to comply with the Flood Planning Level. The result of this is that the common areas of the development including the carport, clothes line and garbage bin area are not conveniently accessible for ground floor residents in a wheelchair.

When considering the above, it is concluded that the site, despite its locational advantages, is not considered to be suitable for the development as designed.

5.7 Any Submissions made in Accordance with this Act or the Regulations

Issue 1 – Heritage Conservation

The height, bulk and scale of the building is not in keeping with other buildings in the street and the broader heritage conservation area, which mostly comprises single dwellings. The proposed development will adversely impact upon the character of the conservation area and encourage other similar developments. Girards Hill is one of the oldest areas of Lismore and its character should be preserved.

Strict planning controls and guidelines are applied to other buildings in the conservation areas and should be applied to this development application.

The proposed building materials are not suitable for the heritage conservation area.

Comment:

Detailed consideration of this issue has been provided in section 5.1.1 and section 5.3 of this report.

Issue 2 – Amenity of adjoining dwellings

Submissions were concerned about the impact of the proposed development upon the amenity the adjoining dwellings. Particular concern was raised in relation to:

- Visual impact of the much larger scale of the development;
- Overlooking from the development into adjoining allotments;
- Overshadowing from the development of No. 177 Dawson Street; and
- Noise impact from increased residents.

Comment:

Detailed consideration of these issues has been provided in section 5.1.1 of this report.

The latest set of amended plans removed the southern side balconies of Units 2 and 5 and is therefore considered to have reduced the extent of overlooking onto the adjoining allotment to the south to an acceptable level.

The proposed development is not considered to generate noise that will cause unreasonable nuisance to the surrounding residential properties.

Issue 3 – Bulk and scale, height and density

In relation to the neighbouring buildings, the proposed development is clearly too tall, has too many stories, is much too big for the site and the surrounding properties. The proposed development does not comply with clause 31 of SEPP SL, which requires the height of the proposed development at the street frontage to be compatible in scale with adjacent development and is considered to have an adverse impact upon the streetscape. The majority of the dwellings out of flood prone land are single storey.

The density of the development is too high for the block size.

Comment:

Detailed consideration of these issues has been provided in section 5.1.1 of this report.

The latest set of amended plans has made some design changes to the visual appearance of the building including modifications to the building facades and roof.

Issue 4 – Water Runoff and Stormwater

Concern is raised in relation to runoff from the proposed development onto the adjoining allotment to the north and the management of stormwater from the site.

Comment:

Detailed consideration of this issue has been provided in section 5.1.1 of this report.

Issue 5 – Parking

Proposed development has a lack of parking for residents, service staff, visitors and tradesmen and will result in vehicles being parked in the street, obstructing driveways of nearby properties.

Comment:

Detailed consideration of this issue has been provided in section 5.1.1 of this report.

Issue 6 – Suitability for seniors

The proposed development does not make adequate provision for outdoor areas for future elderly residents. Units on the second storey are not suitable for the elderly as they include stairs and have no disabled access.

Comment:

Detailed consideration of these issues has been provided in section 5.1.1 of this report.

When considering the above issues, it is important to note that as the application is made by the Office of Community Housing, pursuant to clause 73 of SEPP (Seniors Living) 2004, the first floor units (4, 5 and 6) are exempt from compliance with the requirements of clause 52 of SEPP (Seniors Living) 2004, which relates to accessibility.

Issue 7 – Impact upon views

The proposed development will adversely impact upon the views of the city currently enjoyed by dwellings to the south of the site along Dawson Street.

Comment:

The proposed development will have a visual impact when viewed from the rear yards of the dwellings along Dawson Street to the south of the site. This visual impact however, is most dominant when viewed from the adjoining allotments in Dawson Street. Given the built form of the building and the established residential character of the locality, the visual impact upon these allotments is considered to be unreasonable.

Notwithstanding the above, the proposed development is not considered to have an unreasonable impact upon the distant views of the city.

Issue 8 – Property Values

The proposed development will adversely impact upon the property values in the area.

Comment:

There is potential for negative impacts to the property values surrounding the development as an indicator of the adverse impacts of the development.

Issue 9 – Previous demolition of the existing dwelling

The existing dwelling on the subject allotment was an original timber home (later being encased in brick cladding) and should have been protected and restored. Council should investigate why such a significant building was allowed to be demolished and why neighbours were not notified.

Comment:

Council granted Consent (DA 2005/23) to the demolition of the former dwelling house on the site on June 2, 2005.

Issue 10 – Description of the surrounding locality

Concern that the application failed to adequately consider the built form of the surrounding locality, as required by clause 28 of SEPP SL 2004, so as to appropriately assess the impact of the development on the locality.

Comment:

Detailed consideration of this issue has been provided in section 5.1.1 of this report.

Issue 11 – Pedestrian Access

In accordance with the document “Housing for Seniors or People with a Disability – a guide for Council’s and Applicant”, the applicant should submit information about the adequacy and gradient of the pedestrian path from the site the stated public transport points.

Comment:

Clause 25 of SEPP (Seniors Living) does not require the consent authority to take into consideration the gradient of the footpath between the site and the public transport service. Despite this, following an inspection of the footpath between the site and the public transport service, it is considered that its gradient will not unreasonably restrict access to the public transport service.

Issue 12 – Noise

A submission is concerned about the noise impact upon the locality that will result if each unit has an air conditioner.

Comment:

Council’s Environmental Health Officer raised no objection to the proposal in relation to its noise impact upon the surrounding locality.

Issue 13 – Public Notification

The advertisement and notification of the proposed development was misleading and did not give residents adequate opportunity to review the proposal and make a submission.

Comment:

The proposed development was publicly exhibited in accordance with Council policy. The public exhibition of the application included:

- Advertisement of the proposed development in a local paper;
- Public Notice (sign) was put on the subject allotment;
- The application was placed on exhibition at Council offices; and

- Individual notification was made to adjoining landowners and people who made a submission in the previous exhibition period.

As mentioned above in this report, the development application was placed on public exhibition a second and third time, following amendments made to the design of the development.

5.8 The Public Interest

The proposed development is considered to have an adverse impact upon the neighbourhood amenity, character and significance of the Girards Hill Heritage Conservation Area. When taking this into account, it is concluded that the Development Application is not in the public interest.

6. Referral comments

6.1 Internal

6.1.1 Development Engineer – Council’s Development Engineer raised no objections to the proposed development, subject to the conditions of consent.

6.1.2 Environmental Health Officer – Council’s Environmental Health Officer requested the applicant submit a Preliminary Contaminated Land Assessment for the subject site. This issue has been discussed above in this report.

Apart from the contaminated land issue, Council’s Environmental Health Officer raised no objections to the proposed development, subject to the conditions of consent.

6.1.3 Water and Sewer – Council’s Water and Sewer Officer raised no objections to the proposed development, subject to the conditions of consent.

6.1.4 Building Services – Council’s Building Surveyor raised no objections to the proposed development, subject to the conditions of consent.

6.1.5 Natural Resource Officer – Council’s Natural Resource Officer recommended that some amendments be made to the submitted BASIX Certificate. These amendments are considered relatively minor, have been discussed in the above report and can be conditioned as part of any Development Consent.

6.2 External

6.2.1 Council’s Heritage Advisor – The application was referred to Council’s Heritage Advisor for comment. The heritage advisor’s comments have generally been incorporated into relevant sections in the above report. In summary, concerns were raised in relation to:

- The greater impact of the development on the site than neighbouring houses and the single mass of the proposed building;
- A preference for the use of more modern designed balustrades to avoid mock heritage; and
- Use of mock aluminium weatherboards.

7. Conclusions

The application is made under the provisions of State Environmental Planning Policy (Seniors Living) 2004. This policy sets specific criteria to be applied in the assessment of Seniors Living Developments.

Division 2 of SEPP (Seniors Living) 2004 deals with “Design Principles” and outlines that a consent authority must not consent to an application unless it is satisfied that the proposed development demonstrates “adequate regard” to the identified design principles. In this respect, clause 31 – Neighbourhood Amenity and Streetscape of the policy requires Council to be satisfied that a proposed development, among other tests, “*recognises the desirable elements of the location’s current character (.....) so that new buildings contribute to the quality and identity of the area*” and “*retain, complement*

and sensitively harmonise with any heritage conservation areas in the vicinity” and “adopting building heights at the street frontage that are compatible in scale with adjacent development”.

The site forms part of the Girards Hill Heritage Conservation Area, which is residential in character with predominantly single dwellings. It is considered that the proposed development does not meet these tests and that Council cannot be satisfied as required by clause 30 of SEPP (Seniors Living) 2004.

In addition to the above, the proposed development is also not supported given the ground floor units 2 and 3 do not have convenient access to the common areas of the development, including: the carport, garbage bins and clothes drying area.

The application is made by the Office of Community Housing on behalf of the Crown. In this regard, Section 116C of the Environmental Planning and Assessment Act 1979 (EPA Act) states: “A consent authority, in respect of a development application made by or on behalf of the Crown, must not:

- a) refuse its consent to the application, except with the written approval of the Minister, or
- b) impose a condition of its consent, except with the written approval of the Minister or the applicant”.

If Council determines to refuse its consent, in accordance with the above it must first seek written approval from the Minister for such determination. Upon referring the Development Application to the Minister, the Director-General convenes a meeting between the consent authority and the applicant for the purpose of negotiating, as far as possible, a determination of the development application that is acceptable to them and that is in accordance with the EPA Act 1979. S116E of the EPA Act provides full details of the process once the development application is referred to the Minister.

If however, following consideration of this report Council supports the development, it is recommended that resolution be made granting delegated authority to the General Manager, subject to the concurrence of the Development Assessment Panel, to grant conditional consent to the application only after approval of the following:

- A preliminary contaminated land assessment of the site submitted by the applicant;
- Amendments to provide Unit 3 with wheelchair access as required by clause 52 of SEPP (Seniors Living) 2004;
- A revised colour schedule submitted by the applicant;
- A revised BASIX Certificate submitted by the applicant;
- A revised landscaping plan submitted by the applicant; and
- Evidence how the driveway construction will maintain and protect existing services within the right of carriageway.

Recommendation (PLA13)

- a. That Council, as the consent authority, seek written approval from the Minister to refuse Development Application 2007/465 for the Erection of a SEPP (Seniors Living) 2004 Development, comprising: Six (6) self-contained units, on-site car parking, earthworks, landscaping and infrastructure works, for the following reasons:
 1. **Neighbourhood Amenity and Streetscape** – The proposed development does not contribute to the quality and identity of the area, does not retain, compliment or sensitively harmonise with the Girards Hill Heritage Conservation Area and does not adopt building heights at the street frontage that are compatible in scale with adjacent development (*SEPP (Seniors Living) 2004 – Clause 31 and Chapter 12 – Heritage Conservation of the Lismore DCP, LEP and EP&A Act s79C(1)(b) & (c)*).
 2. **Accessibility** – The accessible pathways within the proposed development do not provide convenient wheelchair access from Units 2 and 3 to the common areas and facilities

associated with the development (*SEPP (Seniors Living) 2004 – Clause 36 and EP&A Act s79C(1)(b) & (c)*); and

- 3 **Public Interest** – The proposed development is contrary to the Public Interest as it has incremental detrimental affect on the heritage conservation area (EP&A Act – s79C(1)(e)).
- b. That Council delegate authority to the General Manager or his appointed representative to, as required by Section 116E of the Environmental Planning and Assessment Act 1979, negotiate amendments to the development with the applicant that:
- Reduces the density and scale of the proposed development to be consistent with the character and streetscape of the conservation area; and
 - Provides convenient accessible pathways from the ground floor units to the common areas of the development.

Development Locality

Lot 1 and 2 DP 818061, 173 and 175 Dawson Street, Girards Hill.



Report

Subject	Proposed Connection of North Woodburn to Woodburn-Evans Head Wastewater Scheme
File No.	RD:VLC:ED09/2876: EF09/2351
Prepared by	Strategic Engineer – Water & Wastewater
Reason	The cost-effective, equitable provision of wastewater services to protect the environment and public health.
Objective	To obtain a resolution of Council to execute under seal a Memorandum of Understanding with Richmond Valley Council. This Memorandum relates to the proposed connection of North Woodburn to the Woodburn-Evans Head Wastewater Scheme. A resolution is also sought to determine the demarcation of responsibilities between Council and affected property owners.
Strategic Plan Link	Water and Waste Cycle
Management Plan Project	Wastewater Services

Overview of Report

This report outlines a proposed agreement between Lismore City Council and Richmond Valley Council which would enable properties located within North Woodburn to be connected to the Woodburn-Evans Head Wastewater Scheme. This wastewater scheme is owned and operated by Richmond Valley Council. The report seeks a resolution from Council to execute under seal a Memorandum of Understanding between the two councils, which formalises this agreement.

This report also raises a related policy issue; regarding the future levying of wastewater charges from properties within North Woodburn. Clarification of Council policy is also sought with respect to the demarcation of responsibilities between Council and affected property owners in relation to the installation and maintenance of wastewater infrastructure. The report also raises other pertinent issues, which are to be addressed through separate reports to Council.

Background

North Woodburn is a small community, consisting of 52 properties, and is located on the northern banks of the Richmond River. The community is located immediately adjacent to the town of Woodburn, which is located on the southern banks of this river. North Woodburn is located within Lismore City Council's local government area (LGA); whereas Woodburn is located within Richmond Valley Council's LGA.

North Woodburn is currently served by on-site wastewater treatment facilities located on each property. In contrast, properties within Woodburn are sewered and are connected to the existing Woodburn-Evans Head Wastewater Scheme, which is owned and operated by Richmond Valley Council. This wastewater scheme currently serves the towns of Woodburn and Evans Head.

Connection of North Woodburn to reticulated sewerage is seen as imperative, given the poor performance of existing on-site wastewater management facilities operating in this locality, their close proximity to the Richmond River, and related environmental and public health issues. Consequently, for several years, staff of Lismore City Council and Richmond Valley Council have been seeking to negotiate an agreement which would enable properties within North Woodburn to connect to the existing nearby sewerage network within Woodburn.

Broadwater is a separate small community located on the banks of the Richmond River, approximately 11 kilometres to the north-east of Woodburn. The community is located within Richmond Valley Council's LGA. Broadwater is also currently served by on-site wastewater management facilities located on each property. In recent years, Richmond Valley Council has negotiated an agreement with the residents of Broadwater. This agreement will result in properties located within Broadwater being connected to the Woodburn-Evans Head Wastewater Scheme in the near future. As part of this agreement, residents of Broadwater have been paying annual wastewater charges to Richmond Valley Council since the commencement of the 2006/07 financial year.

Proposed Agreement

In recent months, an agreement has been reached between the staff of Lismore City Council and Richmond Valley Council regarding the possible connection of North Woodburn to the above wastewater scheme. Under this agreement, connection could take place if Lismore City Council agrees to meet the same obligations under which properties within Broadwater are to be allowed to connect to the wastewater scheme. The nature of this agreement has been outlined within a draft Memorandum of Understanding (MoU) which is attached to this report as Appendix A. This draft MoU was recently endorsed by Richmond Valley Council at its meeting of April 21, 2009.

Under the terms of this draft MoU, Lismore City Council will pay Richmond Valley Council an amount of approximately \$160,000 during the next financial year. This figure equates to backdated wastewater charges for properties within North Woodburn for the period 2006/07 to 2009/10. From the following financial year (2010/11), Lismore City Council will pay Richmond Valley Council annual wastewater charges for properties located in North Woodburn, equivalent to those paid by properties located in Woodburn each year. This annual charge is subject to change each year, but is estimated at approximately \$45,000 per annum.

Under the agreement, Lismore City Council will be responsible for all construction and project management costs related to new sewerage works. Richmond Valley Council would assume responsibility for the maintenance and operation of wastewater facilities located within North Woodburn once constructed. Ownership of new assets would remain with Lismore City Council.

If the draft agreement is endorsed by both councils, it is envisaged that connection of North Woodburn could be completed by the end of the 2010/11 financial year.

Discrepancy Between Annual Wastewater Charges Levied by Lismore City Council and Richmond Valley Council

At present there is a large difference between annual wastewater charges levied by each Council. Current residential wastewater charges for properties located within Lismore City Council's LGA are \$476.00 per annum. In comparison, the same charges for properties located in Woodburn, as levied by Richmond Valley Council, are \$775.00 per annum.

Applied over 52 properties, this difference in wastewater charges levied by the two councils totals approximately \$15,000 per annum. This amount represents the discrepancy between income received from properties in North Woodburn and expenditure paid to Richmond Valley Council, that would occur if North Woodburn was already connected and the proposed agreement was already in place this current financial year.

It should be noted that figures in future years will be subject to variations in wastewater charges levied by both councils. In this regard, a recent review of Council's Strategic Business Plan indicates that wastewater charges levied by Lismore City Council are likely to rise approximately 10% per annum over the next four years (to approximately \$680 in 2012/13). Information received by Richmond Valley Council indicates their wastewater charges are anticipated to rise by approximately 3.0%-4.5% per annum over the next three years (to approximately \$845-\$880 by 2011/12). These figures indicate that over time the differences between wastewater charges is likely to narrow. However, Richmond Valley Council's wastewater charges are likely to remain higher into the long term future.

Under the terms of the draft MoU, Lismore City Council is free to determine the value of annual wastewater charges to be levied from properties in North Woodburn, provided that each year it pays to Richmond Valley Council an amount calculated in accordance with the agreement. In order to address projected shortfalls between income and expenditure referred to above, there are two courses of action available to Lismore City Council. These are:

1. To continue to apply a uniform annual residential wastewater charge over the whole of its local government area. Residents in North Woodburn would pay the same annual wastewater charge as properties elsewhere within the LGA and the discrepancy between income and expenditure referred to above would be an operational expense recovered through income received across the whole customer base. Effectively, residents in North Woodburn would be subsidised by the remaining customers within the LGA. It is estimated that this arrangement would have an impact of adding approximately \$1.00 per annum to the typical residential bill levied from all properties within the LGA.⁽¹⁾
2. Council could choose to levy a system of differential wastewater charges for different areas within the LGA. Under such an arrangement, charges applicable to residents in North Woodburn could be calculated separately from all other properties within the LGA.

Introduction of an Interim Wastewater Charge for North Woodburn Properties

Given that, commencing next financial year, Lismore City Council will incur significant costs associated with the payment of wastewater charges to Richmond Valley Council, it is considered reasonable that residents of North Woodburn commence paying a contribution to Council's Wastewater Fund.

Consequently, the draft 2009/10 Management Plan and Budget prepared by staff includes the proposed levying of an initial annual wastewater charge of \$400 from properties in North Woodburn, commencing next financial year. It is proposed that payment of a special wastewater charge would continue until properties are connected to the wastewater scheme, following which they will be charged a full annual wastewater charge.

The provisions of the draft Management Plan are to be workshopped by Council on May 5-6, 2009, and considered further by Council on June 18 2009, following public exhibition of the draft Management Plan.

It is recommended that this proposed \$400 charge be levied next financial year. However, this report does not seek a resolution from Council with respect to this matter as the introduction of this charge will be determined by Council's resolutions with respect to adoption of the 2009/10 Management Plan.

Notes:

⁽¹⁾ This figure relates only to the impact of subsidising the annual operating costs for the scheme (related to the discrepancy in annual wastewater charges levied by the two councils each year). It does not include the impact of subsidising any initial capital costs associated with the connection of these properties to the wastewater scheme. This is a separate issue addressed in the section of this report titled 'Determination of Policy Regarding Recovery of Capital Costs'.

Determination of Policy Regarding Recovery of Capital Costs

The majority of comments above relate only to the payment of annual charges by Lismore City Council to Richmond Valley Council, and related levying of annual charges from properties located within North Woodburn. They do not include a consideration of the capital cost of constructing the new sewerage infrastructure necessary to enable the connection of these properties to take place.⁽²⁾

The estimated cost of constructing the physical works necessary to connect North Woodburn to the existing sewerage system located within Woodburn is approximately \$800,000. If the payment of backdated wastewater charges to Richmond Valley Council is included, the total cost of connecting North Woodburn to wastewater services is approximately \$960,000. This is equivalent to approximately \$18,500 per property connected.

Council could seek to recover these costs directly from residents of North Woodburn, through levying an equivalent connection fee when properties connect to the wastewater system. Alternatively, Council could choose to subsidise these construction costs by recovering costs through annual wastewater charges levied from all customers within the LGA over future years. If the latter option is adopted, this will have an impact of adding approximately \$6.00 per annum to the typical residential bill levied from all properties within the LGA over future years.⁽³⁾

A third option is also available, which is to seek to recover a portion only of the capital cost through the levying of fees, with the remainder of the cost being subsidised by existing wastewater customers.

Construction work on the North Woodburn Wastewater Scheme is due to commence next financial year, with connection scheduled for completion in the 2010/11 financial year. If levied, connection fees will need to be sought at the time of connection. Furthermore, if this is to be achieved, related fees would need to be incorporated into Council's 2010/11 Management Plan. Consequently, Council needs to determine a clear policy as to whether it wishes to levy such fees in the very near future.

However, any decision made with respect to North Woodburn would have clear implications in setting a precedent with relation to the connection of Clunes to wastewater services and any other similar future projects. Consequently, it is recommended that any decision with respect to North Woodburn be made as part of determining a broader policy which shall apply to all similar 'backlog' wastewater projects.

With this view in mind, a separate report will be prepared on the subject of determining such a policy. Consequently, this report does not seek a resolution from Council with respect to this issue.

Notes:

⁽²⁾ In this regard, the proposed backdating of annual charges provides a contribution by Lismore City Council towards the cost of the recent upgrading of the Evans Head Wastewater Treatment Plant carried out by Richmond Valley Council. Annual charges paid in subsequent years covers the cost incurred by Richmond Valley Council in operating the Woodburn-Evans Head Wastewater Scheme and the building of reserves to fund the future renewal of these assets. The cost of constructing new assets to enable connection of North Woodburn is a separate cost to be borne by Lismore City Council. Both this capital cost, and the backdating of wastewater charges, are to be funded by Lismore City Council using reserves or loan funding. Unless a contribution towards these capital costs is sought from the properties benefiting from these works, the cost of servicing any loans or rebuilding reserves will be obtained through annual wastewater charges levied from all customers over future years.

⁽³⁾ This impact has already been modelled within Council's Strategic Business Plan, which included projected costs of connecting North Woodburn to wastewater services. Consequently, this impact is included in the projected increases in annual wastewater charges predicted by this plan. However, the Strategic Business Plan (SBP) is subject to regular review. If a capital contribution were to be levied from residents, this amendment could be modelled within subsequent reviews of the SBP, leading to reductions in the projected value of typical residential bills applied in future years.

Proposed Pressure Sewer System and Definition of Responsibilities for Installation, Operation and Maintenance

It is proposed to connect North Woodburn to the wastewater scheme using a 'pressure sewer' system. Under such a system, each property will be served by a small, 'package' sewage pump station located within the property. Plumbing within the property will drain wastewater to this pump station. The pump station will then pump wastewater within a small diameter pressure pipeline, laid within the property, which will connect to a larger diameter pipeline located in the laneway to the rear of the properties. This larger diameter pipeline, known as a common rising main, will serve all the properties within a street. Common rising mains, serving the eastern and western sectors of the community, will combine in a single pipe which will pass over the bridge crossing the Richmond River. This pipeline will then discharge to a suitable point within the existing sewerage system in Woodburn.

The use of a pressure sewer system is particularly suitable for use in North Woodburn given the flat terrain, shallow water table, susceptibility to flooding, and possible risk of acid sulphate soils. In this regard, the use of a pressure sewer system enables the depth of excavation for pipelines to be kept to a minimum and reduces the risk of infiltration of stormwater into the wastewater system.

The construction and operation of pressure sewer systems raises some unique issues related to the need to define ownership of sewerage infrastructure located within individual properties, and who is responsible for the operation and maintenance of this infrastructure. The related issue of the need for operational staff to gain access to properties also needs to be addressed. In the case of North Woodburn, there will be an additional level of complexity in that Richmond Valley Council will be responsible for operation and maintenance of infrastructure on behalf of Lismore City Council.

Over coming months these issues will need to be addressed in considerable detail, including; negotiation of a service level agreement between Lismore City Council and Richmond Valley Council, entering into agreements with landholders, and the development of associated protocols and the documentation of agreements.

While it will take some time to determine all the details of these arrangements, it would be very beneficial if the broad parameters for the installation and operation of the system could be defined now. This would allow initial community consultation with affected residents to be undertaken with increased certainty as to final outcomes.

In this regard, the following demarcation of responsibilities is suggested as being the most appropriate.

Within each property Council shall be responsible for:

- Supply and installation of the package pump station, pressure pipeline (including 'boundary kit') and the electrical control cubicle controlling the pump station.
- Installation of the electrical connection from the main electrical switchboard for the property to the control cubicle for the pump station. (The pump station circuit will be controlled by a separate circuit breaker installed within the main switchboard.)
- Lismore City Council will retain ownership of all the above assets and will be responsible for their ongoing operation and maintenance. (Operation and maintenance would be undertaken by Richmond Valley Council on Council's behalf.) Responsibility for the electrical connection to the pump station will extend to the circuit breaker on this circuit.

Individual property owners will be responsible for:

- Amendments to existing plumbing necessary to connect the property to the package pump station (ie diversion of plumbing from existing on-site sewage management system [OSMS] to new pressure sewer connection).
- Any upgrade of existing plumbing (eg. venting etc), necessary to ensure compliance with relevant standards (only if required).
- Decommissioning of existing OSMS.
- Any upgrade to main electrical switchboard necessary to accommodate provision of the electrical connection to the new package pump station, or to ensure compliance with relevant standards (only if required).
- Payment of ongoing electrical power costs of running package pump station. These costs will be incorporated within the property's electrical account. Typical costs are estimated at between \$25 to \$35 per annum.

Typical costs of undertaking amendments to plumbing and decommissioning existing OSMS are \$1,500 per property. It should be noted that property owners would be responsible for these items, regardless of whether a conventional gravity sewer system or pressure sewer system were adopted.

Comments

Financial Services

Council's current policy is to charge a uniform annual wastewater charge. This applies to all properties serviced by the Lismore Scheme and Nimbin Scheme although an initial higher charge applied to the Nimbin Scheme when it was first commissioned.

The Sewerage (Wastewater) Fund is a user pays fund. As such, all costs are contained within the fund and after all general revenues (grants, Section 64, sundry fees, interest on investments) are deducted, the remaining balance is recovered by user charges per ET (Equivalent Tenement or ET, refers to an assumed discharge to the sewerage system which is equivalent to that discharged by a 'standard' detached dwelling house each charging unit).

If the current principle was maintained for the North Woodburn Scheme, based on current Lismore City Council (\$476) and Richmond Valley Council (\$775) wastewater charges, the extra cost charged to all other users to allow North Woodburn's connection would be approximately \$1.12 per annum per ET.

Public consultation

Consultation with residents of North Woodburn has already commenced. A letter has been forwarded to all affected property owners advising them of the proposed agreement regarding the connection of North Woodburn to the Woodburn-Evans Head Wastewater Scheme. In addition, a public information session is planned to be held at the Woodburn CWA Hall, River Street, Woodburn, on Thursday, June 4, 2009, commencing at 6.00 pm.

Conclusion

The connection of properties in North Woodburn to reticulated sewerage is considered an urgent priority given the poor performance of existing on-site wastewater management facilities operating in this locality, their close proximity to the Richmond River, and related environmental and public health issues.

The draft agreement reached with Richmond Valley Council, as outlined in the attached draft Memorandum of Understanding, is seen as the most cost effective and quickest means of providing necessary wastewater services to this community. The terms of the agreement negotiated with Richmond Valley Council are also considered reasonable and equitable.

The terms of the above agreement raises an issue related to the discrepancy between annual wastewater charges levied by each council. However, the terms of the agreement give full autonomy to Lismore City Council to determine wastewater charges it levies from its residents in North Woodburn.

It is recommended that a \$400 wastewater charge be levied on properties in North Woodburn commencing next financial year. These proposed charges have been incorporated within the draft 2009/10 Management Plan and Budget. A decision as to their implementation will be determined through resolutions made by Council with respect to public exhibition and adoption of the 2009/10 Management Plan.

Council also needs to determine a policy as to whether it wishes to levy connection fees from residents in North Woodburn. However, this decision has wider ramifications in setting a precedent which would affect other similar projects. Consequently, this decision will be the subject of a separate report to Council.

There is also a need to clearly define the responsibilities of both Council and affected property owners in relation to the installation, operation and maintenance of wastewater infrastructure located on individual properties.

Recommendation (IS12)

That:

1. Council resolve to execute under seal the attached draft Memorandum of Understanding between Lismore City Council and Richmond Valley Council.
2. Council endorse the proposed demarcation of responsibilities as outlined in the section of this report entitled *Proposed Pressure Sewer Systems and Definition of Responsibilities for Installation, Operation and Maintenance*.

Report

Subject	Strategic Companion Animals Management Plan
File No	EF09/491
Prepared by	Manager Environmental Health and Building Services
Reason	For Council to endorse the draft management plan to be placed on public exhibition
Objective	To seek community submissions on the Draft Strategic Companion Animals Plan
Strategic Plan Link	Quality of Life
Management Plan Project	Administration of the Companion Animals Act

Overview of Report

A Strategic Companion Animal Management Plan (SCAMP) in accordance with the New South Wales Department of Local Government guidelines has been drafted. The document is submitted to Council to be placed on public exhibition for a one month period. After the submission period, a further report will be provided to Council with the aim to have the Management Plan adopted for implementation.

Background

In August 2008 Lismore City Council was audited by the Department of Local Government into best practice procedures.

As a result of this review it was recommended that Council should produce a SCAMP in accordance with the New South Wales Department of Local Government (DLG) Guidelines, which had been in circulation for some time. Although the DLG document is not mandatory and only a guideline, the review recommendation has been implemented and as a result the draft SCAMP has been produced.

The Companion Animal Act (CAA) was gazetted in 1998 and relates to dogs, cats and any other animal prescribed under the Act as a companion animal (CA), however to date it relates only to dogs and cats.

Responsibilities for CAA implementation and compliance in the Lismore local government area is within the Ranger's Management Plan and forms a critical and major component of their day to day operational activities.

The CAA strives to make a balance between those in the community who own CA and also those who don't.

As a result it is envisaged that this draft SCAMP will achieve the following objectives:

- To promote responsible companion animal ownership through support, education and regulation and to encourage voluntary compliance of the CAA by companion animal owners.
- To encourage permanent identification and registration of all companion animals in the Lismore local government area.
- To outline Lismore City Council's CA control, handling and enforcement approaches.

- To raise awareness of CA owners in an effort to minimise the impact that CA can have upon the environment including noise and water quality issues.

In order to support these broad objectives this SCAMP will focus on the following issues.

- Responsible CA ownership
- CA identification and registration
- De-sexing of CA's
- Education
- Enforcement
- Community facilities
- Sensitive areas and environmental issues

Comments

Financial Services

No comment required.

Conclusion

The Department of Local Government has recommended that Council produce a SCAMP Plan in accordance with their guidelines. Consequently this has been undertaken and a draft SCAMP is now before Council to be placed on public exhibition for a one month period. A further report will be provided to Council in regards to the outcome of the exhibition period with the aim of the plan being adopted for implementation.

Recommendation (PLA12)

That Council endorse the draft Strategic Companion Animal Management Plan being placed on public exhibition for a one month period and a further report to be provided to Council on the matter.

Report

Subject	Replacement of Road Compaction Roller – Plant No. 350
File No.	T2009-22: ED09/1889,ED09/1892
Prepared by	Fleet Services Coordinator
Reason	To seek Council approval for the replacement of old road compaction equipment with new, and for disposal of the old.
Objective	To convey to Council information relevant to the selection of replacement plant so an informed decision can be made.
Strategic Plan Link	Infrastructure / Business Services / Fleet Services
Management Plan Project	Fleet Operations

Overview of Report

Tenders were invited for the supply of a Self-Propelled Single-Drum Pad-foot Vibrating Roller of 18.0 (plus) tonnes operating weight for Council's road maintenance and construction programme. Tenders were received and assessed by staff. The machines were assessed by road construction supervisors and operators. Recommendations are made within this report for purchase of the optimal machine.

Background

A roller is a key item of heavy equipment used for compaction in road construction and maintenance. The subject of this report is replacement of Plant No. 350 a Bomag brand, BW217PD-2 model, self-propelled pad-foot vibrating roller owned by Council. 'Pad-foot' (sometimes called 'sheep's foot') indicates that the drum is not smooth, but has elevated knobs that are necessary for deep compaction in soft materials.

The pad-foot roller is particularly necessary for 'sub-grade' compaction and for 'stabilising'. 'Sub-grade' is the lower layer of road material, which for conditions in our area often needs to be rock of up to 200mm size. The pad-foot roller works very hard in vibration mode to hammer these rocks into a solid sub-grade. 'Stabilising' is where road-base has been laid then cement spread on top; a stabiliser then goes through and mixes the road-base and cement together to a depth of up to 250mm but this leaves the material loose. Deep compaction is then achieved by use of the pad-foot roller, where deep compaction cannot be achieved with any other type of roller.

Thus the pad-foot roller is an essential piece of equipment for road construction and road maintenance. Council currently owns only this one pad-foot roller which is usually sufficient for our needs. When more than one job is running, and an additional pad-foot roller needed, a machine is hired. Although resource sharing of rollers with neighbouring councils has great fiscal appeal, the practicalities are that road building and road stabilising are weather dependant activities, and when our road gang needs the roller on a job, it is usually the case that our one neighbour who has a heavy pad-foot roller, is also using theirs. This conflicting need would severely hamper our operations. Sometimes we are able to take a short term hire of our neighbour's machine, but it cannot be relied upon for our primary machine.

Engineering consultants recommend an optimal replacement for compaction equipment of six years or 8,000 hours. Our machine was delivered new to Council in February 1994 (now 15 years old), and shows 8,205 hours of operation on the clock. It has worked extremely hard in our rural areas hammering sub-grade into place. It has a tired engine which emits significant diesel smoke (particulate matter); the electrical system is deteriorating and often requires attention to keep it functional; the age of the machine and the condition of the oil at service time suggest that we can soon expect expensive transmission repairs to be required; and the recent need to replace cabin mounts is an example of metal fatigue which becomes a significant problem in aging vibrating rollers.

A new machine would meet Tier III emission standards, and would use less fuel, thus contributing to Council's sustainability objectives. It is therefore recommended that roller Plant No. 350 be replaced at this time.

Tenders were called for a new self-propelled single-drum pad-foot vibrating roller of 18.0 (plus) tonnes operating weight. The operating weight of the existing Bomag Roller is 17 tonnes but a heavier machine will allow better compaction in built-up areas where vibration is not used near buildings.

Tenders were received for 11 different model machines, from nine machinery suppliers and detailed examination and interpretation of the tenders was undertaken (refer attached). Of the 11 received, two were non-conforming due to machine weight being less than 18.0 tonnes, leaving nine conforming tenders. Of these nine, a further two were considered too expensive.

The submitted information on the tenders was compared and evaluated by managerial and supervisory staff and machines were selected for assessment. One machine could not be made available by the supplier and was not assessed. The machines were assessed by road construction supervisors and operators.

Evaluation results indicate that the Dynapac CA 612 PD from Atlas Copco Construction Equipment Australia is the most suitable for Council. There is little difference in most of the attributes of these machines, however the user ergonomics of the Dynapac is far superior to the others. Roller operation involves considerable backwards and forwards movements requiring the driver to rotate their seat to view behind the machine. The whole of the operator's control 'pod' of the Dynapac rotates with the operator's seat precluding twisting of the body during operations. The other machines do not have this innovation.

Tenderers were also invited to offer to purchase Bomag Roller Plant No. 350. The written down value of this machine is zero.

Evaluation by staff of a realistic auction price is \$15,000 to \$25,000, and Atlas Copco Construction Equipment Australia offered \$35,000 as a trade on the Dynapac CA 612 PD roller.

Manufacturer / Supplier	Make	Model	Price Ranking	Evaluation Ranking
Atlas Copco Construction Equipment Australia	Dynapac	CA 612 PD	0.87	84.79
Conplant Pty Ltd	AMMANN	ASC200PD	0.88	82.76
Wirtgen Australia Pty Ltd	HAMM	3520P	0.87	76.95
GCM Agencies Pty Ltd	Multipac	YZ18PD	0.94	76.77
Clark Equipment Sales Pty Ltd	Dynapac	CA602PD*	0.90	73.11
Wirtgen Australia Pty Ltd	HAMM	3518P	0.90	71.93
Atlas Copco Construction Equipment Australia	Dynapac	CA 602 PD*	0.88	*Same machine tendered cheaper by other supplier

Manufacturer / Supplier	Make	Model	Price Ranking	Evaluation Ranking
CEG Australasia Pty Ltd	Lebrero	X6	0.89	Not available for evaluation
CJD Equipment Pty Ltd	Volvo	SD200F	0.73	Not shortlisted - price
BT Equipment	Bomag	BW 219 PD-4	0.78	Not shortlisted - price
WesTrac Pty Ltd	Caterpillar	CP-76	0.90	Non-conforming - weight
Conplant Pty Ltd	AMMANN	ASC150PD	1.00	Non-conforming - weight

Attachment A: Schedules and Evaluation (enclosed separately)

Attachment B: Price Score Calculator (enclosed separately)

Comments

Financial Services

The replacement of major plant items is generally expensive. For the replacement of this roller, the net cost excluding GST will be approximately \$179,000. To recover all operating and replacement costs, a plant hiring system is in place.

Through the plant hiring system when a plant item is used on a job, the job is charged an hourly hire charge. The hire charge collected is used to offset operating costs and any residual is placed in the Plant Reserve for future plant replacement.

The Plant Reserve is used to fund the replacement of plant items when required. As such, there is no impact on available or discretionary fund.

The replacement of this plant item is to be funded from the Plant Reserve. It has generated a surplus of approximately \$169,000 over its useful life. The negative variance of \$10,000 is not considered significant when compared to the overall plant operating costs and plant replacement budget.

Other staff comments

Manager – Operations

The purchase of the Dynapac pad-foot roller is strongly supported by the Roads section. This machine represents good value and is essential in road construction activities for the deep compaction of earth fill and road base. The machine is also recommended for its operator comfort, proven reliability, increased productivity and safety. Council has already experienced a proven track record with Dynapac rollers with regards to reliability and minimal down-time.

Public consultation

Not required.

Recommendation (IS23)

That:

1. Council purchase from Atlas Copco Construction Equipment Australia a Dynapac CA 612 PD roller as tendered, the price of which will be \$232,188.00 including Goods and Services Tax.
2. Council dispose of Plant No. 350 (Bomag BW217PD-2) by trade to Atlas Copco Construction Equipment Australia for \$35,000.

Report

Subject	Tenders for Sewer Rising Main No. 3 Replacement – Stage 1
File No.	T2009-15
Prepared by	Operations Engineer – Water and Wastewater
Reason	To report to Council the results of the assessment of tenders for the replacement of Rising Main No. 3 (RM3) - Stage 1.
Objective	To obtain a determination by Council to enter into a contract for the Rising Main No. 3 (RM3) construction.
Strategic Plan Link	Water and Waste Cycle
Management Plan Project	Wastewater Services

Overview of Report

This report analyses the eight proposals Council received for Tender T2009-15, and provides a recommended contractor to perform the works.

Background

Sewer Rising Main No. 3 (RM3) is a large pressure sewage main, which is used to transport sewage from the Lismore CBD to the South Lismore Sewage Treatment Plant (STP). It picks up the CBD catchment, adjacent residential areas and four other pump station flows. RM3 extends from the Dawson Street pump station (located adjacent to the Dawson Street caravan park), along Dawson Street down Conway Street, through the CBD to the STP at Three Chain Road.

The main was constructed in 1977, and has failed frequently in recent years. This financial year, Council has spent considerable funds repairing the main. As such, it is in need of immediate replacement.

The scope of Council's tender was for a 500mmø polyethylene main, pressure rating PN16, connecting the Dawson Street pump station to the existing main on the western side of the Wilsons River at Taylor Street.

Omitting the lowest and highest tenders, the average cost of the tenders received was \$3.6 million, which was close to staff estimates of approximately \$4.0 million.

The tender panel for this assessment included Manager-Operations, Contracts Engineer-Water & Wastewater and Operations Engineer-Water & Wastewater.

Council previously advertised for tenders for the replacement of RM3 in February/March 2008. At the June 10, 2008 meeting, Council adopted a recommendation of a consultant to "re-advertise" the project, with a "review of the design and the proposed route of the new main; and adoption of state of the art trenchless construction technology".

As such, Council's Operations Engineer-Water & Wastewater revisited the project, developed a new Council Horizontal Directional Drilling specification, prepared a new standard design and construct contract, and prepared new tender documentation, resulting in the project being advertised for tender in November 2008.

Concurrently to the tender preparation, a preliminary design was detailed, alignment determined, geotechnical investigations performed, affected services documented, liaison with the Ngulingah LALC and Widjabul traditional owners commenced, and environmental issues addressed.

Furthermore, legislation changed in April 2008 requiring drill slurry, which was previously disposed of at any waste facility, to be disposed of at EPA licenced facilities. This issue was omitted from the previous RM3 report of June 2008. The nearest approved facility was in Brisbane and UEA quoted a cost for this complying disposal of \$1.2 million.

To minimise costs for the project and to provide the waste management facility with regional business opportunities, Council staff are in the process of changing its licence at the Wyrallah Road Waste Facility to receive drill slurry. This should be finalised prior to any contract being signed.

A pre-tender meeting was held on January 14, 2009 and tenders closed on February 5, 2009.

Eight (8) tenders were received, with one tender being immediately disregarded as it did not contain any tender amount, and being automatically disqualified for not attending the compulsory pre-tender meeting; and a second tender disqualified as they did not submit their tender by the due date.

Submission Summaries

The six (6) tender submissions were analysed for the project. These comprised:

- ITS Trenchless Pty Limited
- Jemena Asset Management Pty Limited
- Thiess Services Pty Limited
- Coe Drilling Pty Limited
- Pipeline Drillers
- UEA Pty Limited

ITS Trenchless

ITS submitted a tender price of \$2,305,600, substantially below the average of \$3.6 million.

ITS are certified to ISO 9001 for Quality and AS/NZ 4801 for OH&S. ITS states that they will gain Environmental certification to ISO 14001 in the next 12 months.

ITS Trenchless, recently renamed from CLM, have performed work for Council in the past and have proved to be a good, reliable contractor.

ITS proposed a non-complying alternate solution to Horizontal Directional Drilling (HDD). ITS proposes to slip line the existing main with a 450mmø poly pipe. Slip lining is where a smaller pipe is inserted, under force, in the original host pipe. The pipe proposed would be smaller and less of a pressure rating than that specified in the tender documents.

To perform the ITS proposal a bypass line is needed to be established around the Lismore CBD. A 450mmø black poly main would be temporarily established from the pump station using the current stormwater drain, along the river bank to the connection point at the Ballina Road Bridge. This would be in operation for approximately two to three months.

Positives:

- ✓ No requirement to work on the Bruxner Highway.

Negatives:

- × The proposal does not extend the main replacement under the Wilsons River so the scope proposed is less than that of other contractors.
- × There is a requirement to work in the Lismore CBD which would have an impact on traffic.
- × The main in Keen Street will only have approximately 400mm cover from the surface to the main, which does not comply with Council's current standard of 750mm cover.
- × The bypass main would be at risk of damage in the case of a flood and if this occurred Council may be at risk of EPA prosecution.
- × The flood gates would not be able to be shut due to the bypass main being installed down the stormwater drain in the case of a flood, without severing the bypass main.

However, Council may need to retender, subject to legal advice, as Council would be accepting a smaller pipe size of DN450 of pressure rating PN12.5, than that specified. It therefore would only be fair to allow each Tenderer the opportunity of reducing their price on a smaller pipe size and pressure rating.

Jemena Asset Management

Jemena submitted a tender price of \$2,403,291, substantially below the average of \$3.6 million. They are certified to ISO 9001 for Quality, AS/NZ 4801 for OH&S and ISO 14001 for Environmental.

Jemena wishes to place a limitation of liability new clause into the contract documents, substantially placing risk of liability onto Council, this in effect making the tender non-conforming.

Thiess Services

Thiess Services submitted a tender price of \$3,331,092, similar to the average of \$3.6 million. They are certified to ISO 9001 for Quality, AS/NZ 4801 for OH&S and ISO 14001 for Environmental.

Thiess Services' parent company, Thiess Pty Limited, had revenue of \$2.1 billion for the 2007-2008 financial year. Thiess set qualifications to their tender reducing their score and hence ranking on the tender assessment matrix.

These qualifications included:

- Reallocation of risks and liabilities to Council from that specified in the contract documents.
- Amendment of special and general conditions of contract.
- Setting of liquidated damages at a maximum of 10% of the contract sum.
- Variation to the method of payment set by Council.

The qualifications in the tender which set to reduce liability on behalf of the contractor and increase risk to Council, may result in considerable variations to the contract sum. Although Thiess have a competitive price and a capability of performing the works, staff cannot recommend them based on the proposed risk reallocation. This risk reallocation also affected the ranking of Thiess' tender in the tender comparison matrix.

COE Drilling Pty Limited

COE Drilling submitted a tender price of \$4,010,270, similar to the average of \$3.6 million. They are not certified to ISO 9001 for Quality or AS/NZ 4801 for OH&S. They have stated that they will gain Environmental Certification to ISO 14001 if required by Council for this contract.

COE is a recognised horizontal directional drilling company based in Labrador Queensland. For the design component, COE Drilling will contract local Lennox Head design consultancy, GeoLink. COE Drilling submitted a complying tender without any qualifications. Furthermore, COE Drilling is

proposing to perform four (4) drills to minimise the impact of the works on the community.

COE Drilling have won a tender to construct an under bore of the Clarence River on a project for the Clarence Valley Council. Referee checks and follow up analysis by the Department of Commerce nominated COE as a suitable contractor.

Pipeline Drillers Group Pty Limited

Pipeline Drillers submitted a tender price of \$4,122,930, similar to the average of \$3.6 million. They are certified to ISO 9001 for Quality. They are not certified to AS/NZ 4801 for OH&S or ISO 14001 for Environmental.

It is a conforming tender with no qualifications on contractual conditions. Design for the project would be from Opus Qantec McWilliam Pty Limited and it is proposed that traffic control and survey be performed by local contractors, however no organisation was specified in the tender.

Pipeline Drillers propose to split the works into five (5) separate sections and have performed projects of this scope before. The quality of Pipeline Drillers' tender was similar to COE Drilling's submission.

UEA Trenchless

UEA submitted a tender price of \$7,185,732, substantially higher than the average of \$3.6 million. They are certified to ISO 9001 for Quality and AS/NZ 4801 for OH&S. UEA has advised that they are seeking Environmental certification to ISO 14001 within the next 12 months.

As this was the highest tender by a substantial amount, further consideration of the tender was not performed. UEA in their submission did propose areas of savings, however due to the difference in the amounts; their price could not have been reduced to a competitive amount.

Comments

Financial Services

Based on the recommendation, the contract price will be \$4.01 million. In addition to the contract price, a 20% contingency allowance is to be provided making the overall cost approximately \$4.81 million.

These works are considered critical as maintenance and repairs costs to this main so far this year have exceeded \$607,000. The financial benefit of replacing the main clearly outweighs the ongoing maintenance option with a 16-year breakeven point.

The 2008/09 Budget has approximately \$1.6 million available for this project and therefore approximately \$3.2 million will be required in 2009/10. As this replacement is for major infrastructure, the option to borrow \$3.2 million as part of the 2009/10 Budget over a 30-year period will be assessed. Repayment costs are estimated to be \$257,000 per annum and these will be funded from the Sewerage Fund by a combination of increased user charges (as proposed by the Wastewater Strategic Business Plan), or reduced capital works programme. The recommended mix will be part of the overall 2009/10 Budget for Sewerage Fund submitted to Council.

Other Staff Comments

Manager - Operations

The replacement of Rising Main No. 3 - Stage 1 is seen as essential works due to the very expensive costs being incurred for major repairs undertaken on this main, particularly within Conway Street. These essential works will also permit the road rehabilitation of Conway Street between Ballina Road and Keen Street, which has been deferred for a couple of years due to the very poor condition of the subject sewer main. The selection of COE Drilling is supported as they are recognised within the industry for this type of work and will also be engaging a local consultancy firm to undertake the final design.

Public Consultation

Not applicable

Detail Tender Comparison

In the tender documents, Council stated that it would assess the tenders in the following manner:

Tender Assessment Matrix

Company	Price Weighting (40%)	Capability and Past Experience (30%)	OH&S, Risk Management and Quality (10%)	Environment and Community (10%)	Local Content (10%)	Summary
ITS Trenchless	26	25	6	5	8	70
Jemena	27	10	4	8	2	51
Thiess Services	37	25	4	9	4	79
COE Drilling	35	28	6	8	8	85
Pipeline Drillers Group	34	28	6	8	2	78
UEA Trenchless	0	28	6	2	2	38

The total price comparisons were based on the difference to the benchmark of the average tendered price.

Note: The above assessment was performed in accordance with Clause B7; Assessment of Tenders from the Tender documents.

Conclusion

The assessment of the tenders has determined that COE Drilling has the best overall tender for the work. Thiess, COE Drilling and Pipeline Drillers are all capable contractors with close assessment scores.

The above matrix takes into account all factors included in the assessment including price, capability, past experience, knowledge of local conditions, quality, risk allocation, environment, community and local content. Results were determined summing all factors in the tender documentation.

Recommendation (IS18)

That:

1. Council accept the tender in the sum of \$4,010,270 (incl GST) from COE Drilling Pty Limited for the replacement of Sewer Rising Main No. 3 - Stage 1.
2. The General Manager be authorised to enter a contract with COE Drilling Pty Limited to undertake the work in accordance with their tender.
3. The relevant documentation be executed under seal of Council.

Report

Subject	March 2009 Quarter Management Plan Review
File No	ED09/4160:EF09/1726, S952
Prepared by	Executive Services Coordinator
Reason	Requirement of Local Government Act S.407(1)
Objective	Information for Councillors
Strategic Plan Link	Leadership by Innovation
Management Plan Project	This is a report on the progress of the 2008/2009 Management Plan

Overview of Report

This report relates to the performance of programmes and activities highlighted in the 2007/2008 Management Plan during the quarter ended March 2008.

Background

The General Manager is required under Section 4007(1) of the Local Government Act, 1993 to periodically report on the performance targets outlined in the Management Plan.

Recommendation

That the report be received and noted.

MARCH QUARTERLY MANAGEMENT PLAN 2008/09 REVIEW						
	General Manager					
	Communications					
	Project	Budget	Key action steps	Target date	Status	Explanation on Progress to Date
1	Communications Strategy	Recurring budget	<ul style="list-style-type: none"> ▪ Research Best Practice ▪ Audit current methods / results ▪ Interview staff / management Conduct survey ▪ Prepare revised strategy 	<ul style="list-style-type: none"> ▪ Aug 08 ▪ Aug 08 ▪ Oct 08 ▪ Jan 09 	<ul style="list-style-type: none"> Complete Complete Complete In progress 	<ul style="list-style-type: none"> Research has been incorporated into strategy. Audit of methods at Council has been documented. Survey conducted. The revised strategy is in preparation and due for completion in September.
2	Community Engagement Strategy		<ul style="list-style-type: none"> ▪ Develop community engagement strategy 	<ul style="list-style-type: none"> ▪ Mar 09 	In progress	Consultants, Phillips Group, Qld, have been engaged to assist with the policy development. The first workshop for Councillors and Management is complete. The timeline for this project has been extended to accommodate a community survey. A report is due to go to the June Council meeting.
3	Media and Public Relations Training and Support		<ul style="list-style-type: none"> ▪ Conduct media training for employees with media roles 	<ul style="list-style-type: none"> ▪ Ongoing 	In progress	Draft media training package currently under review. Individual coaching and training continues with staff as required. Investigating cost effective formal training for senior managers.
4	Crisis Communication		<ul style="list-style-type: none"> ▪ Review current plan, update and redistribute to stakeholders 	<ul style="list-style-type: none"> ▪ Dec 08 	Complete	Crisis Communication Plan has been prepared and approved by Ex-com.
5	Media Planning		<ul style="list-style-type: none"> ▪ Introduce media planning into all Council business units, programs and projects. 	<ul style="list-style-type: none"> ▪ Ongoing 	In progress	Individual coaching and training continues with staff as required.

MARCH QUARTERLY MANAGEMENT PLAN 2008/09 REVIEW						
	General Manager					
	Executive Services					
	Project	Budget	Key action steps	Target date	Status	Explanation on Progress to Date
1	Mayor of Lismore scholarships	\$20,000	<ul style="list-style-type: none"> Scholarships defined and awarded 	Jan 09		
2	Customer Service Improvement Project.	\$65,000	<ul style="list-style-type: none"> Customer Service Strategy developed 	Jul 08	Complete	A customer service strategy has been developed
			<ul style="list-style-type: none"> Improvement Plan developed 	Aug 08	Complete	An implementation plan has been developed to reflect the customer service strategy.
			<ul style="list-style-type: none"> Improvement Plan implemented 	Jun 09	In Progress	Plan is being implemented and is on schedule for completion by June 2009.
3	Customer Contact Quality Management Plan	Recurring Budget	<ul style="list-style-type: none"> Monitor quality of the service provided by the customer contact centre. 	Ongoing	Complete	A quality management plan has been completed and is currently being implemented.
			<ul style="list-style-type: none"> Implement a continuous improvement process from the monitoring 	Ongoing	Complete	Continuous improvement process now implemented.
4	Sister Cities Review	Recurring Budget	<ul style="list-style-type: none"> Review arrangements for all Sister Cities 	July 08	In Progress	Due to workload associated with the new Council, the Strategic Plan, The new PAGs, the introduction of Trim and a large number of other priorities has seen this project delayed. It is hoped that resources will be available to complete this task before the end of the financial year.
			<ul style="list-style-type: none"> Make recommendation for improvements to the process. 	Aug 08	Not Started	As above
			<ul style="list-style-type: none"> Implement Improvements 	Dec 08	Not Started	As above
5	Implement integrated planning methodology	Recurring Budget	<ul style="list-style-type: none"> Review Strategic Plan 	Nov 08	In Progress	The overall structure of the Strategic Plan has been signed off by Council. The complete document is in draft format and due to go out to for public comment in early May to go to Council at the June meeting.
			<ul style="list-style-type: none"> Develop Delivery Plan 	Dec 08		As the Strategic Plan has not yet been signed off the Delivery Plan has been delayed. The Delivery Plan needs to be in place for the beginning 2010-11 budget processes and will be completed in time for this deadline.
			<ul style="list-style-type: none"> Develop Operational Plan 	Jun 09		The new planning structure will be in place for the 2010-11 cycle. The first Operational Plan will be completed at this time. The workload associated with the change over to the new planning structure was considerably underestimated at the time this Management Plan was developed.

MARCH QUARTERLY MANAGEMENT PLAN 2008/09 REVIEW					
General Manager					
Corporate Compliance					
Project	Budget	Key action steps	Target date	Status	Explanation on Progress to Date
1 Risk management policies, procedures and programs clearly defined and achieved	Staff time	▪ Policies in place, reviewed annually	▪ Sep 08	Complete	A report went to the March meeting outlining the changes required to policies.
		▪ Supporting procedures in place	▪ Mar 09	In progress	Following the changes to the policies and a general review, program managers are currently updating the relevant procedures.
		▪ Budget submission prepared 09/10 management plan to implement programs	▪ Jun 09	Complete	This submission has been included in the draft budget.
2 Councillor Induction and Training	Recurring budget	▪ Initial Councillor Induction	▪ Oct 08	Complete	Induction was completed through a variety of workshops following the election of the new Council
		▪ Introduction to Local Government.	▪ Dec 08	Complete	A workshop was conducted and information presented to Councillors on a regular basis.
		▪ Ongoing Training	▪ Ongoing	In progress	Draft media training package currently under review

MARCH QUARTERLY MANAGEMENT PLAN 2008/09 REVIEW						
	General Manager					
	Human Resources and Organisational Development					
	Project	Budget	Key action steps	Target date	Status	Explanation on Progress to Date
1	Staff Attraction and Talent Management	Staff Time	▪ Develop in partnership with directorates a target pool of individuals to develop and retain.	▪ Jan 09 - Ongoing	Commenced	Continuing roll out of concept to other sections of the organisation.
			▪ Monitor and enhance benefits offered to staff.	▪ Jan 09 - Ongoing	Ongoing	Action plan being developed for staff opinion survey strategies - will measure success of benefits/opportunities provided.
			▪ Develop a Succession Plan.	▪ Jun 09	Not commenced	Preparing process for consultation with Executive Team and Program Managers and research on ageing workforce data at LCC.
			▪ Roll Out to Program Managers.	▪ Jan 09	Commencing	Timeline being developed
2	Performance Management	\$10,000 Consultant support	▪ Establish measurable KPIs for all Program areas to Program Mgr level.	▪ Ongoing	Commenced	Links to GM's Performance Plan and Review established.
			▪ Establish measurable KPIs in three key focus areas for teams and individuals.	▪ Ongoing	Commenced	OH&S KPIs for teams established; KPIs for teamwork established in some areas; customer service KPIs finalised.
			▪ Provide training for all supervisory staff in conducting effective performance discussions.	▪ May 09	Commenced	Training being scheduled.
			▪ Establish a pilot test group for on-line performance and skills reviews.	▪ At annual reviews	Commenced	Electronic template utilised for some Nov 2008 staff reviews.
3	Pay for Performance System	Staff time	▪ Updated Pay for Performance system developed.	▪ Oct 08	Completed	Performance pay procedure finalised.
			▪ Criteria and measures established.	▪ Nov 08	Completed	Broad criteria established. Ongoing refinements.
4	Organisational Culture, Leadership, Management Development	Yr 3 of \$10,000 pa	▪ Deliver group sessions for Coordinator-level staff.	▪ Ongoing 08-09	Ongoing	Sessions commenced late 08.
			▪ Feedback process for other Coordinator-level staff.	▪ Ongoing 08-09	Commenced	Scheduled mid 09.
			▪ Collate and communicate results from employee survey and culture.	▪ Ongoing 08-09	Commenced	Actions being finalised.

Human Resources and Organisational Development						
	Project	Budget	Key action steps	Target date	Status	Explanation on Progress to Date
5	Smoke-Free Workplace	Staff Health Programs	<ul style="list-style-type: none"> Survey and monitor staff on Quit Program. 	May 08	Completed July 08	Further brief survey to supervisors undertaken Nov 08 to review compliance.
			<ul style="list-style-type: none"> Identify all relevant worksites for "Smoke-Free Site" signage. 	Jun 08	Completed July 08	Smoke Free Site signs (38) erected and stickers attached to relevant sites. Butt bins installed at relevant sites.
			<ul style="list-style-type: none"> Reissue communication on implementation target dates. 	April 08	Completed May 08	Ongoing communication, support and Quit assistance provided to smokers.
			<ul style="list-style-type: none"> Review and report on compliance. 	Sept 08 Ongoing	Completed Sept 08	Reported to ExCom and General Manager immediately following changeover date. Formal communication to Council contractors.
			<ul style="list-style-type: none"> Recruitment material highlights smoke-free workplace. 	July 08	Completed July 08	All information packages and advertisements for vacant positions signal to potential applicants that Council is a smoke free workplace.
6	Asbestos Management Plan	\$30,000 StateCover Rebate	<ul style="list-style-type: none"> Identify staff members who may be exposed to asbestos containing materials. 	Ongoing	Ongoing	Notification of Exposure forms provided to all relevant sections for staff completion and recording of past and future possible exposure to asbestos containing material.
			<ul style="list-style-type: none"> Provide relevant accredited training. 		Completed	16 staff trained in Bonded Asbestos Removal and Bonded Asbestos Removal Supervision
			<ul style="list-style-type: none"> Monitor Assets and Support Services' completion of Asbestos Mgt Plan, Recommendations and Regulation 2001 requirements. 	Feb 09	Ongoing	New tenders sought and received and after reference checking the successful tenderer will be requested to assess all Council's properties for asbestos and other hazardous containing material (eg lead paint). A register will be developed and those properties identified to contain hazardous materials will be categorised into high and low risk and a management plan established. The property assessments are expected to be completed by July 09.
			<ul style="list-style-type: none"> Coordinate health surveillance for identified or at-risk staff. 	Mar 09	Ongoing	Database being developed to record employee exposure and possible exposure to asbestos containing material (plus other hazardous material exposures). A health surveillance program is being developed in conjunction with Council's medical services providers to assess and monitor employee health.
7	Learning and Development	Staff Time	<ul style="list-style-type: none"> Coordinate the delivery of learning and development opportunities to organisational units. 	Ongoing		Training coordination enhanced through additional HR support and Council site visits to review software and practices.
			<ul style="list-style-type: none"> Continue to develop and implement learning and development opportunities. 	Ongoing		Comprehensive and targeted learning and development programs and statutory training being delivered with some budget constraints for 09 training.
8	Regional Collaboration and Resource Sharing	Staff Time	<ul style="list-style-type: none"> Collaborate with Councils to deliver specialist HR services and enhance HR service levels. 	Ongoing	Ongoing	Regional working party completed best practice review of performance review documentation.
		\$5,000	<ul style="list-style-type: none"> Finalise shared tender process for Workers' Compensation Insurer. 	May 08	Completed July 08	Service Level Agreement with performance measures for Council and StateCover finalised Jan 09.
		\$15,000	<ul style="list-style-type: none"> Develop and maintain focussed and intensive Injury management services. 	Jun 09	Ongoing	Supervisors' skills training scheduled for Mar 09.
			<ul style="list-style-type: none"> Managers follow up all incidents and injuries. 	Ongoing	Ongoing	Downward trend in Lost Time Injuries reflected in quarterly reports to ExCom.

General Manager						
Human Resources and Organisational Development						
	Project	Budget	Key action steps	Target date	Status	Explanation on Progress to Date
8	Learning and Development	Staff Time	<ul style="list-style-type: none"> Coordinate the delivery of learning and development opportunities to organisational units. 	Ongoing		Training coordination enhanced through additional HR support and Council site visits to review software and practices.
			<ul style="list-style-type: none"> Continue to develop and implement learning and development opportunities. 	Ongoing		Comprehensive and targeted learning and development programs and statutory training being delivered with some budget constraints for 09 training.
9	Regional Collaboration and Resource Sharing	Staff Time	<ul style="list-style-type: none"> Collaborate with Councils to deliver specialist HR services and enhance HR service levels. 	Ongoing	Ongoing	Regional working party completed best practice review of performance review documentation .
		\$5,000	<ul style="list-style-type: none"> Finalise shared tender process for Workers' Compensation Insurer. 	May 08	Completed July 08	Service Level Agreement with performance measures for Council and StateCover finalised Jan 09.
		\$15,000	<ul style="list-style-type: none"> Develop and maintain focussed and intensive Injury management services. Managers follow up all incidents and injuries. 	Jun 09	Ongoing	Supervisors' skills training scheduled for Mar 09.
				Ongoing	Ongoing	Downward trend in Lost Time Injuries reflected in quarterly reports to ExCom.

MARCH QUARTERLY MANAGEMENT PLAN 2008/09 REVIEW						
	General Manager					
	Finance					
	Project	Budget	Key action steps	Target date	Status	Explanation on Progress to Date
1	Implement improved Desktop Financial Reporting	Staff time	<ul style="list-style-type: none"> ▪ Determine access rights and provide access to software ▪ Provide training to nominated staff ▪ Undertake a satisfaction survey with nominated staff 	<ul style="list-style-type: none"> ▪ Oct 08 ▪ Nov 08 ▪ Feb 09 	<ul style="list-style-type: none"> Completed Progressing Not Started 	<ul style="list-style-type: none"> Access rights determined and finalised Delayed due to requested software changes not completed . Training to be rescheduled to May/June 2009. To be undertaken after training delivered
2	Review Major Capital Works Program	Staff time	<ul style="list-style-type: none"> ▪ Workshop presentation to Councillors ▪ Prepare a report to Council based on the outcome of the Workshop 	<ul style="list-style-type: none"> ▪ Feb 09 ▪ April 09 	<ul style="list-style-type: none"> Completed Not Started 	<ul style="list-style-type: none"> Discussed at the March 5, 2009 Workshop on the alignment of financial priorities and strategic requirements. Deferred pending overall review of recurrent budgets during 2009/10.
3	Integrated Financial Planning (Stage1)	Staff time	<ul style="list-style-type: none"> ▪ Prepare detailed list of all Council planning and strategic documents ▪ Assess the financial impact of each on Council's finances with relevant Program Manager 	<ul style="list-style-type: none"> ▪ Oct 08 ▪ Mar 09 	<ul style="list-style-type: none"> Progressing Not Started 	<ul style="list-style-type: none"> Compilation of a comprehensive list progressing Will not be completed in 2008/09 due to competing priorities at this time. Will reschedule in 2009/10.
4	Preparation of new S94 Contributions Plan	Staff time	<ul style="list-style-type: none"> ▪ Meet financial information requirements of the Working Party ▪ Assess financial impact of new S94 plan on Council's finances 	<ul style="list-style-type: none"> ▪ Feb 09 ▪ Mar 09 	<ul style="list-style-type: none"> Progressing Not Started 	<ul style="list-style-type: none"> Preliminary meeting to discuss requirements. Process delayed pending the release of new guidelines for the preparation of Section 94 Plans by the State Government To commence after draft plan prepared
5	Fraud Prevention Plan	Staff time	<ul style="list-style-type: none"> ▪ Prepare a Fraud Prevention plan with reference to contemporary practices 	<ul style="list-style-type: none"> ▪ Mar 09 	<ul style="list-style-type: none"> Not Started 	<ul style="list-style-type: none"> Will be delayed due to higher priorities including investment monitoring & reporting, desktop financial reporting and the 2009/10 Budget preparation.

MARCH QUARTERLY MANAGEMENT PLAN 2008/09 REVIEW						
	Infrastructure Services					
	Roads and Bridges					
	Project	Budget	Key action steps	Target date	Status	Explanation on Progress to Date
1	Capital Works Program	Capital Budget 2008/2009	<ul style="list-style-type: none"> ▪ Undertake funded capital works projects for road and bridge assets ▪ Develop and review future capital works programs for roads and bridges 	<ul style="list-style-type: none"> ▪ Jun 09 	<ul style="list-style-type: none"> Progressing Completed 	<ul style="list-style-type: none"> Program of works progressing on schedule Forward Capital Works programs for Roads and Bridges update.
2	Maintain the effective life of assets within Roads & Bridges.	Maintenance Budget 2008/2009	<ul style="list-style-type: none"> ▪ Undertake annual asset inspection programs ▪ Undertake footpath condition surveys ▪ Undertake maintenance works in accordance with standards and agreed service levels ▪ Develop activity guidelines 	<ul style="list-style-type: none"> ▪ Jun 09 	<ul style="list-style-type: none"> Ongoing Completed Ongoing Commenced 	<ul style="list-style-type: none"> Asset condition inspections currently being undertaken. Condition inspections for footpaths completed. Maintenance works progressing on schedule Commence preparations in 2009.
3	Safety Management	2008/2009 Budget	<ul style="list-style-type: none"> ▪ Review Safety Management Plans ▪ Review Safe Work Method Statements ▪ Undertake risk assessments for all activities 		<ul style="list-style-type: none"> Ongoing Commenced Ongoing 	<ul style="list-style-type: none"> Management Plans currently being reviewed SWMS currently being reviewed for all activities. Documented Risk assessments undertaken
4	Customer Service	2008/2009 Budget	<ul style="list-style-type: none"> ▪ Respond to customer requests within adopted standards ▪ Undertake community consultation for major and sensitive projects ▪ Provide project information to affected stakeholders 	<ul style="list-style-type: none"> ▪ Ongoing 	<ul style="list-style-type: none"> Ongoing Ongoing Ongoing 	<ul style="list-style-type: none"> Monitoring response times Pre-planning procedure for all major works Notifications issued to all stakeholders.

MARCH QUARTERLY MANAGEMENT PLAN 2008/09 REVIEW						
Infrastructure Services						
Contracts and Private Works						
	Project	Budget	Key action steps	Target date	Status	Explanation on Progress to Date
1	Business Management Systems	Contract & Private Works Budget 2008/2009	▪ Review Safety Management Systems	▪ Jun 09	In Progress	Updating documentation in accordance with new RTA guidelines.
			▪ Review Quality Management Systems and Procedures		In Progress	Updating documentation in accordance with new RTA guidelines.
			▪ Review Environmental Management Systems		In Progress	Updating documentation in accordance with new RTA guidelines.
			▪ RTA Audit of BMS		In Progress	
2	Provide an additional income stream for Council	Contract & Private Works Budget 2008/2009	▪ Net profit achieved for private works undertaken for 2008/2009.	▪ Jun 09	Ongoing	Income in excess of actual costs
			▪ Net profit achieved for RTA works undertaken for 2008/2009.		Ongoing	Income in excess of actual costs
3	Successfully negotiate new contract agreement with NSW Roads & Traffic Authority for State Roads	Contract & Private Works Budget 2008/2009	▪ Review actual costs and submit competitive prices	▪ Aug 08	Completed	Actual costs reviewed for new Contract with RTA.
			▪ Tender submitted on time		Completed	Tender submitted on time.
			▪ Acceptance of offer		Completed	Contract signed and accepted by RTA

MARCH QUARTERLY MANAGEMENT PLAN 2008/09 REVIEW						
	Infrastructure Services					
	Parks and Recreation					
	Project	Budget	Key action steps	Target date	Status	Explanation on Progress to Date
1	Capital Works Program	Capital Budget 2008/2009	<ul style="list-style-type: none"> Undertake funded capital works projects for parks and recreation facilities 	Jun 09	Completed	Playground upgrades completed.
2	Operational and Maintenance Programs	Maintenance Budget 2008/2009	<ul style="list-style-type: none"> Maintain assets in accordance with activity guidelines and agreed levels of effort 	Jun 09	Commenced	Currently reviewing levels of service for all facilities.
3	Maintain the effective life of assets within parks and reserves.	Maintenance Budget 2008/2009	<ul style="list-style-type: none"> Undertake annual condition assessments of assets. 	Jun 09	Completed.	Condition assessment completed.
<ul style="list-style-type: none"> Update Future Capital Works Program 			Completed.		Future Capital Works program for Parks developed.	
4	Safety Management Systems		<ul style="list-style-type: none"> Develop Safety Management Plans 	Annually	Commenced	Safety Management Plans being developed.
<ul style="list-style-type: none"> Review Safe Work Method Statements 			Completed		Safe Work Method statements reviewed.	
<ul style="list-style-type: none"> Undertake risk assessments for all activities 			Completed		Risk assessments completed for all activities.	
5	Benchmarking Work Activities		<ul style="list-style-type: none"> Undertake internal benchmarking 	Ongoing	Commenced	Reviewing third quarter results.
<ul style="list-style-type: none"> Develop industry best practice for Parks activities 						
6	Improve Customer Service Levels		<ul style="list-style-type: none"> Respond to customer requests. 	Ongoing	Ongoing	Response times being monitored.
<ul style="list-style-type: none"> Liaise with all sporting group users 			Ongoing		Winter sports facilities in place	
<ul style="list-style-type: none"> Determine TPO applications 			Ongoing		TPO applications processed on time.	

MARCH QUARTERLY MANAGEMENT PLAN 2008/09 REVIEW						
	Infrastructure Services					
	Water Supply Services					
	Project	Budget	Key action steps	Target date	Status	Explanation on Progress to Date
1	Capital Works Program	Capital Budget 2008/2009	<ul style="list-style-type: none"> ▪ Award tenders and engage contractors to undertake Water Mains Renewals ▪ Update future Capital Works Program 	<ul style="list-style-type: none"> ▪ Jun 09 	In Progress	Completed Dibbs Street and Wyrallah Road.
					Complete	Updated forward works program developed as part of Strategic Plan
2	Maintain the effective life of assets within Water	Operational Budget 2008/2009	<ul style="list-style-type: none"> ▪ Maintain assets in accordance with industry standards and agreed service levels. ▪ Undertake annual condition assessments 	<ul style="list-style-type: none"> ▪ Jun 09 	Ongoing	Water assets being maintained in accordance with adopted standards
3	Benchmarking Activities	Maintenance Budget 2008/2009	<ul style="list-style-type: none"> ▪ Undertake internal benchmarking ▪ Participate in benchmarking with other Water authorities 	<ul style="list-style-type: none"> ▪ Annual 	In Progress	Commenced activity based costings
4	Safety Management Systems	2008/2009 Budget	<ul style="list-style-type: none"> ▪ Develop Safety Management Plan ▪ Review Safe Work Method Statements ▪ Undertake risk assessments for all activities 	<ul style="list-style-type: none"> ▪ Jun 09 	In Progress	Safety Management Plan development commenced
					In Progress	Commenced review of Safe Work Method Statements.
					Complete	Risk assessments undertaken for all work activities.
5	Improve Customer Service Levels	2008/2009 Budget	<ul style="list-style-type: none"> ▪ Ensure 95% compliance with NHMRC bacteriological water quality guidelines for the provision of filtered water ▪ Respond to water service repairs within 4 hours during normal hours ▪ Monitor mains breaks/km 	<ul style="list-style-type: none"> ▪ Weekly ▪ Ongoing ▪ Ongoing 	In Progress	Currently full compliance
					In Progress	Response times being monitored.
					In Progress	Number of water main breaks being collated.
6	Integrated Water Cycle Management Strategy	\$25,000 (plus \$25,000 in wastewater budget)	<ul style="list-style-type: none"> ▪ Completion of Integrated Water Cycle Management Strategy 	<ul style="list-style-type: none"> ▪ Dec 08 	In progress	Final draft strategy report received , consultation with project reference group being undertaken. Forecast completion Aug 09

Infrastructure Services						
Water Supply Services						
Project	Budget	Key action steps	Target date	Status	Explanation on Progress to Date	
7	Demand Management Plan	Included in IWCM budget	▪ Co-operate with Rous Water and other constituent councils in review of Regional Demand Management Plan	▪ Jun 09	In progress	Commencement of project awaiting completion of Regional Plan and IWCM Strategy. Project scope also expanded to include consideration of effluent reuse and other alternate sources. Development of plan proposed in two stages over two years
			▪ Completion of local Demand Management Plan	▪ Jun 09		
8	Drought Management Plan	Included in IWCM budget	▪ Co-operate with Rous Water and other constituent councils in review of Regional Drought Management Plan	▪ Jun 09	In progress	Commencement of project awaiting completion of Regional Plan. Forecast completion Jun 2010.
			▪ Completion of local Drought Management Plan	▪ Jun 09		
9	Water Loss Management Program	Included in Demand Management and Capital Works budgets	▪ Investigate and develop Water Loss Management Program	▪ Dec 08	In progress	Consultant appointed and has commenced work. Forecast completion Jun 09
			▪ Commence implementation of program. (Implementation planned over 2-3 years)	▪ Ongoing		
10	Water Meter Replacement Program	Included in Capital Works budget	▪ Establish water meter replacement program	▪ Jun 09	In Progress	Water meter replacement program commenced.
			▪ Implementation of program	▪ Ongoing		
11	Servicing strategies for new urban release areas	Costs to be met from s64 reserves	▪ Completion of draft servicing strategy for new urban release areas, for concurrent exhibition with DLEP	▪ Exhibition date for DLEP	In Progress	

MARCH QUARTERLY MANAGEMENT PLAN 2008/09 REVIEW						
Infrastructure Services						
Wastewater Services						
	Project	Budget	Key action steps	Target date	Status	Explanation on Progress to Date
1	Capital Works Program	Capital Budget 2008/2009	<ul style="list-style-type: none"> Award tenders and complete Wastewater Capital Works Program in accordance with designs 	Jun 09	Completed	Capital Works Program for renewals completed.
2	Maintain the effective life of assets within Wastewater	Operational Budget 2008/2009	<ul style="list-style-type: none"> Maintain assets in accordance with activity guidelines and agreed levels of effort 	Jun 09	Commenced	Assets being maintained in accordance with guidelines.
			<ul style="list-style-type: none"> Undertake annual asset condition surveys 		Commenced	CCTV commenced on existing assets.
3	Compliance of Wastewater systems in accordance with DEC License	Operational Budget 2008/2009	<ul style="list-style-type: none"> Undertake annual asset inspection program 	Jun 09	Commenced	Asset inspection program commenced.
			<ul style="list-style-type: none"> Update Future Capital Works Program 		Commenced	Future Capital Works program being finalised.
4	Safety Management Systems	2008/2009 Budget	<ul style="list-style-type: none"> Develop Safety Management Plan for Operational activities 	Jun 09	Commenced	Safety Management Plan being developed.
			<ul style="list-style-type: none"> Review Safe Work Method Statements 		Commenced	Review of SWMS commenced.
			<ul style="list-style-type: none"> Undertake risk assessments for all activities 		Completed	Risk assessments undertaken for all work activities.
5	Improve Customer Service Levels within wastewater services	2008/2009 Budget	<ul style="list-style-type: none"> Respond to sewer chokes within four hours (during normal working hours) 	On going	Commenced	Response times being recorded and monitored.
			<ul style="list-style-type: none"> Ensure Trade Waste customers comply with development consents and annual compliance 	Annually	Ongoing	Trade Waste compliance inspections ongoing.
6	Clunes Wastewater	Capital Budget 2008/2009	<ul style="list-style-type: none"> Prepare design scope and specifications for project 	Jun 09	In progress	Preferred option adopted by Council Dec 2008.
			<ul style="list-style-type: none"> Undertake environmental assessments 			Scope of works being prepared
7	Integrated Water Cycle Management Strategy	\$25,000 (plus \$25,000 in water supply budget)	<ul style="list-style-type: none"> Completion of Integrated Water Cycle Management Strategy 	Dec 08	In progress	Final draft strategy report received , consultation with project reference group being undertaken. Forecast completion Aug 09
8	Servicing strategies for new urban release areas	Costs to be met from s64 reserves	<ul style="list-style-type: none"> Completion of draft servicing strategy for new urban release areas, for concurrent exhibition with DLEP 	Exhibition date for DLEP	In progress	

MARCH QUARTERLY MANAGEMENT PLAN 2008/09 REVIEW						
	Infrastructure Services					
	Road Safety Program					
	Project	Budget	Key action steps	Target date	Status	Explanation on Progress to Date
1	Stakeholder Communication	Staff time and recurrent budget	<ul style="list-style-type: none"> Attend meetings and maintain good communications with key stakeholders – NSW Police – Highway Patrol , Licensing and Crime Prevention, North Coast Area Health Service, Lismore City Liquor Accord, Southern Cross University, RTA 	<ul style="list-style-type: none"> Ongoing as required 	In progress.	NSW Police - Monthly meetings held with Highway Patrol Sergeant and Traffic Officer to discuss current issues including crash rates. Communication with the Crime Prevention Officer in relation to recent media releases on Speeding, road safety over the holiday periods and Scooters. NCAHS - Monthly meetings to progress the Reduce Risk Increase Student Knowledge (RRISK) project. Communication with the Health Promotion Department. Funding received to contribute towards new Bike Racks being installed in the CBD area by Council. Shared project providing the community with two free cycling workshops in June 2009. Lismore Liquor Accord - Attendance at Executive Liquor Accord meeting providing updates on the Late Nighter Service and the Patron Education Program. SCU - Involvement with the Bar Manager in relation to the Patron education program, with the Professor (Health & Human Services) in relation to the Late Nighter and also with representatives on the Carpooling Committee. Attended regional RTA meeting and ongoing correspondence with RTA representatives.
			<ul style="list-style-type: none"> Support Police road safety enforcement programs as requested and determined in consultation with NSW Police and the RTA 	<ul style="list-style-type: none"> As required 	In progress.	Don't Be a Clown - Slow Down Project. Consultation with local police to determine areas with increased crash rates. Placement of Speed trailer attempting to slow traffic down. Placement of Classifiers to monitor traffic flow and speeds. Enforcement activity carried out by Police. Roads targeted between Jan-March include the Bruxner Highway, Wyrallah Rd, Bangalow Rd & Dunoon Rd. Results analysed and reports sent to both Police and RTA.
			<ul style="list-style-type: none"> Provide support and assistance to stakeholders to conduct their own road safety events 	<ul style="list-style-type: none"> Ongoing as required 	In progress.	No action required.
2	Graduated Licencing Scheme Workshops	\$2,000	<ul style="list-style-type: none"> Conduct workshops for parents/ supervisors of learner drivers 	<ul style="list-style-type: none"> Aug 08 	Not Started	August workshop cancelled due to illness of staff member and low participant numbers. Participants rescheduled to November workshop.
				<ul style="list-style-type: none"> Nov 08 	Complete	Workshop completed at Ballina on the 9 Dec 09 with approx. 20 participants.
				<ul style="list-style-type: none"> Feb 09 	Complete	Workshop completed at Lismore on the 12 Mar 09 with approx. 35 participants.
				<ul style="list-style-type: none"> May 09 	In progress	Workshop scheduled for the 27 May 09 in Ballina.

MARCH QUARTERLY MANAGEMENT PLAN 2008/09 REVIEW						
Infrastructure Services						
Asset Management						
	Project	Budget	Key action steps	Target date	Status	Explanation on Progress to Date
1	Undertake a fair value assessment of Council's roads, drainage and miscellaneous assets in accordance with the direction of the Department of Local Government	\$100,000	▪ Develop a brief to appoint a consultant to undertake the assessment	▪ Sept 08	In progress	Department of Local Government has advised that they have deferred this requirement until 30 June 2010. Brief will have two parts being 1. Data collation and validation and 2. Valuation. Department of Local Government has advised that they have deferred this requirement until 30 June 2010. Initial enquiries have indicated that interested parties are more likely to have resources available in July 2009 due to June deadlines. As above likely to be undertaken in two parts. As above likely to be undertaken in two parts. As above the new deadline is 30 June 2010.
			▪ Call quotations/expressions of interest to undertake the assessment	▪ Oct 08	Not started	
			▪ Award contract for consultant to undertake the assessment	▪ Dec 08	Not started	
			▪ Consultant to undertake assessment and deliver final report.	▪ 30 April 09	Not started	
			▪ Input data to Council's asset management software package	▪ 30 June 09	Not started	
2	Continue with development of an Asset Management Plan for Sealed Roads	Staff time	▪ Prepare draft asset management plan	▪ Aug 08	In progress	Progress has been slow due to staff resources required in meeting ongoing operational workloads. Resource requirements have been reviewed and revised targets for completion of the plan are included in the draft 2009/10 management plan. Progress has been slow due to staff resources required in meeting ongoing operational workloads. Resource requirements have been reviewed and revised targets for completion of the plan are included in the draft 2009/10 management plan.
			▪ Adopt asset management plan	▪ Dec 08	Not started	
3	Continue to review and update data as required in Council's asset management software package -AIM	Staff time	▪ Review data and amend/update as required	▪ Ongoing	In progress	Currently inputting Property Fair Valuation information into AIM.
4	Develop an Asset Management Policy after completion of the sealed roads asset management plan	Staff time	▪ Develop draft policy	▪ Mar 09	Complete	A Draft policy has been developed by Council staff based on IPWEA model policy. This draft policy was considered by the Infrastructure PAG in 2008 and reported to Council to be endorsed and adopted at the April 2009 meeting. Community input to the draft policy was sought via the Infrastructure/Assets PAG Policy was adopted at the April 2009 Council meeting.
			▪ Advertise draft policy for comment	▪ April 09	Complete	
			▪ Consider feedback, amend if necessary and adopt policy	▪ June 09	Complete	
5	Progressively develop and implement Asset Management Plans for all Council Assets	Staff time	▪ Develop an asset management plan for at least one group of assets per annum	▪ June 09	In progress	Progress has been slow due to staff resources required in meeting ongoing operational workloads. Resource requirements are currently under review.
6	Investigate and undertake street lighting improvements where appropriate in response to resident requests	Staff time and \$14,000	▪ Investigate requests as they are received	▪ Within 8 weeks of initial enquiry	In progress	Requests are investigated as they come to Council. Country Energy are currently re quoting on a significant backlog of approved work.
			▪ Arrange quotations from Country Energy where required and installation of lighting where approved	▪ Within 3 months of Country Energy being requested to do the work	In progress	

Road Safety Program (Cont)						
	Project	Budget	Key action steps	Target date	Status	Explanation on Progress to Date
3	RRISK 2008/09	Staff time	a. Secure funding from adjoining local government areas that participate in the RRISK program	July 08	Complete	Funding secured.
		Staff time	▪ Attend stakeholder planning meetings	Monthly	In progress	Meetings attended 16 Feb 09 , 9 Mar 09 & 30 Mar09.
		\$19,500	▪ Conduct seminars	Nov 08	Complete	Seminars successfully conducted.
4	Lismore Late-Nighter	\$28,900	▪ Co-ordinate late night bus service every Saturday night and other special events	Jun 08	In progress	Chaired the Late Nighter Steering Committee meeting on 10 Feb. 09. The next meeting has been scheduled for 30 Apr 09. The Committee is currently investigating funding options for the 09/10 financial year and the possibility of targeting the Aboriginal Community with funding for this project from the Ministry of Transport.
5	Lismore Cup Week	Staff time and \$1,800 from RTA	▪ Co-ordinate drink/drive campaign targeting race-goers	Sep 08	Complete	No recorded Drink Drive offences recorded on Cup Day.
6	2008-2011 Road Safety Strategic Plan	Staff time	▪ Prepare draft 2008-2011 Road Safety Strategic Plan and distribute for comment	July 08	Complete	The plan was completed and distributed.
			▪ Final Plan prepared and adopted	Sep 08	Complete	Final draft reported to November Council and adopted.

MARCH QUARTERLY MANAGEMENT PLAN 2008/09 REVIEW

MARCH QUARTERLY MANAGEMENT PLAN 2008/09 REVIEW						
	Infrastructure Services Properties					
	Project	Budget	Key action steps	Target date	Status	Explanation on Progress to Date
1	Complete construction of the Lismore Sports and Aquatic Centre at Goonellabah	\$8,500,000	<ul style="list-style-type: none"> ▪ Supervise contractor to ensure Council's needs and contractual obligations are met 	<ul style="list-style-type: none"> ▪ Ongoing 	In progress	The centre was officially opened on 4 April 2009. Works to undertake the reshaping of ground and construct stormwater control measures along the banks of Tucki Creek has been significantly delayed due to wet weather. It is anticipated that this work will be complete by the end of May 2009.
			<ul style="list-style-type: none"> ▪ Building completed and open for operation 	<ul style="list-style-type: none"> ▪ Dec 09 	Complete	Building was officially opened on 4 April 2009.
2	Undertake tender/EOI process to appoint a manager at Nimbin Caravan Park including provision of a new manager's residence and improvements to facilities	\$100,000	<ul style="list-style-type: none"> ▪ Prepare a tender/EOI document ▪ Advertise ▪ Consider responses ▪ Appoint a manager 	<ul style="list-style-type: none"> ▪ June 08 ▪ June 08 ▪ July 08 ▪ Aug 08 	Complete	Tender documentation completed
					Complete	Tender advertised
					Complete	Responses collated and considered
			<ul style="list-style-type: none"> ▪ Construct manager's residence 	<ul style="list-style-type: none"> ▪ Dec 08 	In progress	Request for quotation documentation has been sent out to interested parties for the supply and installation of a new 2 bedroom plus office transportable residence. Responses have been received and are currently being considered.
			<ul style="list-style-type: none"> ▪ Prepare program of improvements 	<ul style="list-style-type: none"> ▪ Feb 09 	In progress	New manager and council officers meeting to discuss necessary improvements and priorities.
			<ul style="list-style-type: none"> ▪ Implement program of improvements 	<ul style="list-style-type: none"> ▪ Ongoing 	Not started	Will be addressed when program of improvements has been completed.
3	Undertake tender/EOI process to appoint a manager of the Lismore Transit Centre	Staff time	<ul style="list-style-type: none"> ▪ Prepare a tender/EOI document ▪ Advertise ▪ Consider responses ▪ Appoint a manager 	<ul style="list-style-type: none"> ▪ June 08 ▪ June 08 ▪ July 08 ▪ Aug 08 	Complete	Tender documentation completed
					Complete	Tender advertised
					Complete	Responses collated and considered
					Complete	Manager appointed to 30 June 2009. Council will be taking over the management after that time with a view to improving the service levels and complementing the existing services of the Visitor Information Centre.
4	Undertake tender/EOI process to appoint a manager of the Goonellabah Community Centre	Staff time	<ul style="list-style-type: none"> ▪ Prepare a tender/EOI document ▪ Advertise ▪ Consider responses ▪ Appoint a manager 	<ul style="list-style-type: none"> ▪ Oct 08 ▪ Nov 08 ▪ Jan 09 ▪ Feb 09 	Not started	Reviewing service requirements
					Not started	Reviewing service requirements
					Not started	
					Not started	
5	Review Council's fire safety services contract and undertake a tender/EOI process to appoint a contractor	Staff time and recurrent budget	<ul style="list-style-type: none"> ▪ Review existing contract 	<ul style="list-style-type: none"> ▪ Aug 08 	Complete	Existing contract has been reviewed and suggested improvements incorporated into new draft contract.
			<ul style="list-style-type: none"> ▪ Prepare a tender/EOI document 	<ul style="list-style-type: none"> ▪ Sept 08 	In progress	Document has been drafted but requires final review prior to advertising.
			<ul style="list-style-type: none"> ▪ Advertise 	<ul style="list-style-type: none"> ▪ Oct 08 	Not started	Expected to be advertised in July 2009.
			<ul style="list-style-type: none"> ▪ Consider responses 	<ul style="list-style-type: none"> ▪ Nov 08 	Not started	Expect to consider responses in August 2009
			<ul style="list-style-type: none"> ▪ Appoint a contractor 	<ul style="list-style-type: none"> ▪ Dec 08 	Not started	Expect to appoint a contractor in October 2009
6	Maintain Council's register of leases and licences for Council property	Staff time and recurrent budget	<ul style="list-style-type: none"> ▪ Review existing register for accuracy and completeness 	<ul style="list-style-type: none"> ▪ July 08 	In progress	Continuing to update.
			<ul style="list-style-type: none"> ▪ Develop a written procedure for updating the register 	<ul style="list-style-type: none"> ▪ Sept 08 	Not started	Procedure needs to be updated to reflect Council's new records management system - TRIM.
			<ul style="list-style-type: none"> ▪ Update register as required by the procedure 	<ul style="list-style-type: none"> ▪ Ongoing 	In progress	Ongoing

Properties (Cont)						
	Project	Budget	Key action steps	Target date	Status	Explanation on Progress to Date
7	Land and Building Register	Staff time and recurrent budget	▪ Review existing register for accuracy and completeness	▪ Aug 08	In progress	Numerous inaccuracies requiring correction have been found and the review is continuing.
			▪ Update the register as required following the completion of the review	▪ Dec 08	In progress	Register updated as required.
			▪ Develop a written procedure for ongoing updates of the register	▪ Oct 08	Not started	Procedure needs to be developed to reflect Council's new records management system - TRIM.
			▪ Update register as required by the procedure	▪ Ongoing		Register updated as required.
8	Prepare an Asbestos Management Plan for Council properties	\$30,000	▪ Appoint consultant to prepare Asbestos Management Plan	▪ June 08	In progress	Quotations received for work and have been reviewed. Report with recommendation for engagement drafted. To secure adequate funding for the scope of works.
			▪ Conduct an audit of Council properties to determine presence of asbestos etc.	▪ July 08	Not started	Proposed to commence in May 2009.
			▪ Receive report and draft plan from consultant	▪ Sept 08	Not started	Proposed to be received before June 30, 2009.
			▪ Adopt and implement Asbestos management Plan	▪ Dec 08	Not started	Expect to have plan complete and adopted by September 2009
9	Continue marketing and sale of properties at Council's Airport Industrial Subdivision	Staff time	▪ Market properties	▪ Ongoing	In progress	Currently Lot 6 is for sale with lot 22 to be placed on the market again after the sale fell through.
			▪ Finalise all current negotiations.	▪ Sept 08	In progress	Council has exchanged contracts on sale of lots 21, 22, 4 and 5. Legal representation for Lot 21 has referred the Crown DA to the Planning Minister for determination. Matters for Signing and Sealing relating to Lot 22 forfeiture of deposit will be presented at the May Council meeting. Lot 22 will then be put back on the market. Negotiations continuing with purchaser of lots 4 and 5 regarding filling. Contract exchange on lots 7 and 8 has not yet occurred - decision expected from the potential purchaser by end of May 2009. Lot 6 still on the market.
			▪ Complete sale of all properties	▪ June 09	In progress	The sale of these properties is difficult in the current economic climate.
10	Undertake annual Fire Safety inspections for Council buildings	Staff time and recurrent budget	▪ Conduct annual fire safety inspections for Council-owned properties	▪ Ongoing	In progress	Inspections undertaken in accordance with requirements of Council's building services section
11	Review Council's kerbside dining policy	Staff time	▪ Review existing policy	▪ July 08	Complete	The policy has been reviews
			▪ Prepare draft amended policy	▪ Aug 08	In progress	On May meeting agenda of new CBD steering group for discussion.
			▪ Advertise draft policy	▪ Sept 08	Not started	Draft policy will be finalised after consideration by the CBD steering group, and reported to council for endorsement before being advertised. Expect the draft policy to be reported to the June Council meeting.
			▪ Consider feedback	▪ Oct 08	Not started	Expect draft policy to be advertised in June/July 2009.
			▪ Report final policy to Council for adoption	▪ Nov 08	Not started	Expect final policy to be reported to Council in September 2009.
12	Explore opportunities for Council to acquire properties	Staff time	▪ Monitor local market and investigate opportunities as they arise	▪ Ongoing as required	In progress	Five opportunities investigated to date this year.

Properties (Cont)						
	Project	Budget	Key action steps	Target date	Status	Explanation on Progress to Date
13	Arrange sale of excess land at Goonellabah adjacent to Lismore Sports and Aquatic Centre	Staff time	▪ Undertake an LEP amendment to re-classify the land as Operational	▪ Aug 08	In Progress	Public Hearing for the LEP held in March 2009. Process is currently with Parliamentary Counsel.
			▪ Complete necessary boundary adjustments, lot consolidation, subdivision, etc.	▪ Nov 08	In progress	Lots have been consolidated. Documentation is ready to be lodged pending outcome of the LEP process.
			▪ Appoint an agent to market the property	▪ Aug 08	Not started	This process cannot be commenced until the reclassification of the land is completed as part of the LEP amendment process. This process is not anticipated to be complete until mid 2009.
			▪ Market the property	▪ Sept – Oct 08	Not started	This process cannot be commenced until the reclassification of the land is completed as part of the LEP amendment process. This process is not anticipated to be complete until mid 2009.
14	Administer contracts for management of Council properties by third parties	Staff time	▪ City Hall, Lismore Transit Centre, Nimbin Caravan Park and Goonellabah Community Centre contracts	▪ Ongoing	In progress	Ongoing
15	Review Council's property portfolio regularly to identify opportunities for income generation through leasing and/or licensing activities	Staff time	▪ Review property portfolio to identify opportunities	▪ Ongoing - Sept review	In progress	
			▪ Opportunity identified and implemented	▪ June 09		
16	Administer Crown Reserves where Council is Reserve Trust Manager	Staff time	▪ Administer reserve trusts, leases, licences etc. in accordance with the Crown Lands Act	▪ Ongoing	In progress	Ongoing
17	Review Council's property portfolio with a view to disposal of properties surplus to Council requirements	Staff time	▪ Review property portfolio, identify properties surplus to needs and dispose of properties where required	▪ Ongoing – Mar review	In progress	Reviewing opportunities to close and dispose of unformed access pathways adjacent to residential properties where there is identified and ongoing anti-social behaviour. Road closure and sale is proceeding at Wyrallah.
18	Provide assistance to Council's operations section by undertaking land acquisition where needed for Council roadworks projects	Staff time	▪ Undertake land acquisition processes, or formalise agreements with property owners where required for roadworks to proceed	▪ Ongoing	In progress	Ongoing as required.
19	Administer Council's leases and licences with sporting clubs for use of Council open space and sporting facilities	Staff time	▪ Administer leases and licences in accordance with Council policies and procedures and the conditions of individual agreements	▪ Ongoing	In progress	Ongoing
20	Administer leases and licences for grazing of animals on Council land	Staff time	▪ Administer leases and licences in accordance with Council policies and procedures and the conditions of individual agreements	▪ Ongoing	In progress	Ongoing

MARCH QUARTERLY MANAGEMENT PLAN 2008/09 REVIEW						
Infrastructure Services						
Survey and Design						
	Project	Budget	Key action steps	Target date	Status	Explanation on Progress to Date
1	Complete necessary pre-construction activities at least 3 months prior to the scheduled commencement of construction	Staff time	<ul style="list-style-type: none"> Investigation, survey, design, consultation and pre-construction activities 	<ul style="list-style-type: none"> As required 	In progress	Nimbin Rd - Nth of Goolmangar, Cawongla Rd, Bridge St - Wyrallah and Wyrallah Rd - George to Esmonde Streets, all completed six weeks prior to construction.
2	Maintain Flood Warning System (Telemetry)	Staff Time	<ul style="list-style-type: none"> Monitor base station data input 	<ul style="list-style-type: none"> Monthly 	In progress	Ongoing
			<ul style="list-style-type: none"> Conduct regular inspections of monitoring stations 	<ul style="list-style-type: none"> Oct 08 and Apr 09 	In progress	Ongoing as indicated
			<ul style="list-style-type: none"> Recycle batteries 	<ul style="list-style-type: none"> Nov 08 May 09 	In progress	Ongoing as indicated
3	Flood awareness - house flood and floor level sketches	Staff Time	<ul style="list-style-type: none"> Update database 	<ul style="list-style-type: none"> As required 	Complete	Database updated
			<ul style="list-style-type: none"> Print sketches 	<ul style="list-style-type: none"> Dec 08 	Complete	Sketches printed
			<ul style="list-style-type: none"> Organise accompanying documentation 	<ul style="list-style-type: none"> Dec 08 	Complete	Documentation completed
			<ul style="list-style-type: none"> Assemble documentation for delivery 	<ul style="list-style-type: none"> Jan 09 	Complete	Documentation completed
			<ul style="list-style-type: none"> Deliver to SES for distribution 	<ul style="list-style-type: none"> Jan 09 	Complete	Information was delivered ahead of schedule to affected residents in November 2008.
			<ul style="list-style-type: none"> Publish updated levels on Council's website 	<ul style="list-style-type: none"> Mar 09 	In progress	Ongoing as required when changes are made to house levels.
4	Maintain Lismore CBD Business Names and Floor Level Map	Staff Time	<ul style="list-style-type: none"> Survey CBD 	<ul style="list-style-type: none"> Jan 09 	Complete	CBD survey completed
			<ul style="list-style-type: none"> Update Map 	<ul style="list-style-type: none"> Jan 09 	Complete	Maps updated
			<ul style="list-style-type: none"> Publish map on Council's website 	<ul style="list-style-type: none"> Feb 09 	Complete	Maps published as planned.
5	Maintain Lismore Urban and Rural Street Map	Staff Time	<ul style="list-style-type: none"> Update Map 	<ul style="list-style-type: none"> Jul 08 	Complete	Ongoing as required
			<ul style="list-style-type: none"> Publish Map on Council's website 	<ul style="list-style-type: none"> Oct 08 	Complete	Ongoing as required
			<ul style="list-style-type: none"> Provide digital file in correct format to printer 	<ul style="list-style-type: none"> Nov 08 	Complete	Ongoing as required
6	Conduct traffic surveys as required for Council	Staff Time	<ul style="list-style-type: none"> Conduct surveys 	<ul style="list-style-type: none"> As required 	In progress	Ongoing as required

MARCH QUARTERLY MANAGEMENT PLAN 2008/09 REVIEW						
Infrastructure Services						
Traffic, Emergency Services and CitySafe Operations						
	Project	Budget	Key action steps	Target date	Status	Explanation on Progress to Date
1	Manage the CitySafe Program for both Lismore and Nimbin	Staff time and recurrent budget	<ul style="list-style-type: none"> Ensure safety patrols and monitoring are carried out where appropriate in accordance with the community needs and as agreed with the CitySafe Committee 	<ul style="list-style-type: none"> As per agreement 	In progress	Ongoing
			<ul style="list-style-type: none"> Review and upgrade CCTV equipment 	<ul style="list-style-type: none"> Jun 09 	In progress	Ongoing as required.
			<ul style="list-style-type: none"> Respond to maintenance of system 	<ul style="list-style-type: none"> As required 	In progress	Ongoing as required
			<ul style="list-style-type: none"> Produce CitySafe newsletter for Lismore 	<ul style="list-style-type: none"> Monthly 	Complete	
			<ul style="list-style-type: none"> Conduct regular CitySafe meetings for Lismore and Nimbin 	<ul style="list-style-type: none"> Monthly 	Complete	
2	Co-ordinate traffic facilities investigations and installations	Staff time and recurrent budget	<ul style="list-style-type: none"> Analyse, prioritise and manage traffic requirements having regard to the special needs of those with mobility problems 	<ul style="list-style-type: none"> Ongoing 	In progress	Ongoing
			<ul style="list-style-type: none"> Service the Traffic Advisory Committee and represent on other Council Committees 	<ul style="list-style-type: none"> Monthly 	In progress	Ongoing
			<ul style="list-style-type: none"> Arrange installation of minor traffic facilities 	<ul style="list-style-type: none"> As required 	In progress	Installations arranged as required after approval by the Traffic Committee and Council
3	Co-ordinate operation and maintenance of flood levee system	Staff time and recurrent budget	<ul style="list-style-type: none"> Ensure maintenance of flood levee system carried out 	<ul style="list-style-type: none"> As per schedule 	In progress	Latest audit undertaken October 2008. New dutch dam installation in front of Singh's Tyre Service to protect the building from flood debris impact
			<ul style="list-style-type: none"> Co-ordinate operation of levee system with other emergency agencies 	<ul style="list-style-type: none"> As required during flood events 	In progress	As required.
4	Implement strategies to improve awareness of flood related issues throughout Lismore and surrounding communities	Staff time and recurrent budget	<ul style="list-style-type: none"> Service the Lismore Flood Reference Group 	<ul style="list-style-type: none"> Quarterly 	In progress	Newly elected group held its first meeting on 17 March 2009.
			<ul style="list-style-type: none"> Determine and implement communication strategies in consultation with the Lismore Flood Reference Group 	<ul style="list-style-type: none"> As required 	In progress	Ongoing
5	Investigate and complete further modifications to the outlets and electrical switchboard at Browns Creek Pump Station to improve the efficiency of the pumps (dependent upon receiving funding from Richmond River County Council)	Staff time and \$50,000 for construction – to be sourced from Richmond River County Council	<ul style="list-style-type: none"> Investigate requirements to modify outlets and switchboard 	<ul style="list-style-type: none"> Aug 08 	Complete	
			<ul style="list-style-type: none"> Obtain quotations for work 	<ul style="list-style-type: none"> Sept 08 	Complete	
			<ul style="list-style-type: none"> Secure funding from Richmond River County Council 	<ul style="list-style-type: none"> Nov 08 	Complete	
			<ul style="list-style-type: none"> Complete the work 	<ul style="list-style-type: none"> Feb 09 	Complete	

MARCH QUARTERLY MANAGEMENT PLAN 2008/09 REVIEW						
	Infrastructure Services					
	Fleet Operations, Workshop and Signshop					
Project	Budget	Key action steps	Target date	Status	Explanation on Progress to Date	
1	Develop and implement a 10 year plant replacement plan	Staff time	▪ Review existing fleet information and gather and analyse data	▪ Sept 08	Complete	Existing information contained some gaps. Work completed with plant lists brought up to date and information regarding replacement criteria added.
			▪ Develop replacement criteria for each plant item	▪ Nov 08	Complete	Initial criteria have been determined for each plant item. These will require further review at a regular interval.
			▪ Complete Replacement Plan	▪ Feb 09	Complete	Draft plan completed.
			▪ Incorporate into 2009/10 Management Plan	▪ April 09	Complete	Year 1 of Plan submitted for Budget consideration
2	Install suitable workshop management software	Staff time	▪ Review and assess alternative software systems	▪ July 08	Complete	Software options reviewed - Ausfleet assessed as best alternative.
		\$30,000	▪ Select and install software	▪ Oct 08	In Progress	This process was delayed due to issues with Civica and in depth evaluation of AIM capabilities. Purchase Order placed February, Installation under way, Data formatting for migration commenced. Interface and testing scheduled for May. Go Live June.
			▪ Reporting commenced	▪ Mar 09	Not Started	Hope to commence early report development this financial year.
3	Review fleet management capabilities of Authority systems	Staff time	▪ Develop complete fleet data input to available fields	▪ Sept 08	Complete	Data fields defined and data being added as it becomes available.
			▪ Review Authority modules and establish management tools	▪ Mar 09	Complete	Discussions with Authority and Finance held regarding options and simplification of data entry and retrieval. Recommendations made.
			▪ Recommend system changes if necessary	▪ Mar 09	Complete	Changes recommended regarding fuel use management in Authority and use of Plant numbers instead of Work Order numbers. IT have taken these up

MARCH QUARTERLY MANAGEMENT PLAN 2008/09 REVIEW						
	Infrastructure Services					
	Waste Services					
	Project	Budget	Key action steps	Target date	Status	Explanation on Progress to Date
1	Progress landfill concept planning	\$150,000	▪ Review of draft strategy	▪ Aug 08	Complete	Draft concept plan finalised and submitted to DECC and Council Planning departments.
			▪ Develop detailed engineering plans for proposed cell development	▪ May 09	Complete	Complete as far as possible this year. Bob Amaral (professional landfill designer) has developed initial detailed drawings. Preliminary discussions with DECC conducted. They have requested submission to them be postponed until July 2009 to allow for imminent changes in their management structure. Further work on Cell 2 development included in 2009/10 budget submissions.
2	Develop regional recyclables strategy	Staff time	▪ Establish Dialogue with surrounding Councils	▪ July 08	Complete	Initial contacts with other Councils suggest a willingness to use central MRF but operate their own collection systems.
			▪ Develop action plan	▪ Oct 08	Complete	This stage completed. Items assessed included - Review of Alternative processes and costings/ involvement of other Councils / impact of market forces (World economy has severely effected prices for recovered items and changed cost structures). Action plan - Submission in 2009/10 budgets for employment of a range of experts to develop a detailed waste sorting proposal for recyclables and waste streams for LCC with possible regional use. Discussions ongoing with Ballina Council re possible joint investment in the recyclables processing facility.
3	Review waste collection strategy for commercial and multiple unit dwellings	Staff time	▪ Review trial	▪ July 08	Complete	Trial successful on increased recycling volumes/ improved waste services usage in Housing Dept area/ improved amenity at units.
			▪ Report to Council	▪ Sept 08	Complete	Council adopted report to proceed. Rollout commenced.

MARCH QUARTERLY MANAGEMENT PLAN 2008/09 REVIEW						
	Infrastructure Services					
	Lismore Memorial Gardens					
	Project	Budget	Key action steps	Target date	Status	Explanation on Progress to Date
1	Commence Bushland Cemetery activities	Recurring operational budget	▪ Finalise procedures for Bushland burials	▪ Sept 08	Complete	Procedures developed.
			▪ Promote concept	▪ Oct 08	Complete	Local, State and international coverage received
			▪ Establish infrastructure to enable commencement of burials	▪ May 09	Complete	First burial conducted.
2	Develop a detailed LMG infrastructure improvement plan	Staff time	▪ Identify strategy and list developments	▪ Aug 08	Complete	A list of items including a larger chapel/ additional cremator / additional parking and post service facilities identified as development strategies
			▪ Prepare costing for developments	▪ Feb 09	In Progress	Design work under way to allow budget pricing to progress. Delayed due to illness of LMG supervisor.
			▪ Paper submitted to Excom	▪ April 09	Not Started	May not be completed this year.
3	Review of services provided	Staff time	▪ Review of services provided by other Memorial Garden operations	▪ Oct 08	Complete	Funeral home facilities/ alternative memorial options/ post service facilities are main items offered elsewhere in addition to LMG services.
			▪ Shortlist of proposed changes	▪ Dec 08	Complete	In order listed above.
			▪ Introduction of new services	▪ Mar 09	In Progress	EOI from Invocare accepted to operate Funeral Home on site. Building refit completed. Lease sent for signing.

MARCH QUARTERLY MANAGEMENT PLAN 2008/09 REVIEW						
	Infrastructure Services					
	Quarry & Asphalt Services					
	Project	Budget	Key action steps	Target date	Status	Explanation on Progress to Date
1	Refine Mobile Crushing Strategy	Staff time	<ul style="list-style-type: none"> Review issues and develop action items to address problem areas 	<ul style="list-style-type: none"> Aug 08 	Complete	Staffing issues addressed. Plant issues largely solved. Maintenance scheduling being developed as data collected. Increase in work at Ballina has led to contract and hired equipment being used there and LCC plant being utilised to improve aggregate stockpiles at Blakebrook.
		Operational budget	<ul style="list-style-type: none"> Trial TSAB tertiary crusher 	<ul style="list-style-type: none"> Oct 08 	Complete	TSAB increased production rates and improved product mix. Further trials with cone crusher produced even better result. Cone crusher currently on hire (submission in 09/10 budget to purchase).
			<ul style="list-style-type: none"> Increase production 	<ul style="list-style-type: none"> Dec 08 	Complete	October production supervisor resignation and other staff movements have set back development. Recruitment under way to correct this. Production and downtime rates are improving steadily.
2	Progress 3A application	Staff time	<ul style="list-style-type: none"> Address issues raised by State Planning 	<ul style="list-style-type: none"> Oct 08 	Complete	All issues addressed and reports resubmitted.
			<ul style="list-style-type: none"> Obtain approval from State Govt 	<ul style="list-style-type: none"> Mar 09 	In Progress	State Planning accepted reports. Currently on public display.
3	Review regional quarry opportunities	Staff time	<ul style="list-style-type: none"> Develop list of operational quarries in the area 	<ul style="list-style-type: none"> Sept 08 	Complete	List compiled
			<ul style="list-style-type: none"> Review potential of regional quarries for opportunities for LCC 	<ul style="list-style-type: none"> Dec 08 	In Progress	Initial assessment of opportunities completed. Resignation of quarry production supervisor and remaining staff time being utilised by the Ballina Bypass has meant little progress being made. Some discussions but more research required.
			<ul style="list-style-type: none"> Develop action plan 	<ul style="list-style-type: none"> Feb 09 	Not Started	For the reason indicated above this has been delayed. It has an anticipated completion date of early next year.

MARCH QUARTERLY MANAGEMENT PLAN 2008/09 REVIEW

Development and Governance						
Planning Services						
Project	Budget	Key action steps	Target date	Status	Explanation on Progress to Date	
1	Customer Service in land use planning matters	Staff time	Respond efficiently to internal and external customer requests for interpretation of planning controls, permissibility of land uses, progress of assessment of DAs	As required	In Progress	Duty Planner' roster introduced to assist customers
			Provide planning advice in response to referrals from other Sections of Council	As required	In Progress	Completed as required
		Staff time	Ensure current planning information is available to the public, development industry and Councillors	As required	In Progress	All advisory information and guidelines available on web site or in hard copy at front counter.
		Staff time	Participate in State Government regional planning initiatives	As required	Not commenced	No State Government regional planning initiatives currently underway
		Staff time	Research response to planning enquiries for dwelling entitlement searches, zoning and consent histories, existing uses, etc	As required	In Progress	Completed as required
		\$21,000	Maintain Heritage Advisory Service	As required	In Progress	Heritage Advisor available as required
		\$16,400	Maintain Local Heritage Grants Program	Annual offer to community of grant funding	In Progress	Works facilitated by grants are under way. Completed works will shortly be inspected by Councils Heritage Advisor and a report prepared for the Heritage Office.
2	Prepare Local Environmental Study/Local Environmental Plan	\$15,500	Report draft LES/LEP to Council for endorsement of contents	Jul-08	Complete	Completed August 2008
			Apply to DoP for S65 Certificate	Within 1 month of Council endorsement	Complete	Completed September 2008
			Undertake community consultation	Commence within 1 month of receipt of Certificate	Not commenced	Awaiting determination of Council's consultation strategy and receipt of Certificate from DoP
			Report outcomes of public exhibition to Council	Within 3 months of end of exhibition	Not commenced	Public exhibition cannot commence as yet (see above)
3	Review Floodplain Management Plan	Staff time	Identify control measures to be altered	Commence Sept 08	In Progress	Additional modelling completed,
			Report to Steering Committee/Council	Dec-08	In Progress	Floodplain Management Committee meeting date to be advised shortly.

Planning Services (Cont)						
	Project	Budget	Key action steps	Target date	Status	Explanation on Progress to Date
4	Update Development Control Plan	Staff time	Revise car parking chapter	Report to Council for adoption in Aug '08	Complete	DCP revision adopted by Council; now in force.
			Revise subdivision chapters	Public exhibition Sept 08 Finalise Dec 08	In Progress	Parts of Subdivision DCP redrafted. Further progress delayed by staff vacancy.
			Prepare Stormwater Management chapter	Public Exhibition Sep-08 Finalise Dec-08	In Progress	Draft of DCP prepared but subject to change depending on content of Technical Guidelines which are not yet prepared..
			Update villages chapters	Commence Jan-09 Community consultation Mar-09 Finalise June 09	Not commenced	Awaiting appointment of staff resource
			Revise DCP for consistency with LEP	Commence when DoP Certifies LEP	Not commenced	Certification not yet received
5	Prepare new S94 Contributions Plan	Staff time	Bruxner H'way Traffic Management Study commenced (TTM)	Jul-08	Complete	Study commenced
			Traffic Mge't Study completed	Nov-08	In Progress	Draft study requires evaluation and comment by staff
			S94 Working Party initiated	Jan-09	Complete	Meeting held
			Draft S94 Plan prepared	Mar-09	Not commenced	State Gov't issuing new requirements for S94 Plans
6	Prepare City Gateway Strategy	Staff time	Co-ordinate project team.	Jan-09	Commenced	Project team set up
			Identify design/landscaping requirements		In Progress	Soils evaluation being undertaken by Parks Co-ordinator
			Prepare Implementation Schedule		Not commenced	Dependent on above
7	Review Rural Housing Strategy	Funding to be allocated	Obtain funding	Commence Mar 09 (if funding available)	Not commenced	No funding available
			Prepare brief		Not commenced	No funding available
			Engage external consultants		Not commenced	No funding available

Planning Services (Cont)						
	Project	Budget	Key action steps	Target date	Status	Explanation on Progress to Date
8	Efficient assessment of land use development applications		Monitor and review land use DA assessment processes	Quarterly	In Progress	Process complies with State regulation. Best Practice Development Assessment Review commenced.
			Monitor status of lodged DAs: identify and address any reasons for delay in assessment	Monthly	In Progress	Monthly monitoring indicates delays due to need for State Government responses, and delays by applicants in submitting adequate information.
9	Ensure compliance with planning controls and development consents		Ensure efficient assessment of applications for subdivision certificates	Monitor monthly	In Progress	Applications prioritised and finalised within 10 days. 12 Certificates issued
			Investigate allegations of illegal land use	As required	In Progress	2 investigations of unauthorised land uses; 59 complaints
			Ensure compliance with consent conditions	Nov-08	Complete	Payment of outstanding contributions demanded within 4

MARCH QUARTERLY MANAGEMENT PLAN 2008/09 REVIEW						
Development and Governance						
Building Services						
Project	Budget	Key action steps	Target date	Status	Explanation on Progress to Date	
1	Customer Service	Recurring budget	<ul style="list-style-type: none"> Provide information and assistance to clients 	<ul style="list-style-type: none"> As required 	In progress	This is ongoing and occurs on daily basis
2	Assessment approval processes, inspections	Recurring budget	<ul style="list-style-type: none"> Undertake legislative assessments and inspections 	<ul style="list-style-type: none"> Ongoing 	In progress	DA's and CC's assessed as submitted
			<ul style="list-style-type: none"> Planning Services DA referrals undertaken 	<ul style="list-style-type: none"> As required 	In progress	Referrals undertaken as required
3	Fire Safety program	Recurring budget	<ul style="list-style-type: none"> Identify buildings requiring fire orders 	<ul style="list-style-type: none"> Ongoing 	In progress	This is an ongoing project. Nimbin fire strategy being established
			<ul style="list-style-type: none"> Implement actions on outstanding fire orders 	<ul style="list-style-type: none"> Ongoing 	In progress	Notices issued and premises inspected
			<ul style="list-style-type: none"> Implement Essential Services Program 	<ul style="list-style-type: none"> Ongoing 	In progress	Annual fire safety statements continue to be collated and assessed
4	Policy Development and implementation	Recurring budget	<ul style="list-style-type: none"> Implement relevant policy changes including state government reforms 	<ul style="list-style-type: none"> As required 	In progress	Legislation changes for DA's are being implemented.
5	Swimming Pool Safety Program	Recurring budget	<ul style="list-style-type: none"> Maintain pool inspection program 	<ul style="list-style-type: none"> Ongoing 	In progress	77 pool inspections for quarter
			<ul style="list-style-type: none"> Implement pool awareness and education to the community 	<ul style="list-style-type: none"> Ongoing 	In progress	Brochure developed for issue to pool owners that have pools that are not up to the required standard.
6	Regulatory Enforcement	Recurring budget	<ul style="list-style-type: none"> Ensure investigation and implementation of enforcement of legislation 	<ul style="list-style-type: none"> As required 	In progress	Enforcement of illegalities within Building Sector continues with Orders issued if appropriate, etc.

MARCH QUARTERLY MANAGEMENT PLAN 2008/09 REVIEW

Development and Governance						
Environmental Health						
Project	Budget	Key action steps	Target date	Status	Explanation on Progress to Date	
1	Customer Service	Recurring budget	<ul style="list-style-type: none"> Provide environmental and public health advice to internal and external clients Respond to community requests and enquiries 	<ul style="list-style-type: none"> Ongoing Ongoing 	<ul style="list-style-type: none"> In progress In progress 	<ul style="list-style-type: none"> On going on a daily basis Undertaken daily
2	Assessment approval processes, inspections and enforcement	Recurring budget	<ul style="list-style-type: none"> Undertake environmental and public health assessments Undertake Regulatory enforcement/education 	<ul style="list-style-type: none"> Ongoing As required 	<ul style="list-style-type: none"> In progress In progress 	<ul style="list-style-type: none"> This is undertaken as required with submission of DA's and reports Enforcement is undertaken as required
3	Public Health Management	Recurring budget	<ul style="list-style-type: none"> Implement commercial premises risk assessment strategy Undertake Public Health assessments Implement legislative/policy/guideline changes Provide education/information to clients Clean Up Australia Day (CUAD) 	<ul style="list-style-type: none"> Yearly targets identified As required Legislative changes reported As required Mar 09 	<ul style="list-style-type: none"> In progress In progress In progress In progress Not started 	<ul style="list-style-type: none"> 88 commercial premises inspections conducted for the quarter Undertaken with each commercial premises DA Council has joined partnership with NSW Food Authority as Required. One to one education campaign with commercial premise operators during inspections Program was undertaken in March 2009
4	On-Site Sewage Management	Recurring budget	<ul style="list-style-type: none"> Undertake inspections Implement legislative policy/guideline changes Provide education/information to clients 	<ul style="list-style-type: none"> 250 inspections per annum As required As required 	<ul style="list-style-type: none"> In progress In progress In progress 	<ul style="list-style-type: none"> 92 inspections for the quarter Implemented as required Reed bed study document investigated via SC University-nearing completion
5	Natural Resource Management	Recurring budget	<ul style="list-style-type: none"> Complete 2008 SOE Report Support SEPAG and implement and monitor SEPAG projects 	<ul style="list-style-type: none"> Nov 08 As required 	<ul style="list-style-type: none"> Completed Not started 	<ul style="list-style-type: none"> Adopted by Council in November 2008 To be undertaken from newly appointed SEPAG members in 2009
6	Cleaner Waterways Program (Stormwater Management)	Annual charge	<ul style="list-style-type: none"> Implement Cleaner Waterways program 	<ul style="list-style-type: none"> Ongoing 	<ul style="list-style-type: none"> In progress 	<ul style="list-style-type: none"> Maintenance of stormwater treatment devices
7	Catchment Management	Recurring budget	<ul style="list-style-type: none"> Implement education and rehabilitation action 	<ul style="list-style-type: none"> Ongoing 	<ul style="list-style-type: none"> In progress 	<ul style="list-style-type: none"> Reviewed draft Richmond River Estuary Management Plan and continuing investigation of Slaters Creek revegetation project.
8	Environmental monitoring	Recurring budget	<ul style="list-style-type: none"> Reticulated water supply monitoring Waterways monitoring 	<ul style="list-style-type: none"> Weekly Monthly 	<ul style="list-style-type: none"> In progress In progress 	<ul style="list-style-type: none"> No reticulation failures last quarter Currently undertaken monthly - results to be recorded in SOE
9	Cities for Climate Protection Program	Recurring budget	<ul style="list-style-type: none"> Implementation of Milestone 4 of CCP program 	<ul style="list-style-type: none"> Ongoing 	<ul style="list-style-type: none"> In progress 	<ul style="list-style-type: none"> Progression through Councils Local Action Plan (LAP) continuing. Draft milestone 5 Report being undertaken.
10	Southern Cross University Affiliation	Recurring budget	<ul style="list-style-type: none"> Continue affiliation with Southern Cross University to promote capacity building 	<ul style="list-style-type: none"> As required 	<ul style="list-style-type: none"> In progress 	<ul style="list-style-type: none"> SCU student undertaking On-site sewage treatment (reed bed) study evaluation

MARCH QUARTERLY MANAGEMENT PLAN 2008/09 REVIEW						
	Development and Governance					
	Enforcement					
	Project	Budget	Key action steps	Target date	Status	Explanation on Progress to Date
1	Control and regulate parking under Council's jurisdiction	Recurring budget	▪ Undertake regular patrols of all on-site and off-street parking areas	▪ Daily patrols	In progress	Patrolled daily
			▪ Ensure regulatory parking signs are clear and visible	▪ Ongoing	In progress	Occurs on an as need basis
2	Manage Councils Impounding function	Recurring budget	▪ Ensure abandoned vehicles are removed from public roadways and reserves	▪ As required	In progress	Occurs when vehicles reported
			▪ Ensure early response to stray stock complaints	▪ As required	In progress	Rangers attend to stray stock when reported
3	Community Education	Recurring budget	▪ Promote community education regarding companion animals regulations and enforcement programs	▪ Mar 09	In progress	Companion Animal Plan drafted for report to Council
			▪ Enhance dog de-sexing program for the broader community	▪ Mar 09	In progress	Program to be implemented per draft Companion Animal Plan
4	Administration of the Companion Animals Act and maintenance of Pound facilities	Recurring budget	▪ Carry out regular patrols and impound stray animals	▪ Daily	In progress	73 dogs impounded for the quarter
			▪ Monitor and care for impounded animals and carry out regular maintenance to pound facility	▪ Daily	In progress	Dog pound cleaned daily.

MARCH QUARTERLY MANAGEMENT PLAN 2008/09 REVIEW						
	Development and Governance					
	Economic Development					
	Project	Budget	Key action steps	Target date	Status	Explanation on Progress to Date
1	BUSINESS DEVELOPMENT / INVESTMENT ATTRACTION					
	Provide support information, advice and assistance to attract investment and/or encourage industry and business development in the Lismore LGA	\$20,000	<ul style="list-style-type: none"> Continue with the provision of holistic advice and assistance to business people seeking to invest, expand or relocate their businesses in the Lismore LGA 	Ongoing	In Progress	Business advice team has responded to 12 face to face business & investment related enquiries and 24 telephone enquiries - actual & potential development projects totalling \$2,052,500 and 4 actual jobs. Compared with Q3 last year, enquiries are up 4 fold
		\$25,000	<ul style="list-style-type: none"> Support the establishment of the Small Business Incubator 	Ongoing to April 09	In Progress	Advised by NORTEC senior management that Three Chain Road site now too expensive for combined land purchase, site development / improvements and subsequent building construction - costs have escalated over time. NORTEC still believes there is a market for an incubator in Lismore and currently looking at establishing on a site in Goonellabah.
	Communication with the business community	\$25,000	<ul style="list-style-type: none"> Generate quality information for local business people and potential investors benchmarking Lismore as a city and regional centre Conduct or support industry workshops and/or events with key industry sectors to strengthen local industry, broaden networks and information sources 	<ul style="list-style-type: none"> Ongoing 1 per year Quarterly 	<ul style="list-style-type: none"> In Progress In Progress In Progress 	<ul style="list-style-type: none"> "Invest in Lismore" website due to be launched in May, to coincide with introduction of the City Centre Manager Based on website text/info, hard copy investment Info Kits to be produced by June 2009, in readiness for marketing initially to the local/regional business community, then plan to go wider, eg. Trade Show 3 x Women in Business Networking functions conducted, averaging 30 attendees/month. 156 members on the database.
	Town Centre Management	\$40,000	<ul style="list-style-type: none"> Engage a Centre Manager for Lismore's CBD as part of an overall strategy to bring about revitalisation of the town centre 	<ul style="list-style-type: none"> Oct 08 April 09 	<ul style="list-style-type: none"> In Progress In Progress 	<ul style="list-style-type: none"> City Centre Manager commencing in late April/early May 2009. Based in CBD Centre. "Lismore Alive" project, a pre-cursor to the City Centre Manager, commenced in November. Results from focus groups and public surveys published in April. These results now feeding into Council's CBD Vision Strategy to be completed in July 2009.
	SBRVL Lismore Promotion Program	Staff time	<ul style="list-style-type: none"> EDU management of the Lismore Promotion Program to maximise businesses' SBRVL contributions and develop businesses' knowledge of how to gain leverage and capitalise on marketing and promotion campaigns 	<ul style="list-style-type: none"> Ongoing Quarterly 	<ul style="list-style-type: none"> In Progress In Progress 	<ul style="list-style-type: none"> All SBRVL funds for 2008/09 are fully committed. Four SBRVL projects undertaken this quarter: Lismore Destination TV promotions; Production of biennial 2009/11 Lismore, Nimbin & Villages Visitor Guide; Lismore Speedway Marketing and Promotion Plan - Super Sedan Championships; Lismore Alive Next edition of the SBRVL newsletter, "Lismore Leader" to be distributed following commencement of and announcing the commencement of the City Centre Manager - May 2009.

Economic Development (Cont)					
Project	Budget	Key action steps	Target date	Status	Explanation on Progress to Date
RIVERBANK					
Wilson's River Re-development – ongoing improvements	Staff time	<ul style="list-style-type: none"> Develop marketing material and branding for Wilson's River Experience Walk, Café and Culture Trail and CBD Historic Interest Walk 	Nov 08	In Progress	Work commenced on "Walk About Lismore" brochure. Due for completion in June 2009
	Recurring budget	<ul style="list-style-type: none"> Complete Plan to remove invasive species from CBD riverbank 	Oct 08	Not Started Yet	Federal funding has been received for a further two historic sites in and around the Lismore Visitor Centre and work has instead been prioritised in this area
		<ul style="list-style-type: none"> Document process for further historic sites in Spinks Park 	Oct 08	Not Started Yet	As above
LISMORE REGIONAL AIRPORT					
Lismore Regional Airport - operations, safety and security programs	Staff time	<ul style="list-style-type: none"> Manage the airport facility in accordance with Operations Manual, incorporating the airport Safety Management System and the Transport Security Program 	Ongoing	In Progress	Airport complies with audits from both OTS and CASA. 14,020 passengers travelled in and out of Lismore Airport for the quarter, which is 17% down on the same quarter for 2008; head tax for the same period is also 17% or \$21,776 down for the same period. The overall result for the 9 months to 31 March 2009 is a softening in the market of an overall 11%. This result can be attributed to the global economic downturn and is better than international air travel where the market is 25% down. Lismore Airport caters for the business passenger market, so our results are better than airports geared towards the tourism market.
	\$40,000	<ul style="list-style-type: none"> Revalidate staff training and hand wand screening system for a heightened security alert situation 	Every 12 months	Not Started Yet	Staff training not required this quarter
	Recurring Budget	<ul style="list-style-type: none"> Statutory reviews of the airport Transport Security Program and Standard Security Procedures 	Nov 08	Complete	Annual audit by Office of Transport Security undertaken in November 08 and revealed there were no non-conformances
Lismore Regional Airport improvements	Capital Works	<ul style="list-style-type: none"> Remediate southern 400 metres of runway 	Aug 08	In Progress	Work scheduled to be undertaken 4 - 8 May 2009, weather permitting.
	Recurring Budget	<ul style="list-style-type: none"> Review 20 year Pavement Management Plan 	Aug 08	Complete	Review undertaken
		<ul style="list-style-type: none"> Continue with upgrade program to airport gardens 	Mar 09	In Progress	Gardens in terminal car park undergoing progressive upgrade
	<ul style="list-style-type: none"> Review drainage across entire airport site 	Mar 09	In Progress	Drainage review will feed into the Airport Master Plan (see below) - mapping of drains, easements, contaminated land, etc. in preparation.	
Master Planning for Lismore Regional Airport	\$15,000 * pending sale of airport land	<ul style="list-style-type: none"> Develop a Master Plan 	June 09	In Progress	Commenced scoping of the Airport Master Plan; to be completed as a major project in 2009/10, including marketing studies/feasibilities of proposed future activities and their requirements on the ground.
FESTIVALS AND EVENTS					
Attract three new major external events	Staff time	<ul style="list-style-type: none"> Bid for two State-level conferences 	June 09	Complete	Not much luck this year with bids for State-level conferences, however good success with the following sporting events: won bids this year for NRL Game, "V" League, Claxton Shield baseball, U14 National Baseball Championships, Twenty20 Cricket event strong possibility
		<ul style="list-style-type: none"> Bid for one major swimming event 	June 09	Complete	No luck with major swimming event, but good success with other sporting events - see above
	\$12,500 (govt. grant)	<ul style="list-style-type: none"> Promote and manage the Sustainable Living Expo featured at the North Coast National A & I Exhibition 	Oct 08	Complete	70 trade exhibitors; 39 speakers in the Talking Tent; 7 celebrity chefs in the Cooking Tent and the Great Apprenticeship Cook-Off organised; economic benefit: \$242,356 / 7,000 participants

Economic Development (Cont)					
Project	Budget	Key action steps	Target date	Status	Explanation on Progress to Date
	\$12,000	<ul style="list-style-type: none"> Host and manage the 63rd Australian Jazz Convention 	Dec 08	Complete	300 delegates Australia-wide came to Lismore for the convention; this was followed by Tropical Fruits New Year's Eve party, then the Claxton Shield baseball, then the Cricket Carnival - a big summer of sport in the City; economic benefit: \$177,000 / 300 participants
	Staff time	<ul style="list-style-type: none"> Host and manage the 2009 NSW Pool Managers Conference 	May 09	Complete	NSW Pool Manager's Conference bid was successful, then organisers changed the destination venue
	\$30,000	<ul style="list-style-type: none"> Provide logistical support for the Lismore Lantern Parade focussing on spectator comfort and safety 	June 09	In Progress	Logistical support preparations commenced. DA for the event has been lodged.
Continue to support events that have an economic benefit to Lismore LGA	Staff time	<ul style="list-style-type: none"> Assist with events such as: 	Ongoing	In Progress	Tropical Fruits New Year's Eve party, Claxton Shield, U14 National baseball, Lismore U12 Cricket carnival, Aust Speedway Titles & NRL Titans v NZ were supported by the Events Team this quarter; economic benefit: \$2,750,752 / 11,000 participants
		World Youth Day, Tropical Fruits, January Sporting events, Gem Fest			
Event Marketing Plan to attract new visitation to Lismore LGA	Staff time	<ul style="list-style-type: none"> Implement the Event Marketing Plan (2009 – 2012) actions 	Ongoing	In Progress	The "Sports Specific" Event Strategy has taken precedence over this Plan with the Events Team targeting the attraction of sports based events to Lismore, eg. NRL Game; Twenty20 match
	\$9,000	<ul style="list-style-type: none"> Develop a "Sports Specific" Event Marketing Strategy which will examine satisfaction rates relevant to venue capabilities and Council support delivery 	Oct 08	Complete	Strategy being implemented - see above
TOURISM					
Implement Tourism Strategic Plan (3 – 5 years)	\$9,273 *subject to success with \$9,272 in govt funding	<ul style="list-style-type: none"> Develop Tourism Strategic Plan 	June 09	In Progress	Successful in receiving matched funding from the State Government; this Strategic Plan will be a major tourism project for 2009/10
Ongoing marketing and promotion	Staff time	<ul style="list-style-type: none"> Continue ongoing market research for Lismore LGA 	May 09	In Progress	33,082 visitors for the quarter at Lismore & Nimbin VICs, up by 13% on same time last year; economic benefit is \$3,848,231 ... also up by 13% on same quarter for last year
	\$7,300	<ul style="list-style-type: none"> Implement actions and signage strategy 	Jan 09	Complete	Lismore gateway signage progressively refreshed
	Staff time	<ul style="list-style-type: none"> Upgrade Lismore Tourism website 	Aug 08	In Progress	Progressive upgrades and improvements undertaken on www.visitlismore.com.au
	\$3,000	<ul style="list-style-type: none"> Develop Nimbin Tourism website in consultation with Nimbin community stakeholders 	April 09	In Progress	Continuing discussions with Nimbin community stakeholders; Nimbin Chamber of Commerce President recently resigned, some instability with stakeholders at present
	\$8,000	<ul style="list-style-type: none"> Promote and attract media coverage and attention designed to boost tourism visitation to Lismore LGA 	June 09	In Progress	Lismore Destinations TV Promotions campaign went to air: 2 minute, 30 second TV commercial; launch of 2009 Visitor Guide

Economic Development (Cont)					
Project	Budget	Key action steps	Target date	Status	Explanation on Progress to Date
Ongoing marketing and promotion	Staff time	<ul style="list-style-type: none"> Review all available local produce to develop a greater range of merchandise 	<ul style="list-style-type: none"> June 09 	Complete	New products reviewed and released for Christmas sales
		<ul style="list-style-type: none"> Continue improvements to the Visitor Information Centre 	<ul style="list-style-type: none"> June 09 	In Progress	Rainforest display to be refreshed with aid of IHP funding
Further support to enhance the development of the tourism industry in Nimbin; upgrade provision of information services to village visitors	\$69,360	<ul style="list-style-type: none"> Continue operation of Nimbin Visitor Information Centre 	<ul style="list-style-type: none"> July 08 	In Progress	Nimbin VIC visitor numbers were up 14% on same quarter last year to a high of 21,038 visitors / \$2,118,568 economic benefit
Increase joint activities and co-operation in tourism	Staff time	<ul style="list-style-type: none"> Continue to encourage industry participation through co-operative marketing, famils, networking opportunities and consultation 	<ul style="list-style-type: none"> Bi-monthly 	In Progress	Tourism Operator Newsletters distributed bi-monthly
			<ul style="list-style-type: none"> Every 6 months 	In Progress	Networking function held in Lismore for launch of Lismore, Nimbin & Villages Visitor Guide
		<ul style="list-style-type: none"> Maximise promotional opportunities and marketing plans with Northern Rivers Tourism and Tourism NSW 	<ul style="list-style-type: none"> Ongoing 	In Progress	NRT Flood Relief funding from January 2008 accessed to co-fund Lismore Tourism Destinations advertising campaign

MARCH QUARTERLY MANAGEMENT PLAN 2008/09 REVIEW						
	Development and Governance					
	Information Services					
	Project	Budget	Key action steps	Target date	Status	Explanation on Progress to Date
1	Continue with the implementation of the Electronic Document Management System	Reserve	<ul style="list-style-type: none"> ▪ Recruit for Systems Administrator 	Sept 08	Complete	A Systems Administrator (now called the TRIM Project Officer) has been recruited and commenced work in October 2008. This is a 12 month contract.
			<ul style="list-style-type: none"> ▪ Commence Software Implementation 	Oct 08	Complete	
			<ul style="list-style-type: none"> ▪ Go Live 	Mar 09	Complete	System went live on February 26th, 2009
2	Commence Server consolidation/replacement program	Recurrent	<ul style="list-style-type: none"> ▪ Implementation of server virtualisation software 	Aug 08	Complete	Initial trials of virtualisation have commenced with a number of non-critical systems running on a virtual server. Awaiting further developments by Microsoft to implement further.
			<ul style="list-style-type: none"> ▪ Consolidation of Servers complete 	May 09	Complete	All live corporate SQL Server database systems have now been consolidated onto a single server.
3	Further utilisation of the AUTHORITY system	Recurrent	<ul style="list-style-type: none"> ▪ Review use of all modules in both Authority and i-Services 	Ongoing	Complete	Review has commenced. Issues have been identified for some modules. Actions have been allocated.
			<ul style="list-style-type: none"> ▪ Identify training needs and deliver where funding is available 	Ongoing	Complete	Additional training has been provided for Assets and payroll modules.
4	Enhance Disaster Recovery facility at GSAC	Recurrent	<ul style="list-style-type: none"> ▪ Identify opportunities for developing GSAC as an IT DR site 	Apr 09	Complete	Basic infrastructure has been acquired. Connectivity will be established once the building is complete. Computer room now online and operational
			<ul style="list-style-type: none"> ▪ Commence acquisition of DR equipment and technologies 	Mar 09	In progress	Additional backup server has been acquired. Expected to be installed in the next few months.

MARCH QUARTERLY MANAGEMENT PLAN 2008/09 REVIEW						
Development and Governance						
Community Services						
	Project	Budget	Key action steps	Target date	Status	Explanation on Progress to Date
1	National Living Library Strategy	\$75,000	▪ Develop website and resources	▪ July 08	Completed	Website and resources developed.
			▪ Develop and implement promotional strategy	▪ Oct 08	Completed	Promotion strategy implemented.
			▪ Establish National Network	▪ Oct 08	Completed	(Currently 68 living libraries have been established across Australia.)
			▪ Evaluation and Final report	▪ July 09	In progress	The project has received additional funding for a further 6 months. An evaluation will be conducted following the completion of the entire 18 months.
2	New 5 Year Disability, Access and Inclusion Plan (DAIP)	\$15,000	▪ Develop brief for consultant	▪ July 08	Completed	Brief completed.
			▪ Appoint consultant	▪ July 08	Completed	Consultant appointed.
			▪ Draft DAIP received	▪ Aug 08	Completed	Draft plan received.
			▪ DAIP completed	▪ March 09	In progress	The draft has been completed but strategies within the plan will be discussed in further detail with staff across the organisation prior to implementation.
3	Social and Community Plan	\$7,000	▪ Implement strategies identified within the Plan for 2008-2009	▪ Ongoing	In progress	Implementation is ongoing.
4	Crime Prevention Plan	\$17,500	▪ Implement of crime prevention strategies	▪ Ongoing	In progress	Implementation is ongoing.
			▪ Bi-monthly consultation with NGOs for program delivery			Consultation ongoing.
			▪ Ongoing implementation coordination by staff			Implementation is ongoing.
5	Crime Prevention	\$40,000 (pending NSW AG funding)	▪ Delivery of violence prevention training to Indigenous youth	▪ Ongoing	Completed	See dot point 3 below.
			▪ Deliver two Train the Trainer courses		Completed	Training courses delivered.
			▪ Deliver three violence prevention programs to young people		Completed	Completed one program and collaborated with Lismore Police to deliver a second program. A third program is not possible due to partnering organisation constraints and insufficient funds.
6	Homeless Shelter	\$20,000	▪ Coordinate project partners to finalise management for the shelter	▪ July 09	In progress	This project has changed direction due to lack of broad partner support and the federal government conditioning its \$200,000 grant effectively prohibiting a shelter in flood prone areas. Council will continue to support St Vincent de Paul as the lead agency in the development of a shelter that may potentially be able to access the federal funding. StVdeP are actively exploring various land and building opportunities.
			▪ Implement mitigation strategies identified in the Social Impact Assessment	▪ Ongoing		N/a as yet
			▪ Assist project partners in seeking operational funds	▪ Ongoing		N/a as yet
7	Lismore Sports and Aquatic Centre		▪ Provide best practice advice on function and fit-out components	▪ Ongoing	In progress	Best practice advice delivered.
			▪ Determine management model	▪ July 08	Completed	Management model finalised and in operation.
			▪ Recruit Centre manager	▪ 3 months prior to opening	Completed	Recruitment of centre manager completed.
			▪ Recruit Centre staff	▪ Feb 09	In progress	Staff recruitment completed.
			▪ Finalise staffing employment arrangements		In progress	As above.

Community Services (Cont)						
	Project	Budget	Key action steps	Target date	Status	Explanation on Progress to Date
8	Cultural Precinct		▪ Continue to lobby state and federal government for funding	▪ Ongoing	In progress	Staff will apply to the Federal Government's Jobs Fund in May 2009
			▪ Develop affordable concept design for new gallery building	▪ July 08	Completed	Concept design presented at Council Workshop in November 2008.
9	Riverview Park Plan of Management		▪ Review previous plan (generic)	▪ July 08	Not started	To be outsourced to a consultant later in 2009. Staff have been unable to complete the plan due to the ongoing demands of GSAC.
			▪ Consult with user groups	▪ June 08		As above.
			▪ Draft plan completed	▪ Sept. 09		As above.
			▪ Final plan completed	Nov 09		As above.
10	Nesbitt Park		▪ Endorse draft Master Plan	▪ July 08	Completed	Master plan completed and endorsed by Council.
			▪ Construct children's playground, Stage One	▪ Mar 09	In progress	Detailed plans are being developed as part of Development Application has been lodged and is awaiting determination. Quotes from 5 equipment suppliers to be received in May.
			▪ Construct shade structure over playground	▪ April 09	Not started	A shade structure has been relocated within the park to a more suitable location next to the proposed playground. A further structure will be installed following installation of the play equipment.

MARCH QUARTERLY MANAGEMENT PLAN 2008/09 REVIEW						
Development and Governance						
Gingerbread House						
	Project	Budget	Key action steps	Target date	Status	Explanation on Progress to Date
1	Renovation of front playground	\$12,000	▪ Kidsafe inspection	▪ July 08	Completed	Plans in final stages for playground work to
			▪ Review recommendations	▪ July 08	Completed	commence in 2nd last week in January 2009
			▪ Obtain quotes	▪ July 08	Completed	Quotes obtained
			▪ Oversee works	▪ Sept 08	Completed	Works completed
2	Form committee to organise 21 Year celebrations for Gingerbread House service	Recurring budget	▪ Advertise for committee members in newsletter	▪ July 08	Completed	Committee called. 2 meeting held.
			▪ Meet on a regular basis to plan celebrations		Completed	
			▪ Undertake celebrations	▪ Oct 08	In Progress	Committee meetings continuing. Proposed date July.
3	Prepare for DOCs licensing at end of 2008	\$500	▪ Complete all relevant paperwork for self-evaluation.	▪ From July 08	Completed	All paper work completed. Self evaluation done by all staff.
4	Continue to support diversity and promote cross-cultural exchange	N/A	▪ Promote Gingerbread House services to diverse community groups	▪ Ongoing	In Progress	All groups supported.
			▪ Provide service and advocacy for refugee families, Women's Refuge, Women Up North		In Progress	Rural Health project not started,
			▪ Consult with group organisers/representatives		In Progress	Conducted as required
			▪ Consult with refugee support groups		In Progress	Conducted as required
			▪ Approach Rural Health re Indigenous children at caravan parks		Not started	We will support this project once initiated by Lismore Family Support or another community agency.
5	Re-organise front office space	\$250	▪ Consult with staff and develop room plan	▪ Aug 08	Completed	Staff discussion held
			▪ Re-arrange furniture and fittings			
				▪ Dec 08	Completed	Furniture available from council.
6	Plan and hold a grandparents' day	\$50	▪ Set a date	▪ Aug 08	Completed	Held 15th May 2008
			▪ Send out notices		Completed	
			▪ Host event		Completed	

MARCH QUARTERLY MANAGEMENT PLAN 2008/09 REVIEW						
Development and Governance						
Koala						
	Project	Budget	Key action steps	Target date	Status	Explanation on Progress to Date
1	Implement the NCAC Quality Improvement and Accreditation System	Recurring budget	Use Centre's ongoing NCAC Improvement Plan to devise and implement a work plan	Feb 09	In progress	Self Study Report and Continuing Improvement plan submitted to NCAC Sydney on Feb 23.
			Consult with Koala Advisory Panel, clients and staff to assess current standards of care	Monthly	Ongoing	Last meeting held Feb 12.
			Meet licence requirements	Annually	Completed	New licence granted - 2008 - 2011. New online annual DOCS report Oct 29.
			Conduct client surveys	Quarterly	Ongoing	Completed NCAC Family Surveys 95% return.
2	Encourage community involvement in Centre's operations	Recurring budget	Network with local community services to meet child, client and staff needs	Bi-monthly	Ongoing	Directors attendance at Early Childhood - ECA North Coast Annual conference March 28.
			Continue with referral process for children's additional developmental needs	Ongoing	Ongoing	Working with Communities for Children and Child and Family Health to meet children's additional needs.
			Liaise with families regarding Centre's program evaluation	Quarterly	Ongoing	Sent out in February and March 2009.
			Utilise community resources to reflect the Centre's cultural diversity	Ongoing	Ongoing	Contact made with Local Bundjalung Elder with possible invitation to an elders meeting in early 2009.
3	Provide programs that respond to the developmental needs of the children	Recurring budget	Provide staff non-contact teaching time to allow for program evaluation	Ongoing	Ongoing	Constrained at present by shortage of casual staff.
			Consult with clients to assess children's individual needs, skills and interests	Ongoing	Ongoing	Children's Portfolios sent home on a bi-monthly basis.
			Review children's learning environment to stimulate their curiosity and interest	Ongoing	Ongoing	Use of emergent curriculum in program development. Directors attendance at ECA conference March 28.
			Provide quarterly developmental summaries of children to client families	Quarterly	Ongoing	Client Families received in March.
4	Provide appropriate staff training	Recurring budget	Identify individual staff training needs through the skills assessment and performance evaluation systems	Quarterly/annual needs identification	Completed	Staff annual skills assessments conducted and submitted to Council on Dec 3.
			Staff attendance at available staff training	Monthly assessment	Ongoing	Five individual staff attended Food Safety, Nutrition and Hygiene, Leadership Training, Child Care Management and Early Development and Autism in Feb-March 09.
5	Building maintenance	Recurring budget	Replace Possums Room air-conditioner	Dec 08	In progress	Service indicates a new system not required as yet.
			Replace damaged timber on Centre entry alcove	April 09	Ongoing	Liaising with Council's Assets Services to coordinate.

MARCH QUARTERLY MANAGEMENT PLAN 2008/09 REVIEW						
	Development and Governance					
	Outside School Hours					
	Project	Budget	Key action steps	Target date	Status	Explanation on Progress to Date
1	Children's Art Competition	\$100	<ul style="list-style-type: none"> Consult local businesses including LCC to display works of art produced by the children and seek sponsorship to provide prizes 	Nov 08	In Progress	Term 4 Program complete. Start date for the competition is 10.11.08 completion date 24.11.08.
2	Police Anti-Bullying Campaign	\$0	<ul style="list-style-type: none"> Visit from Police Community Liaison officer to give advice and information to children on the effects of bullying and what actions the children need to take if this is affecting their daily lives 	Dec 08	In Progress	The service has booked Brainstorm productions to come and perform their anti-bullying performance.
3	Paddle pop stick sculpture show	\$95	<ul style="list-style-type: none"> Children create their own conceptual sculptures for display at Lismore Library Arrange with the Lismore Library a suitable timeframe to display the works of art Families are invited to view their children's art works at the Library 	Apr 09	Not Started	
4	International Day of Families 2009	\$0	<ul style="list-style-type: none"> To program a week of activities reflecting the concept of the family Encourage parents to donate time or skills that can be utilised in the week's activities Have an afternoon where parents are encouraged to have afternoon tea at the centre 	May 09	Not Started	

MARCH QUARTERLY MANAGEMENT PLAN 2008/09 REVIEW

Development and Governance						
Regional Art Gallery						
Project	Budget	Key action steps	Target date	Status	Explanation on Progress to Date	
1 Raise funds and lobby for the construction of the new building	\$23,000 + staff time	<ul style="list-style-type: none"> Form a network of people able to assist with fundraising 	<ul style="list-style-type: none"> Ongoing 	In progress	The Gallery has established strong links with Lismore's business community and developed new supporters of the construction program. A new law firm has become a corporate member of the Gallery.	
		<ul style="list-style-type: none"> Confirm contacts with government representatives 	<ul style="list-style-type: none"> Oct 08 	Complete	The Gallery Director has continued a strong relationship with contacts within Arts NSW - NSW Government's arts policy and funding body, Federal Member for Page - Janelle Saffin MP and Member for Lismore Thomas George MP. The Gallery is in contact with Michael Goss, Arts NSW, who has discussed pathways for further funding additional to the \$110,000 secured in this quarter.	
2 Develop nationally significant exhibitions	Staff time	<ul style="list-style-type: none"> Curate exhibitions featuring nationally significant artists 	<ul style="list-style-type: none"> Ongoing 	In progress	During this quarter we have worked with one of Australia's most prominent international artists, Tracey Moffatt. The Tracey Moffatt exhibition opened on 13 March 2009. The Linnaeus Estate paid for the production of the catalogue which we have received positive feedback from The Brooklyn Museum in the USA, and The Serpentine Gallery in the UK.	
3 Provide input and specialist technical knowledge into the design of the new Gallery building	Staff time	<ul style="list-style-type: none"> Meet with stakeholders and research other facilities to evaluate the best model for Lismore's needs 	<ul style="list-style-type: none"> Ongoing 	In progress	The draft concept plans have been continually revised and updated. The Gallery Director continues to liaise with various stakeholders and galleries to research other facilities to develop the best model for the gallery's new building, including Hazelhurst, Campbelltown, Newcastle, UQ Art Museum and Tweed River Regional Art Gallery.	
4 Grow the Gallery community and increase membership	Staff time	<ul style="list-style-type: none"> Develop support material for the newsletter, webpage, e-updates and panels that is informative and inclusive 	<ul style="list-style-type: none"> Ongoing 	In progress	Support material is consistently developed for each exhibition. This support material includes catalogues, information panels and e-invites. This information is available in hard copy or online at the gallery website. The Newsletter has ceased as it is too expensive to print. The Gallery now encourages public to visit the website as our information is current and serves a similar purpose to the newsletter.	
5 Develop a user-friendly website with full program details and projects online	Staff time	<ul style="list-style-type: none"> Provide staff training in specialists areas 	<ul style="list-style-type: none"> Ongoing 	Complete	Gallery staff have received training to maintain, update and improve the gallery website.	
		<ul style="list-style-type: none"> Consistently list full program on the website 		In progress	Past, current and future events and exhibitions are consistently displayed on the gallery website. We are finalising details for the Collection to be accessible online. We received \$15,000 from the Gordon Darling Foundation to make this action happen.	

MARCH QUARTERLY MANAGEMENT PLAN 2008/09 REVIEW						
	Development & Governance					
	Library Services					
	Project	Budget	Key action steps	Target date	Status	Explanation on Progress to Date
1	Develop and maintain programs for children and teenagers	Recurring budget	▪ Expand Baby Bounce to Goonellabah branch	▪ Sept 08	In Progress	This is now in place every Tuesday.
			▪ Develop monthly teenage program at Lismore Library	▪ July 08	Completed	These occur on every 2nd Thursday of each month.
			▪ Continue <i>Lismore Let's Read</i> program	▪ Ongoing		This has been successfully rolled out to library members.
2	Promote the Library within the community	Recurring budget	▪ Make available display space to community organisations	▪ July 08	Completed	There have been a number of community displays
			▪ Participate in local events	▪ July 08	Completed	This happens as opportunities arise. Including Lismore Show and the Lantern Parade
3	Increase library membership	Recurring budget	▪ Offer extended library opening hours	▪ Ongoing	Completed	Council have approved Sunday opening.
4	Maintain quality book stock	Recurring budget	▪ Read wide range of book reviews	▪ Ongoing	In Progress	Book review routinely read
			▪ Fulfil Requests for Purchase	▪ Ongoing	In Progress	Books have been purchased as requested.
			▪ Source materials from variety of suppliers	▪ Ongoing	In Progress	Source books as appropriate.
			▪ Purchase all locally produced material	▪ Ongoing	In Progress	This is always done.
			▪ Maintain a vigorous culling program	▪ Ongoing	In Progress	Poor quality and out of date books are routinely culled.
5	Train and support staff	Recurring budget	▪ Ensure appropriate training is available to all staff	▪ Ongoing		Staff at all levels have attended appropriate training in this quarter.
			▪ Source new training programs for inclusion in Training Plan	▪ Ongoing		Always looking for new training opportunities/
			▪ Review staff training requests	▪ Ongoing		Staff are encouraged to provide their own training requirements.

Report

Subject	March 2009 Quarterly Budget Review Statement
File No	EF09/582
Prepared by	Principal Accountant
Reason	Clause 7, Local Government (Financial Management) Regulations 1993
Objective	To gain Council's approval to amend the 2008/09 Budget to reflect actual or anticipated results
Strategic Plan Link	Leadership by Innovation
Management Plan Project	Various

Overview of Report

The review of the 2008/09 Budget to March 2009 shows a deficit result of (\$113,000). As such, the accumulated surplus for 2008/09 is reduced to \$699,100.

The major items that have impacted on the result are increased operational costs associated with the Lismore Lake Pool \$63,500, increased costs associated with the Nimbin Caravan Park \$60,300 and increased maintenance costs for some Council buildings.

Operating expenditure is being closely monitored by management and is generally within approved budgets. There has been additional expenditure recognised for operating expenditure, capital projects and grant projects with funding from reserves and grant revenues.

Operating revenues are currently within acceptable tolerances however the situation is being monitored with additional downward pressure due to the economic climate anticipated.

Background

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

General Fund

The 2008/09 Budget provided for a deficit of (\$56,500). The September review detailed a surplus of \$181,900 and the December review resulted in an accumulated surplus of \$812,100 for 2008/09. The March review resulted in a deficit of (\$113,000) reducing the surplus to \$699,100. A summary of the March review follows:

Budget Movements for Quarter	Amount \$
Opening Surplus as at December 31, 2008	812,100
Plus – Reduction estimated contribution to Richmond River County Council as advised	24,400
Plus – Reduction in estimate of 2008 Council election costs based on finalised costing as advised by State Electoral Office	11,300
Plus – Property Insurance Premiums savings on original estimates	7,100
Plus – 2008/09 Road Safety program review estimated Council contribution reduced	3,700
Less – Lismore Lake Pool increased operational costs due to additional maintenance costs on chemical dosing unit, maintenance staff and ground maintenance.	(63,500)
Less – Net additional operating costs Nimbin Caravan Park and Pool due to increased security costs, maintenance of pool, increased chemical costs and increased staffing costs while new manager appointed.*	(60,300)
Less – Building Maintenance costs on Property and Community Facilities which included Lismore City Hall, Goonellabah Community Centre and the Neighbourhood Centre. Some recovery of cost may be possible and will be reported when quantified.	(18,900)
Less – Sec 356 Donations being: Victorian Bushfire Appeal \$5,000, increase in Lismore City Hall rental donation to community groups \$3,500 and Blue Knob Hall S94 donation \$1,800.	(10,300)
Less – Corporate Centre Maintenance increased costs	(6,500)
Closing Surplus Balance as at March 31, 2009	699,100

***Nimbin Caravan Park –**

The manager for the Nimbin Caravan Park resigned and ceased their contract with Council on 30 June 2008. As such it was necessary for Council to implement a temporary arrangement for management of the park until a new management contract could be arranged. This was being undertaken through JHA Employment. The cost of this arrangement is significantly higher than the previous management contract. The temporary management arrangements through JHA employment have ceased.

In January 2008 Council decided to place security guards at the park out of hours in response to various issues relating to difficult tenants, this action has had a significant impact on the budget.

One of the filter pumps at the Nimbin Pool failed late last year and was replaced during the quarter. This incurred additional expenditure. In addition there has been an increase in chemical costs for the pool and electricity costs due to higher patronage.

The increased expenditure has been partially offset by increased revenue due to higher patronage.

Program Summary

For Council's information, details of each program with significant variances of \$10,000 or greater is provided below other than those impacting the operating result reported in the summary above. Please refer to the 'Individual Programs' attachment for a summary of all the March review.

Administrative Services

Operating expenses have decreased by \$21,300 due to the costs of the 2008 Council elections being revised down after a final costing was received. An amount of \$10,000 has been applied to fund the opening of the Goonellabah Sports and Aquatic Centre with balance of funds being transferred to the surplus.

Corporate Management

To fund the Best Practice Planning Review, \$14,500 has been transferred from operating budgets within the Planning Services Program. There is no impact on the operating result.

Corporate and Community Relations

Expenses have been reduced by \$30,000 and allocated to Information Services to undertake enhancement of Council's management reporting system - Crystal Reporting. These reports are required by various departments and will produce greater utilisation of the Corporate Information System. There is no impact on the operating result.

Financial Services

Insurance claims revenue of \$580,900 for storm damage has been recognised with these changes being offset by increasing maintenance budgets in various Programs where insurance repairs costs were incurred. Additional revenue of \$80,000 has been included for legal fees that are recharged in relation to recovery of outstanding rates and debts. This is cost recovery only and there has been a corresponding increase in debt recovery costs. There is no impact on the operating result.

Asset Management and Support Service

There was a transfer from reserve for the completion of Nimbin Car Park, Stage 1 lighting of \$16,200, with a corresponding increase in the capital budget of the Roads Program. A review of the Road Safety activity was also undertaken with income adjusted down due to contributions being lower than expected by \$4,100 with a corresponding decrease made to expenditure budgets. Grant funding of \$13,400 was received from the RTA for the purchase of a speed trailer which has been offset by an increase in the capital budget of the Work Fleet Operation Program. There is no impact on the operating result.

Commercial Property Management

Building maintenance was increased by \$195,000 to reflect work undertaken on various properties due to storm damage. This was offset by increased revenues relating to all insurance claims in the Financial Services Program. There is no impact on the operating result.

Miscellaneous Properties

Building maintenance was increased by \$229,300 to reflect work due to storm damage. This has been offset by increased revenues relating to all insurance claims in the Financial Services Program. There is no impact on the operating result.

Properties and Community Facilities

Building maintenance has been increased by \$202,200 in relation to works undertaken due to storm damage of \$62,200 and \$140,000 to halls from funding as part of the Commonwealth Government's Regional & Local Community Infrastructure Program grant. This was offset by increased grant revenues of \$140,000 and revenues relating to all insurance claims in the Financial Services Program.

Capital works for the City Hall were completed for \$24,400 less than budgeted. These funds from unexpended loans are proposed to be carried forward for other City Hall works in 2009/10.

There is no impact on the operating result.

Rural Fire Services

There was a reclassification of grant revenue reported in the December review from operational to capital; this is a reporting adjustment only. Revenue has been reduced by \$20,000 to reflect an incorrect adjustment in the December review with a corresponding reduction in expenses. There is no impact on the operating result.

Emergency Services

Expenses have been increased by \$71,100 for Flood Mitigation works on the Lismore Levee Scheme with funding sourced from reserves of \$40,600 and \$30,500 from unexpended loan funds. There is no impact on the operating result.

Parks and Recreation

There has been a net increase in the capital works of \$28,800 with major movements being: increase in Nesbitt Park development \$235,000 (funded by the Regional & Local Community Infrastructure Program Grant and reserves); Nimbin Demons field top dressing \$20,000 (reserves funded) and a transfer of Riverbank Project to the Economic Development Program (\$234,000).

There also has been a reduction in revenues and an off setting reduction in expenses for internal works now directly charged.

There is no impact on the operating result.

Traffic and City Safe

Building maintenance was increased by \$55,600 to reflect insurance repairs from storm damage. This was offset by increased revenues relating to all insurance claims in the Financial Services Program. There is no impact on the operating result.

Roads

There is an increase in expenses of \$51,300 for works associated with a land slip at the Works Depot \$28,000 funded from reserves and extension of the seal on the Dunoon Road \$23,300.

There was a net increase in capital works of \$59,200 with the major works being Coleman Street Bexhill \$66,300 funded from developer contributions and Nimbin Car Park lighting – Stage 1 of \$16,200 funded by transfer from Asset Management reserves.

There is no impact on the operating result from changes in this Program.

Workshop

Capital purchases have been increased by \$13,400 for a speed trailer purchased with funding from the RTA. This is recognised in the Asset Management Program. There is no impact on the operating result.

Lismore Regional Airport

Operational revenues have been revised down overall by (\$30,800) with the major impact being from declining passenger numbers. There has been additional revenue recognised to offset the negative impact. In addition, operating expenses have been reviewed and reductions of \$30,800 identified.

There is no impact on the operating result from changes in this Program.

Art Gallery

Operating expenses have been increased by \$86,100 with the major items being: building maintenance due to storm damage \$15,600 (this was offset by increased revenues relating to all insurance claims in the Financial Services Program); Grant projects \$64,000 (funded by grants) and exhibition costs \$6,500 (funded by additional revenue of \$5,000 and reserves \$1,500).

A \$100,000 grant from the State Government for the construction of the Margaret Olley Arts Centre has

also been recognised. The State Government is being approached to confirm that part of the grant can be used to develop plans and a development application proposed in the draft 2009/10 Budget.

There is no impact on the operating result from changes in this Program.

Community Services

Additional operating expenditure of \$77,000 has been included with the major items being \$48,000 for the Red Dust Healing Youth Project, funded by grant, and \$28,500 for The Closing the Gaps Project using unexpended grant funds received in previous financial years. There is no impact on the operating result.

Information Services

Expenditure of \$58,300 has been included for the development of Crystal Reports to enhance Council's management reporting system. These works have been funded by a \$28,300 transfer from reserves, and a re-allocation of an operational Corporate and Community Relations Program budget of \$30,000. There is no impact on the operating result from changes in this Program.

Economic Development & Tourism

Operating expenses have been increased by \$284,200. This included a payment of an investment incentive of \$44,300 (funded from reserves) to the developer of the private hospital in McKenzie Street in accordance with Council's previous policy and a transfer of the Riverbank Project from the Parks Program (\$234,000) to this Program. Additional costs associated with the SLEXPO has been included \$9,700 (funded from increased contributions received \$15,000, reduction in revenues \$7,800 and a transfer from reserves of \$2,500).

There have been other minor adjustments to this program but in total they have not changed the operating result.

Planning Services

Funds have been transferred from expenses to Corporate Management to undertake the Best Practice Planning Review (\$14,500). There is no impact on the operating result.

Environmental Services and Building Control

Operating expenses were increased by \$160,900 with the major works being: Natural Resources Officer \$15,000 (funded from reserves), WSUD Strategy \$12,100 (funded from reserves), street lighting assessment \$14,300 (funded from reserves), and restoration of Hollingworth Creek \$9,800 (funded from reserves) and NR Urban Communities \$100,000 (funded from additional grant revenue)

There was a reclassification of funding sources for the Natural Resource Officer from unexpended developer contributions to reserve funds; this is a reporting adjustment only.

There is no impact on the operating result.

Goonellabah Sports and Aquatic Centre

Additional grant revenue has been recognised of \$684,000, from the Commonwealth Government's Regional & Local Community Infrastructure Program. This is in relation to works associated with the development of the Youth Plaza.

Additional expenditure has been included for the opening of the centre with funding being sourced from savings within the Administrative Services Program.

Wastewater Services (Sewerage Fund)

Lower than anticipated revenues from developer contributions \$420,000 and delayed capital works for Woodlark Street \$350,000 (funds have been transferred to reserves), has resulted in a reduction in the proposed Capital Works program (\$766,800).

Adjustments have been made to the transfer to/from reserves to maintain a balanced result as at March 31, 2009.

Water Services (Water Fund)

Additional expenses have been included for management costs \$44,000 which is partially offset by an increase in anticipated revenue of \$20,000. There is estimated to be a reduction in developer contributions (\$20,000) received and delayed capital works for Woodlark Street. The result is a reduction in the Capital Works program (\$256,100).

Adjustments have been made to the transfer to/from reserves to maintain a balanced result as at March 31, 2009.

Change in Net Assets

The 2008/09 Management Plan showed a surplus in the "Change in Net Assets" of \$446,000. The September review increased this by \$1,337,100 and the December review showed an increase of \$445,800 to give a \$2,228,900 balance. This review shows a decrease for the period of \$56,800 to \$2,172,100.

The change in net assets is based on the original adopted budget and does not include the anticipated impact from increased depreciation associated with assets that were brought to fair value on June 30, 2008. Council should note that depreciation is a non cash impact and does not impact on the reported operating surplus.

At the same time, Council will need to consider how it manages the assets under its control including adequately funding maintenance and renewal costs. This will be addressed as asset management plans are developed and factored into future management plans.

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

Comments

Responsible Accounting Officer

The Council's financial position is considered to be satisfactory based on the revised estimates of income and expenditure reported in this review and the adopted 2008/09 - 2011 Management Plan.

Other staff comments

Not required.

Public consultation

Not required.

Conclusion

The 2008/09 Budget provided for a deficit of (\$56,500). The September review detailed a surplus of \$181,900 and the December review resulted in an accumulated surplus of \$812,100. The March review resulted in a deficit of (\$113,000) reducing the surplus to \$699,100. This amount is held in reserves and is proposed to be used to offset increased superannuation costs in 2009/10.

There has been additional expenditure recognised for operating expenditure and capital projects as well as the use of reserves, loans and grant revenues.

Management continue to place great emphasis on cost control, revenue raising and budget management. Predominately due to factors beyond Management's control, it is expected that there will be budget variances to report as part of the June 2009 Review. Every effort is being made to minimise the impact.

Recommendation

1. Council adopt the March 2009 Quarterly Budget Review Statement for General, Water and Sewerage Funds.
2. This report is forwarded to Council's Auditor for information.

2008/09 Estimates of Income and Expenditure for Quarter Ended March 2009 - Individual Programs											31-Mar-09
Group and Program	Operating	Operating	Capital	Developer	Loan Funds	Capital	Unexpended	Transfers	Transfers	Unexpended	March Target Surplus
	Revenue	Expense	Grants and Contributions	Contributions	Used	Purchases	Developer Contributions	from Reserves	to Reserves	Grants	
General Managers /Chief Executive											
Administrative Services - Council	-	(21,300)	-	-	-	-	-	-	-	-	-
Corporate Management	-	14,500	-	-	-	-	-	-	-	-	-
Corporate and Community Relations	-	(37,100)	-	-	-	-	-	-	-	-	-
Financial Services	(660,900)	80,000	-	-	-	-	-	-	-	-	(113,000)
General Manager and Support Services	-	-	-	-	-	-	-	9,300	-	-	-
Total General Managers Chief Executive	(660,900)	36,100	-	-	-	-	-	9,300	-	-	(113,000)
Infrastructure											
Asset Management	20,000	(36,500)	-	-	-	-	-	(16,200)	-	-	-
Caravan Parks and Nimbin Pool	(58,800)	119,100	-	-	-	-	-	-	-	-	-
Property Services - Commercial	-	195,900	-	-	-	-	-	-	-	-	-
Sewerage Services	-	(3,200)	-	420,000	-	(766,800)	-	-	350,000	-	-
Water Supply Services	(20,000)	44,000	-	20,000	-	(256,100)	-	-	212,100	-	-
Miscellaneous Properties	-	235,800	-	-	-	-	-	-	-	-	-
Properties & Facilities	(140,000)	221,100	-	-	24,000	(24,000)	-	-	-	-	-
Bushfire Services	32,500	(20,600)	(12,500)	-	-	-	-	-	-	-	-
Emergency Services	-	52,900	-	-	(30,500)	-	-	(40,600)	(9,300)	-	-
Parks and Recreation	46,800	(46,800)	(225,000)	-	-	28,800	-	(20,000)	-	-	-
Traffic and City Safe	-	55,600	-	-	-	-	-	-	-	-	-
Roads - Urban	(8,600)	36,600	-	-	-	58,400	-	(28,000)	-	-	-
Roads - Rural	-	-	-	-	-	(2,500)	(66,300)	-	-	-	-
RTA Works	-	23,300	-	-	-	3,300	-	-	-	-	-
Survey and Design	-	1,300	-	-	-	-	-	-	-	-	-
Workshop and Fleet Operations	-	3,200	-	-	-	13,400	-	-	-	-	-
Total Infrastructure	(128,100)	878,500	(237,500)	440,000	(6,500)	(958,900)	(66,300)	(104,800)	552,800	-	-
Development & Governance											
Lismore Regional Airport	30,800	(30,800)	-	-	-	-	-	-	-	-	-
Art Galleries	(69,000)	86,100	(100,000)	-	-	100,000	-	(1,500)	-	-	-
Child Care - Gingerbread Occasional Care Centre	(4,000)	4,000	-	-	-	-	-	-	-	-	-
Swimming Pools	-	67,300	-	-	-	-	-	-	-	-	-
Community Services	(48,000)	87,300	-	-	-	-	-	-	-	(29,000)	-
Information Services	-	58,300	-	-	-	-	-	(28,300)	-	-	-
Economic Development	11,600	284,200	(15,000)	-	-	-	-	(46,800)	-	-	-
Planning Services	-	(14,500)	-	-	-	-	-	-	-	-	-
Environmental Health & Building Control	(109,700)	160,900	-	-	-	-	54,000	(115,200)	-	-	-
Goonellabah Sports and Recreation Centre	-	10,000	(684,000)	-	-	684,000	-	-	-	-	-
Total Development and Governance	(188,300)	712,800	(799,000)	-	-	784,000	54,000	(191,800)	-	(29,000)	-
Council Total	(977,300)	1,630,600	(1,036,500)	440,000	(6,500)	(161,500)	(12,300)	(287,300)	552,800	(29,000)	(113,000)

December 2008 Balance	812,100
March 2009 Balance	699,100

2008/09 Estimates of Income and Expenditure To June 2009						
BUDGET ITEMS	Original 2008/09 \$'000	September Quarter \$'000	December Quarter \$'000	March Quarter \$'000	June Quarter \$'000	Total Budget \$'000
ALL FUNDS						
OPERATING REVENUES						
General Manager	27,071	196	30	661	0	27,958
Infrastructure	38,935	344	2,836	128	0	42,244
Development & Governance	4,819	24	32	188	0	5,063
TOTAL OPERATING REVENUES	70,825	564	2,898	977	0	75,265
OPERATING EXPENSES						
General Manager	3,768	24	(126)	36	0	3,701
Infrastructure	45,156	1,910	2,574	882	0	50,521
Development & Governance	12,118	234	(17)	713	0	13,047
TOTAL OPERATING EXPENSES	61,041	2,167	2,431	1,631	0	67,269
OPERATING RESULT BEFORE DEPRECIATION	9,784	(1,603)	468	(653)	0	7,995
<u>Less</u> DEPRECIATION	17,320	0	0	0	0	17,320
OPERATING RESULT BEFORE CAPITAL AMOUNTS	(7,536)	(1,603)	468	(653)	0	(9,324)
Add: Capital Grants and Contributions						
Non-cash Developer Contributions	750	0	0	0	0	750
Capital Grants and Contributions	1,188	2,903	(22)	1,037	0	5,105
Section 94 Contributions (incl. interest)	2,558	(379)	0	(440)	0	1,739
Gain / (Loss) on Disposal of Assets	3,486	416	0	0	0	3,902
Change in Net Assets as per AAS27	446	1,337	446	(57)	0	2,172
AVAILABLE FUNDS RECONCILIATION						
Add Expenses Not Involving a Flow of Funds						
Depreciation	17,320	0	0	0	0	17,320
Subtract Income Not Involving a Flow of Funds						
Non-cash Developer Contributions	(750)	0	0	0	0	(750)
Add Non-operating Funds Employed						
Loan Funds Used	8,276	2,468	(4)	7	0	10,747
Unexpended Specific Purpose Grants Used	1,445	(584)	1	29	0	891
Developer Contributions (Section 94) Used	718	275	76	12	0	1,081
Repayments by Deferred Debtors	44	0	0	0	0	44
Subtract Funds Deployed for Non-operating Purposes						
Acquisition of Assets	(26,751)	(4,479)	(932)	162	0	(32,001)
Repayment of Principal on Loans	(1,854)	31	(63)	0	0	(1,885)
Subtract Unexpended Grants and Contributions Received During Year						
Developer Contributions Net Movement	(1,374)	0	0	0	0	(1,374)
Cash Surplus / (Deficit)	(2,480)	(952)	(476)	153	0	(3,756)
Equity Movements						
Reserve Funds - Increase / (Decrease)	(2,423)	(1,191)	(1,106)	266	0	(4,455)
Reserve Funds - Operating Surplus Reserve	0	0	812	(113)	0	699
Working Capital - Increase / (Decrease)	(57)	238	(182)	0	0	0

Report

Subject	Funding for Industrial and Commercial Land
File No	EF09/592
Prepared by	Manager – Finance
Reason	Seek approval to borrow new funds to repay internal loans to industrial land development and commercial land acquisition
Objective	Enhance invested funds liquidity to meet day to day cash management requirements
Strategic Plan Link	Leadership by Innovation and Economic Development
Management Plan Project	Financial Services

Overview of Report

Council has financed the development of industrial land and the acquisition of commercial land by an internal loan from General Fund Reserves. As the reserves are now being applied to the purposes for which they were held, and more than 50% of investments are fixed for periods beyond the short term, it is necessary for Council to borrow externally to repay internal loans and thus release cash flows for Council's broader responsibilities.

Background

At June 30, 2009, it is estimated that Council will have approximately \$7.3 million invested in industrial land development and commercial land acquisition. Historically, this investment has been financed by an internal loan from General Fund Reserves. The internal loan was anticipated to be short term so as to ensure the reserves were available to be applied to the purpose for which they were held when required.

Industrial Land

For industrial land development at Krauss Avenue, South Lismore, there was considerable demand in 2005 when works commenced. At that time it was anticipated that sales would occur reasonably quickly to offset the short term loan and provide a profit that was to be used to reduce borrowings for the Goonellabah Sports and Aquatic Centre (GSAC). This is still likely to be achieved, but not in the timeframe or to the extent initially expected.

At June 30, 2009, it is estimated that Council will have approximately \$4.8 million invested in the development of industrial land. Two lots have been sold on a deferred settlement arrangement and negotiations on the sale of three lots continue. Due to the global financial crisis, further sales are not expected to be made to fully repay the existing short term loan hence the option to borrow new funds is recommended.

Commercial Land

Council entered into a deferred settlement arrangement for the purchase of commercial land in Goonellabah in 2006. The land was purchased to optimise the facilities being offered at GSAC with the intention for the residual to be resold.

The residual land is in the process of being reclassified as operational land and will be available for sale at that time. At June 30, 2009, it is estimated that Council will have approximately \$2.5 million invested in the acquisition of this land with a final payment of \$1.2 million due in February 2010.

As with industrial land, it is not expected that the sale of this land will proceed quickly due to the financial crisis. While this is the case, there has been interest expressed in the site. Again, as with industrial land, the internal loan is not likely to be repaid in the short term and is to increase by a further \$1.2 million, hence the option to borrow new funds is recommended.

Global Financial Crisis and Liquidity

The global financial crisis has had a significant impact on Council's investment portfolio. Not only has it resulted in a decline in their market value, but also the ability to readily converted them to cash or liquidity, hence investments are being held to maturity. As more than 50% of Council's investments are due to mature in a range of one to eight years, consideration of when planned works are to proceed must factor in the liquidity of investments.

Council has historically had investments totalling \$30 million +, so there was capacity to be able to manage cash flow to meet planned works requirements. As investments have fallen due to funds being expended for the purpose they were held, the impact of the global financial crisis and the internal loan to industrial and commercial land, this flexibility has been reduced to the point where it is considered prudent to borrow new funds to repay part of the short term loan.

This will allow planned works especially those funded from General Fund Reserves, to proceed based on the optimum asset renewal considerations and not be restricted further by cash flow limitations.

New Borrowings

Based on the expected short term loan requirements for industrial and commercial land as at June 30, 2009 being \$7.3 million, the liquidity of the investment portfolio, proceeds from sales over the next twelve months, it is recommended that Council borrow new funds of \$3 million to repay part of the internal loan to General Fund Reserves.

The conditions attached to the borrowings will need to be negotiated, but an interest only five year term with the ability to payout early (when sufficient sales occur) will be key elements.

The estimated interest cost of this arrangement is \$210,000 per annum and would be funded from the proceeds from the sale of industrial and commercial land.

Comments

Other staff comments

Not required

Public consultation

Not required

Conclusion

Council has significant investment in industrial land development and commercial land acquisition. This is funded by an internal loan from General Fund Reserves.

Due to the reserve funds now being spent on the purpose for which they were intended, the impact of the global financial crisis and the amount of the internal loan, new borrowings are required to meet cash flow requirements.

It is recommended that Council borrow \$3 million to partially repay the internal loan. The conditions negotiate will include an interest only five year term with the ability to payout early as key elements. Repayments will be funded from the proceeds from the sale of the land.

Recommendation

1. That Council seek approval from the Department of Local Government to borrow \$3 million to partially fund industrial land development and commercial land acquisition.
2. On approval from the Department of Local Government, the General Manager proceed to borrow \$3 million.

Report

Subject	Rates & Charges Hardship Policy
File No	EF09/1920 & EF09/1914
Prepared by	Rating Officer
Reason	To allow a consistent response to requests for assistance due to financial hardship
Objective	For Council to adopt a Policy that provide information and assurances to ratepayers and direction to staff
Strategic Plan Link	Leadership by Innovation
Management Plan Project	Financial Services

Overview of Report

The purpose of this report is for Council to adopt a policy that can be applied to ratepayer requests for assistance because the payment of rates and charges would cause financial hardship. This was a recommendation from the "Promoting Better Practice Review" undertaken by the Department of Local Government in 2008.

Background

The Local Government Act 1993 (Act) provides a council can agree or make concessions in regards to ratepayer requests for assistance because the payment of rates and charges would cause financial hardship. The relevant sections of the Act are:-

564 Agreement as to periodical payment of rates and charges – Allows payments to be made in accordance with an agreement between the ratepayer and Council. If the agreement is maintained, accrued interest can be written off.

567 Writing off of accrued interest – Allows accrued interest to be written off in specific circumstances including hardship.

577 Extension of concession to avoid hardship – Allows the full pension concession to be applied in situations where it is not normally allowed.

601 Hardship resulting from certain valuation changes – Allows the rates for a property to be waived, reduced or deferred where they have increased significantly due to a change in land valuation.

As distinct from providing a concession, in accordance with the Local Government (General) Regulation 2005, Clause 131 (4), a council is not able to write off rates and charges unless, there is an error in the assessment, or the amount is not lawfully recoverable, or as a result of a decision of a court, or if the council or the general manager believes on reasonable grounds that an attempt to recover the amount would not be cost effective.

The referenced sections and clause are attached in full to the report.

The "Promoting Better Practice Review" undertaken by the Department of Local Government in 2008 recommended that Council develop a hardship policy to guide its decisions in relation to requests for assistance.

By delegation, Council has previously provided assistance to ratepayers in accordance with section 564 and 567 when hardship was proven, for the deferment of payment based on a ratepayers request and the waiving of interest. While a delegation for a section 577 situation also exists, it has never been applied. No delegation is in place for a section 601 situation as this may only occur after a general revaluation of all rateable assessments which is typically once every three years.

The proposed policy has been developed based on Council's compliance with the Act. It will formalise current practises as well as provide ratepayers with information on how Council may respond to cases of financial hardship. It also supports the Debt Collection Procedures for all debt recovery practices by providing an interest write-off or waiver incentive to those ratepayers who are suffering financial hardship but pay their rates in accordance with an agreement.

While developing the policy, the hardship policies of several councils were reviewed and some elements adopted. The opportunity was also taken to incorporate an existing policy (Policy No. 6.1.2, Water Meters – Hardship Response) into the proposed policy.

Comments

Financial Services

Council has been applying the relevant sections of the Local Government Act 1993 through staff delegations for some time. The preparation of a policy document will inform ratepayers about how Council can respond to situations of financial hardship.

It is not proposed to introduce a form or application which demand copious amounts of information, or undertake onerous or extensive qualitative assessment of a ratepayer's financial situation. Every request will be considered on its merits. From a debt recovery perspective, the assessment as to if a person is suffering financial hardship is subjective. Should a ratepayer disagree with a staff decision, it would be referred to senior management for review.

Other staff comments

Not Required

Public consultation

Not Required

Conclusion

The development of a hardship policy was a recommendation from the "Promoting Better Practice Review". A policy which formalises current practice has been prepared for consideration. The policy includes concessions that are consistent with the Local Government Act 1993.

From a debt collection perspective, the ability to offer an incentive to write-off or waive some interest charges to ratepayers who are suffering financial hardship will assist in achieving a higher level of debt collection.

Recommendation

That Council,

1. Adopt the Rates & Charges Hardship Policy.
2. That Policy 6.1.2 Water Meters – Hardship Response is deleted.



POLICY MANUAL

POLICY NO:	RATES & CHARGES HARDSHIP
OBJECTIVE:	To provide assistance to those ratepayers who are experiencing financial hardship in paying their rates and charges.
STRATEGIC PLAN LINK:	Leadership by Innovation
SECTION RESPONSIBLE:	Finance
AUTHORISED:	12/05/09

Background:

The Local Government Act 1993 provides for councils to make concessions to ratepayers experiencing financial hardship. The purpose of this policy is to provide guidance as to how Council will respond to ratepayer requests for assistance because the payment of rates and charges would cause financial hardship.

1. Pensioners

In accordance with Councils Debt Recovery Policy and Section 582 of the Local Government Act 1993 (LGA) ratepayers that have satisfied the eligibility criteria for a pensioner rebate are not subject to legal action or sale of land for unpaid rates. Variations to this process due to exceptional circumstances are reported to Council.

As with any other assessment an annual Rates Notice and three Instalment Notices are issued to the owner and reminder letters are forwarded if an instalment remains outstanding.

Interest charges accrue in respect of any outstanding rates and charges at the rate determined, each year, by Council within its Rating Structure.

If circumstances change and the applicant no longer qualifies for a rebate, Council will negotiate a re-payment plan for the accrued arrears.

2. Hardship resulting from a General Revaluation

In accordance with Section 601 of the LGA, a ratepayer that suffers substantial financial hardship as the consequence of a general revaluation may apply to Council in writing for relief. Assistance is only available in the first year new valuations are used to calculate rates.

If eligible, Council will defer payment of the whole of the increase in the ordinary rate to the following rating year. One quarter of the amount of the increase will then be added to each of the quarterly instalments due in the following rating year. Interest will not be charged on the deferred amount unless it remains unpaid when the following year's rate instalment it was added to becomes overdue.

The criteria used to determine eligibility is as follows:

- The applicant would suffer substantial financial hardship if required to pay the rates and charges when they fall due
- The property must be categorised either residential or farmland for rating purposes
- The applicant must occupy the property as their principal place of residence

A written request, including supporting documentation, is to be made to Council outlining the reason for applying for financial hardship. The applicant may be requested to supply evidence, relating to their income and expenses, if deemed necessary.

3. Writing off or waiving of accrued interest

In accordance with Sections 564 and 567 of the LGA accrued interest on rates and charges may be waived for a specific period where payment of the accrued interest would cause the person substantial financial hardship. Ratepayers seeking this form of hardship relief may be required to submit a written application in the form of a letter for consideration. In determining eligibility Council may request evidence relating to the applicants financial situation, including details of income and expenses.

The applicant will be required to enter into, and maintain, a payment arrangement which will significantly reduce the arrears outstanding at the end of the arrangement period. The relevant property must be categorised either residential or farmland for rating purposes.

Where a payment arrangement is broken without Council's acknowledgement, the interest exclusion will cease. A new application may be lodged and assessed accordingly however if granted it will not be retrospective. Where an arrangement is broken due to genuine circumstances, of which Council has been advised, a continuation of the interest waiver period may apply at Councils discretion.

4. Dialysis Machines

Assistance will be provided, upon request, for those ratepayers or ratepayers who have tenants who require home dialysis. A confirmation letter from the North Coast Area Health Service will be required as proof of circumstances and residency.

The type of assistance will be based on the type of dialysis machine that is being utilised.

1. Water based – an allowance of up to 100kl per annum will be applied against the ratepayers water account.
2. Waste based – a Special Needs Waste Collection Service assessment will be arranged to determine what type of varied service would best suit the applicant.

Local Government Act 1993

564 Agreement as to periodical payment of rates and charges

- (1) A council may accept payment of rates and charges due and payable by a person in accordance with an agreement made with the person.
- (2) The council may write off or reduce interest accrued on rates or charges if the person complies with the agreement.

567 Writing off of accrued interest

The council may write off accrued interest on rates or charges payable by a person if, in its opinion:

- (a) the person was unable to pay the rates or charges when they became due and payable for reasons beyond the person's control, or
- (b) the person is unable to pay the accrued interest for reasons beyond the person's control, or
- (c) payment of the accrued interest would cause the person hardship.

577 Extension of concession to avoid hardship

- (1) If a council considers it proper to do so to avoid hardship, the council may, by order, direct that:
 - (a) a person specified in the order:
 - (i) who occupies a dwelling as his or her sole or principal place of living, which dwelling is the sole or principal place of living of an eligible pensioner, and
 - (ii) who is jointly liable with that eligible pensioner or with that eligible pensioner and one or more other persons in respect of the land on which that dwelling is situated, and
 - (iii) in respect of whom a reduction of rates or charges would not, if that person were solely liable in respect of that land, be required to be made under this Division, or
 - (b) any person belonging to a class of persons specified in the order, being persons referred to in paragraph (a), is, on and from the effective date of the order, taken, for the purposes of this Division, to be or to have been an eligible pensioner.
- (2) If a council considers it proper to do so to avoid hardship, the council may, by order, direct that:
 - (a) an eligible pensioner specified in the order who, although not liable, or although liable jointly with one or more other persons, to do so, has, for such period as, in the opinion of the council, warrants the making of an order under this section in respect of that person, paid the whole of the rates or charges for the land on which that dwelling is situated or is, in the opinion of the council, likely to pay the whole of the rates or charges in circumstances that in the opinion of the council warrant the making of an order under this subsection, or
 - (b) any person belonging to a class of persons specified in the order being persons referred to in paragraph (a), is, on and from the effective date of the order, taken, for the purposes of this Division, to be or to have been the person solely liable in respect of the land on which the dwelling is situated.
- (3) An order under this section has effect according to its tenor.

601 Hardship resulting from certain valuation changes

- (1) A ratepayer who, as a consequence of the making and levying of a rate on a valuation having a later base date than any valuation previously used by a council for the making and levying of a rate, suffers substantial hardship, may apply to the council for relief under this section.
- (2) The council has a discretion to waive, reduce or defer the payment of the whole or any part of the increase in the amount of the rate payable by the ratepayer in such circumstances, for such period and subject to such conditions as it thinks fit.
- (3) An applicant who is dissatisfied with a council's decision under this section may request the council to review its decision and the council, at its discretion, may do so

Local Government (General) Regulation 2005

131 Procedures for writing off rates and charges

- (1) The council must, from time to time, by resolution, fix the amount of rates and charges above which any individual rate or charge may be written off only by resolution of the council.
- (2) An amount of rates or charges of or below that amount can be written off either by resolution of the council or by order in writing of the council's general manager. In the absence of a resolution under subclause (1), rates and charges can be written off only by resolution of the council.
- (3) A resolution or order writing off an amount of rates or charges must:
 - (a) specify the name of the person whose debt is being written off, and
 - (b) identify the account concerned, and
 - (c) specify the amount written off,
or must refer to a record kept by the council in which those particulars are recorded.
- (4) An amount of rates or charges can be written off under this clause only:
 - (a) if there is an error in the assessment, or
 - (b) if the amount is not lawfully recoverable, or
 - (c) as a result of a decision of a court, or
 - (d) if the council or the general manager believes on reasonable grounds that an attempt to recover the amount would not be cost effective.
- (5) The fact that an amount of rates or charges is written off under this clause does not prevent the council concerned from taking legal proceedings to recover the amount.
- (6) The general manager must advise the council of rates and charges written off by written order of the general manager.

Report

Subject	Investments held by Council – April, 2009
File No	EF09/586
Prepared by	Management Accountant
Reason	Required by Local Government Act 1993, Local Government (General) regulations 2008 and Council's Investment Policy
Objective	To report on Council Investments
Strategic Plan Link	Leadership by Innovation
Management Plan Project	Financial Services

Overview of Report

Council investments as at 30 April 2009 are estimated to be \$23,535,240 subject to final value of funds held under separate management being advised shortly.

The interest rate reported for April 2009 is estimated to be 3.91% and is above the Bank Bill Swap Rate for the same period of 3.10%. The final interest return may vary due to actual returns achieved in the funds held under separate management.

In regards to investments directly affected by the Lehman Brothers Holdings bankruptcy, the Trustees have acted on the directions of the note holders and have requested Beryl Finance Limited and Zircon Finance Limited, as issuers, to terminate the swaps. The Trustee is keen to ensure that the issuers are in a position to act as quickly as possible and have provided them with all necessary documentation. While a loss on capital of approximately \$791,000 has already been recognised for these investments, a further significant loss, yet to be quantified, is expected.

Council has been advised that Idearc, a US directory provider, has declared voluntary bankruptcy. This has reduced the remaining subordination of investments in both Corsair (Torquay) and Helium (Scarborough) with both being downgraded to CCC-. An increased capital loss is now expected on 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 March 2009</i> | \$24,462,077 |
| • <i>Estimated Investments – at Market Value – 30 April 2009</i> | \$23,535,240 |

The current rate of return on investments for April 2009 is estimated to be 3.91% and is above the Bank Bill Swap Rate for the same period of 3.10%. 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.

Investments held in Longreach – Series 25 and ASPRIT III Trust are no longer paying coupons as reported previously and are shown on the Estimated Interest attachment with an interest rate and estimated interest for the period of zero.

Terminating Investments

As previously advised, Council has received notification from the Trustees that legal action is being taken to pursue the termination of the following investments:- Beryl Esperance 2, Beryl Global Bank Note, Zircon Merimbula, Zircon Coolangatta and Zircon Miami. Following the vote, and a meeting held on 24 March, 2009, the Trustee has acted on the directions of the note holders and has requested Beryl Finance Limited and Zircon Finance Limited as issuers to terminate the swaps. We have been advised that whilst the issuers have been quick to accede to such requests in the past, they have become concerned by Lehman Brother's demands to "cease & desist" taking any action, and have notified that they require legal advice prior to signing the swap termination notices. The Trustee is keen to ensure that the issuers are in a position to act as quickly as possible and have provided them with all necessary documentation. However, the elements of uncertainty pervading the current situation make it extremely difficult for the Trustee to give an accurate time frame for the completion of the close-out. There is no further indication at this stage on the expectations of capital recovery. While a loss on capital of approximately \$791,000 has already been recognised for these investments, it is still likely that there will be a further significant capital loss sustained.

As advised last month, these 5 investments unexpectedly paid a coupon, however it is still unknown as to whether further coupons will be received prior to the early termination taking place. CPG Research and Advisory have advised that it would be prudent not to accrue any interest on these investments until further information becomes available.

Defaults

On the 31 March 2009 Idearc – a US directory provider – declared voluntary bankruptcy. This caused the remaining subordination to decline for both Corsair (Torquay) and Helium (Scarborough).

CPG Research and Advisory have advised that in relation to Corsair (Torquay), the best outcome at this stage would be a delay of defaults and the delivery of income that is greater than expected. Council has \$500,000 invested in Corsair (Torquay) with an estimated current market value of \$266,160. A further capital loss is expected.

In relation to Helium (Scarborough), the structure is only capable of withstanding just 1.5 defaults until capital is impacted. Total loss requires just 3 single defaults. Council has \$200,000 invested in Helium (Scarborough) with an estimated current market value of \$112,520, due to mature 23 June 2014. A further capital loss is expected.

Both investments have been downgraded to CCC-.

Attachments

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

- Capital Value Movements 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 Rate with bank bill swap rate and 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.

In regards to the downgrade of Council's investments in Corsair (Torquay) and Helium (Scarborough), based on the advice received, further capital loss is likely to occur with \$321,320 already recognised.

Other staff comments

Not Applicable

Public consultation

Not Applicable

Conclusion

A report on investments is required to be submitted to Council monthly. This report meets that requirement. For April 30, 2009, investments total \$23,535,240 and the annualised rate of return was 3.91%.

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.

In regards to the five investments directly affected by the Lehman Brothers Holdings bankruptcy, action has been taken to pursue the termination of these investments based on advice from Council's investment advisor, CPG Research and Advisory PL, however, it is difficult to predict an accurate time frame for the completion of the close-out due the current financial situation and there is no further indication at this stage on the expectations of capital recovery.

In regards to Corsair (Torquay) and Helium (Scarborough), both investments have seen a default in the underlying assets leaving them with extreme risk impairment due to weak underlying portfolios and a decline in remaining subordination. Concern is expressed about either investment surviving to maturity.

Recommendation

That the report be received and noted.

**Capital Value Movements
Summary of Investments held as at
30 April, 2009**

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)	
Cash Based Returns									
Longreach - Series 25	Equity Linked Investment	AA-	High	2/4/2007	4/4/2014	31/03/2009	\$ 1,000,000	\$ 652,700	Note 1.2
Aberdeen Income Fund	Managed Fund	A	High	14/3/2005	N/A	24/04/2009	\$ 205	\$ 178	Note 3
Blackrock Care & Maintenance Fund	Managed Fund	A	High	15/10/2008	N/A	24/04/2009	\$ 3,028,864	\$ 2,536,552	Note 3
Merrill Q A/A FRN / CBA	Floating Rate Note	A+	High	22/3/2005	8/6/2010	31/03/2009	\$ 1,000,000	\$ 894,480	Note 1
Summerland Credit Union	Subordinate Debt	Not Rated (Note 7)	High	21/5/2004	21/5/2009	1/10/2008	\$ 1,000,000	\$ 1,000,000	Note 1
ASPRIT III Trust	Equity Linked Investment	AA	High	13/7/2007	13/7/2013	31/12/2008	\$ 2,000,000	\$ 1,726,000	Note 1.2
Credit Union Australia (CUA)	Term Deposit	Not Rated (Note 7)	High	22/4/2009	22/5/2009	22/04/2009	\$ 2,000,000	\$ 2,000,000	Note 1
CBA Business On Line Banking A/c	Cash Management Account	Cash	High	N/A	N/A	24/04/2009	\$ 7,489,000	\$ 7,489,000	Note 1
Macquarie Cash Management Trust	Cash Management Account	Not Rated (Note 7)	High	1/9/2006	NA	24/04/2009	\$ 246,921	\$ 246,921	Note 1
ANZ High Yield Cash Account	Cash Management Account		High	N/A	N/A	24/04/2009	\$ 1,952,147	\$ 1,952,147	Note 1
Bishopsgate (Wentworth)	Floating Rate CDO	AA+	High	1/9/2006	20/9/2010	24/04/2009	\$ 500,000	\$ 465,670	Note 1.5
Herald Limited (Quartz)	Floating Rate CDO	BBB-	Medium	1/9/2006	20/12/2010	24/04/2009	\$ 30,000	\$ 21,747	Note 1.5
Cypress (Lawson)	Floating Rate CDO	A-	High	1/9/2006	30/12/2010	24/04/2009	\$ 500,000	\$ 467,450	Note 1.5
Deutsche Bank CG Yield Curve Note	Euro Bond	Not Rated (Note 7)	High	1/9/2006	18/10/2011	24/04/2009	\$ 250,000	\$ 210,250	Note 1.5
BELO (Kalgoorlie)	Commodity Backed Security	AA+	High	1/9/2006	27/2/2012	24/04/2009	\$ 700,000	\$ 586,950	Note 1.5
Magnolia (Flinders)	Floating rate CDO	AA	High	1/9/2006	20/3/2012	24/04/2009	\$ 300,000	\$ 230,370	Note 1.5
Omega (Henley)	Floating Rate CDO	BB-	Medium	1/9/2006	22/6/2012	24/04/2009	\$ 400,000	\$ 270,280	Note 1.5
Beryl (Esperance 2)	Floating rate CDO	BB+	Low	1/9/2006	20/3/2013	24/04/2009	\$ 400,000	\$ 221,596	Note 1.5
Corsair (Torquay)	Floating Rate CDO	CCC-	Low	1/9/2006	20/6/2013	24/04/2009	\$ 500,000	\$ 266,150	Note 1.5
Zircon (Merimbula)	Floating Rate Note	C	Low	1/9/2006	20/6/2013	24/04/2009	\$ 300,000	\$ 93,450	Note 1.5
Corsair (Kakadu)	Floating Rate CDO	CCC+	Low	1/9/2006	20/3/2014	24/04/2009	\$ 500,000	\$ 217,755	Note 1.5
Helium (Scarborough)	Floating rate CDO	CCC-	Low	1/9/2006	23/6/2014	24/04/2009	\$ 200,000	\$ 112,520	Note 1.5
Beryl (Global Bank Note)	Floating Rate Note	C	Low	1/9/2006	20/9/2014	24/04/2009	\$ 150,000	\$ 119,535	Note 1.5
Zircon (Coolangatta)	Floating Rate CDO	C	Low	1/9/2006	20/9/2014	24/04/2009	\$ 500,000	\$ 153,550	Note 1.5
Aphex (Glennelg)	Floating Rate CDO	BBB-	Medium	1/9/2006	22/12/2014	24/04/2009	\$ 500,000	\$ 301,035	Note 1.5
Bendigo Bank FR Sub Debt	Subordinate Debt	Not Rated (Note 7)	Medium	1/9/2006	14/12/2015	24/04/2009	\$ 500,000	\$ 434,350	Note 1.5
Elders Rural Bank Sub Debt	Subordinate Debt	Not Rated (Note 7)	Medium	1/9/2006	16/3/2016	24/04/2009	\$ 1,000,000	\$ 843,700	Note 1.5
Zircon (Miami)	Floating Rate CDO	C	Low	1/9/2006	20/3/2017	24/04/2009	\$ 50,000	\$ 20,905	Note 1.5
Investment on Hand							\$ 26,997,138	\$ 23,535,240	

Investments Redeemed during period (Note 6)

Bank of Western Australia	Term Deposit	A1+		2/3/2009	1/4/2009	2/03/2009	\$ 1,000,000	\$ 1,000,000
Bank of Queensland Ltd	Term Deposit	A2		12/3/2009	15/4/2009	12/03/2009	\$ 1,000,000	\$ 1,000,000
IMB Banking & Financial Services	Term Deposit	A2		2/3/2009	1/4/2009	2/03/2009	\$ 2,000,000	\$ 2,000,000
Credit Union Australia	Term Deposit	Not Rated (Note 7)		2/3/2009	1/4/2009	2/03/2009	\$ 1,000,000	\$ 1,000,000
Credit Union Australia	Term Deposit	Not Rated (Note 7)		12/3/2009	15/4/2009	12/03/2009	\$ 1,000,000	\$ 1,000,000

\$ 32,997,138 \$ 29,535,240

Total Capital Movement - Gain/(Loss)

\$ (3,461,897)

Adjusted Capital loss reported for 2007/08

\$ (3,228,424) Note 8

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

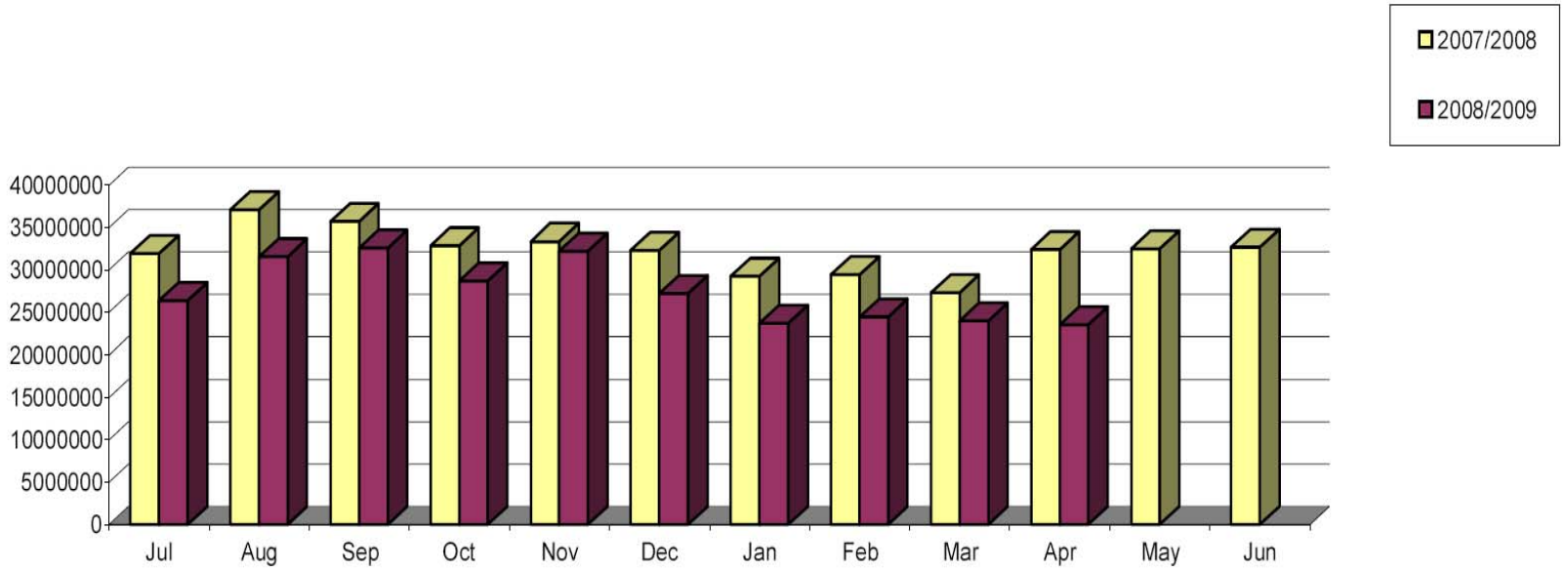
\$ (233,473)

Note 1: Base Capital Value is the face value of the investment
 Note 2: Capital Guaranteed note if held to maturity
 Note 3: The Base Capital Value is the Market Value as at 30/6/08 plus additions less redemptions during the year.
 Note 4: Latest estimates based on information provided by investment managers and prior period performance.
 Note 5: Market Value is the Capital Value of the Investment and any accrual of income.
 Note 6: These investments were redeemed during the period and impact on the interest return for the period. They are not part of the Balance of Investment Held.
 Note 7: These Counterparties & Products are authorised under the Minister Order and require no minimum Credit Rating.
 Note 8: 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.

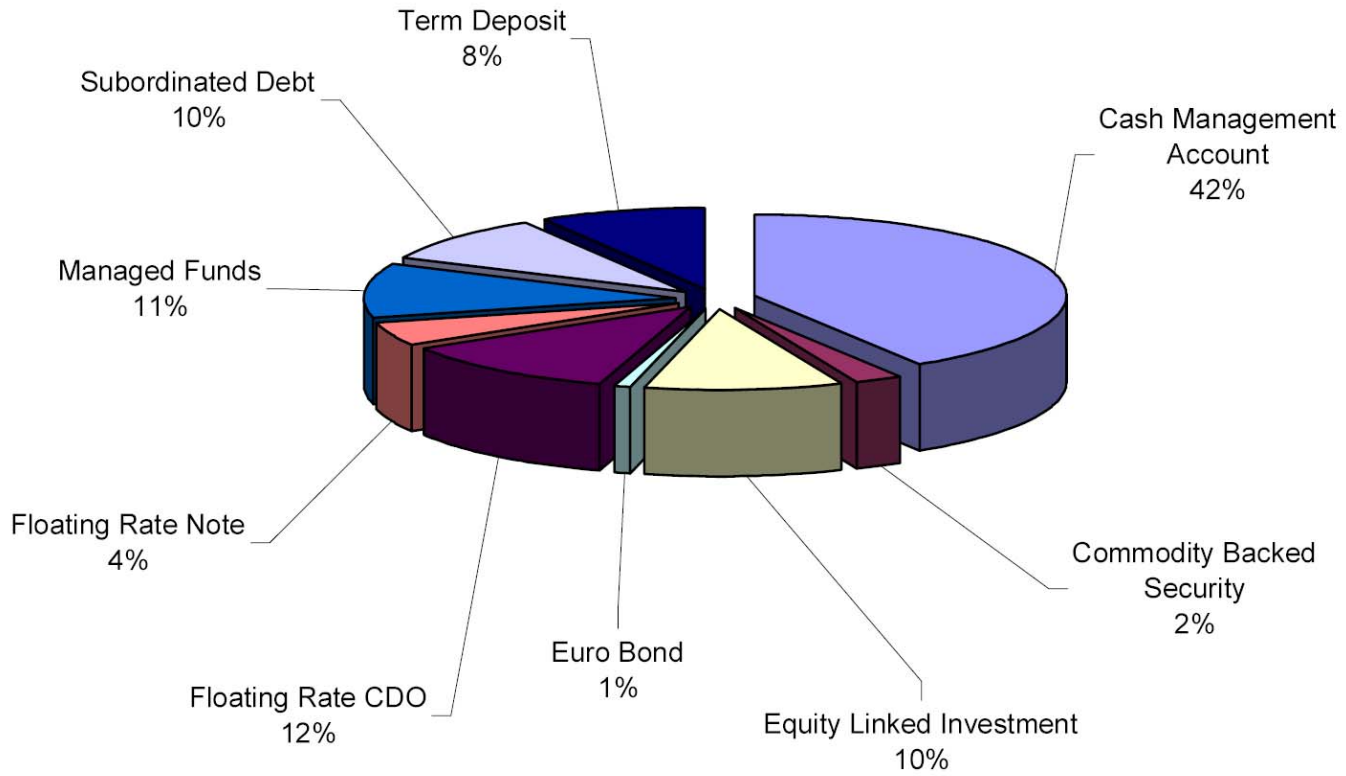
"Indicative" Source of Funds

Externally Restricted	13,408,026
Internally Restricted	10,127,214
	\$ 23,535,240

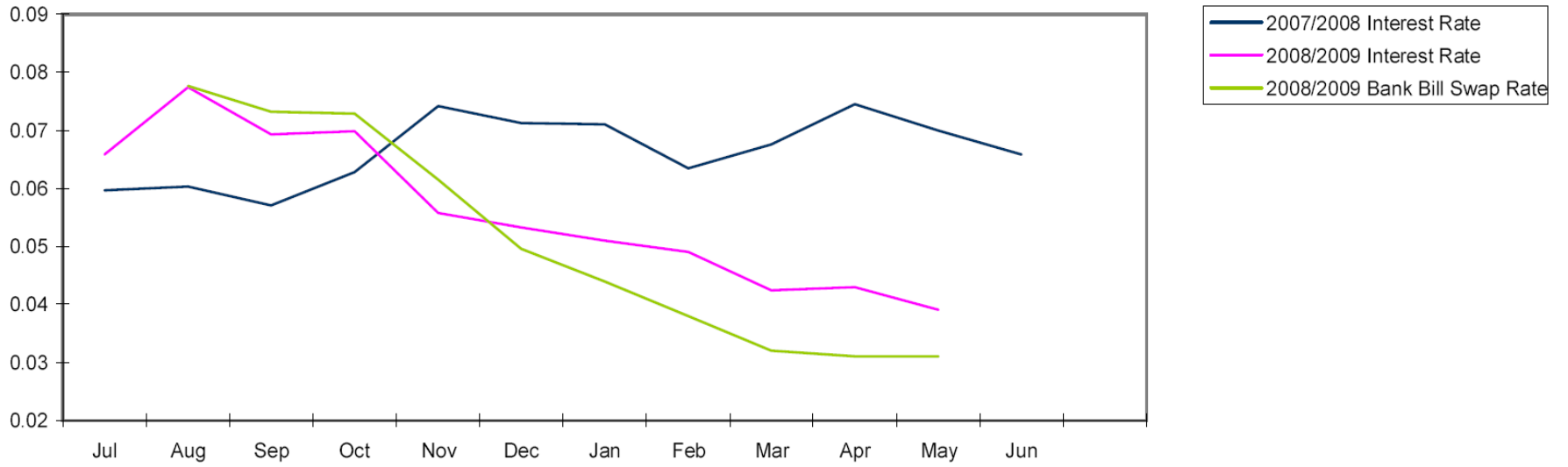
TOTAL INVESTMENT PORTFOLIO



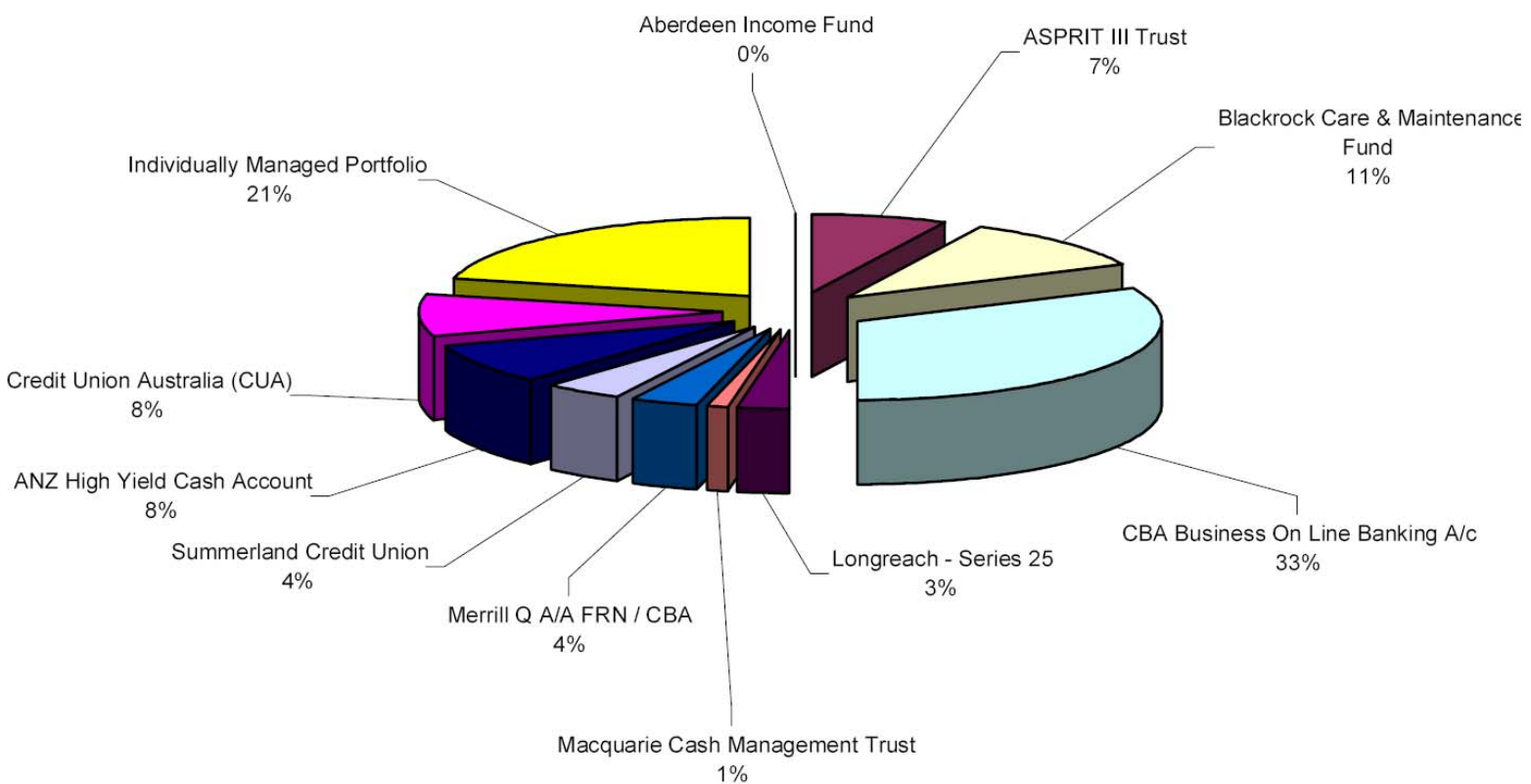
INVESTMENT BY TYPE



WEIGHTED AVERAGE INTEREST RATE



Investment by Institution



Report

Subject	Goods and Services Tax - Council Compliance
File No	EF09/1891
Prepared by	Manager – Finance
Reason	Department of Local Government requirement for councils to supply a certificate of confirmation regarding their Goods and Services Tax systems
Objective	For Council to resolve to sign the attached certificate of compliance.
Strategic Plan Link	Leadership by Innovation
Management Plan Project	Financial Services

Overview of Report

The Department of Local Government requires all councils to provide a certificate of confirmation to the effect that the GST management systems are adequate with regards to being compliant with the GST legislation.

Background

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

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

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

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

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

In 2005, the DLG amended this requirement so that a council was to provide a certificate of confirmation, therefore reduce costs, or at its own discretion (and expense), initiate an external review to support the process. For 2005, 2006, 2007 and 2008, Council resolved to provide the certificate of confirmation.

For the current reporting period (1 May 2008 to April 30, 2009) the approach from recent years is again recommended based on the following reasons:-

- a) Council's GST management systems were reviewed and updated as part of the implementation of the corporate software system, Authority. This review included all new business practices necessary for processing transactions. The Authority system provides for the electronic preparation of the BAS with a range of reporting options that all full transactional investigation of each GST transaction category.
- b) Council's GST management systems are centralised within the Finance section, predominately computerised and the monthly business activity statement (BAS) is prepared and reviewed by the Manager – Finance.
- c) Staff received extensive training on the use of Authority and are proficient with data processing requirements to accurately record and therefore correctly report GST on the BAS.
- d) The vast majority of Council's transactions (rates, water, payment of creditor invoices, issuing of debtor invoices, cash payments, grants, contributions, fees and charges) are consistent from year to year and therefore the correct GST treatment does not change.
- e) Spot checks of current practices are undertaken regularly to assess compliance to GST legislation.

General Information

Lismore City Council is registered for GST purposes. Based on this registration, Council is required to submit a monthly Business Activity Statement (BAS). For the period July 1, 2000 to April 30, 2009, a total of 105 BAS's have been completed and submitted to the ATO. A summary of the relevant information included on these follows:-

- | | |
|-------------------------------------|---------------|
| • Total GST payable to the ATO | \$ 13,855,605 |
| • Total GST receivable from the ATO | \$ 35,042,913 |

During this time, the ATO has undertaken a compliance review in August 2003 and a BAS refund assurance audit in September 2006. While the compliance review was limited, Council was advised that '...had achieved a high level of GST preparedness towards ensuring voluntary compliance.' There was one transaction identified as being non compliant that had to be adjusted. As to the assurance audit, all documentation required was provided and the ATO advised that no further action was required.

Comments

Other staff comments

Not required.

Public consultation

Not required.

Conclusion

The Department of Local Government requires Council to provide a certificate of confirmation to the effect that Council's GST management systems are adequate with regards to being compliant with the GST legislation.

Given the reasons included in the report, this approach is recommended rather than undertaking an independent review.

Recommendation

That Council submit a Goods and Services Tax Certificate to the Department of Local Government certifying the payment of voluntary GST for May 1, 2008 to April 30, 2009 signed by the Mayor and Deputy Mayor.

**COUNCIL OF THE CITY OF LISMORE****GOODS AND SERVICES TAX CERTIFICATE****Payment of Voluntary GST 1 May 2008 to 30 April 2009**

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

- Voluntary GST has been paid by Lismore City Council for the period 1 May 2008 to 30 April 2009.
- Adequate management arrangements and internal controls were in place to enable the Council to adequately account for its GST liabilities and recoup all GST input tax credits eligible to be claimed.
- No GST non-compliance events by the Council were identified by or raised with the Australian Taxation Office.

Signed in accordance with Council's resolution made on May 12, 2009.

Jenny Dowell
Mayor

Vanessa Ekins
Deputy Mayor

Paul O'Sullivan
General Manager

Rino Santin
**Manager – Finance
(Responsible Accounting
Officer)**

**MINUTES OF THE TRAFFIC ADVISORY COMMITTEE MEETING
HELD ON APRIL 15, 2009 AT 10.00 AM.**

(EF09/1963)

- Present** Councillor Jenny Dowell (*Chairperson*), Bronwyn Mitchell on behalf of Thomas George MP and Greg Sciffer.
- In Attendance** Garry Hemsworth (*Executive Director Infrastructure Services*), Colin Langdon (*Acting Manager - Assets & Support Services*), Lisa Marshall (*Road Safety Officer*) and Councillor Isaac Smith.
- TAC13/09 **Apologies** An apology for non-attendance on behalf of Thomas George MP and Snr Const Rob Clarke Lismore Police was received and accepted.
- Apologies for non-attendance on behalf of Scott Turner (*Manager-Assets & Support Services*) and Bill MacDonald (*Traffic & Emergency Services Coordinator*) were also received and accepted.
- TAC14/09 **Minutes** The Committee was advised that the minutes of the Traffic Advisory Committee meeting held on March 18, were confirmed by Council on April 14, 2009.

Disclosure of Interest

Nil

Part 'A' – Committee Recommendations

Whian Whian Community – Whian Whian and Dunoon Roads

Requesting the provision of a 'Stop' sign at the intersection of Whian Whian Road and Dunoon Road.

This intersection is a 'y' formation where a double white centre line has been installed on each of the three legs in an effort to square up its configuration. Whilst sight distance to the right when exiting from Whian Whian Road onto Dunoon Road is adequate, sight distance to the left is significantly restricted due to the roadside formation. A stop sign would assist in making this intersection safer together with the removal of the vegetation right on the corner to improve sight distance.

- TAC15/09 Recommendation:** That a 'Stop' sign and associated line marking be installed in Whian Whian Road at its intersection with Dunoon Road and further that the vegetation at the intersection be cut back in an effort to improve sight distance.

(R3407,R3453)

Southern Cross University – Fun Run

Submitting a traffic management plan and template for this year's Darrell Chapman fun run to be held on May 17, 2009.

This event has been held in previous years along the same route without incident. A letter drop is carried out to all residents along the route prior to the event. The event is supported provided it is held in accordance with the attached traffic management plan.

TAC16/09 Recommendation: That the proposed fun run be approved in accordance with the traffic management plan as submitted. (CI09/2334:EF09/1304)

Ms Jyllie Jackson – Lantern Parade

Submitting the proposed traffic management plan and associated risk assessment for this year's Lismore Lantern Parade to be held on June 20-21, 2009.

This event is extremely well organised and is supported by a well implemented traffic management process. The major changes affecting this year's plan are the inclusion of the Lismore Traders Annual Stocktake Sale and an extension of the event through until Sunday June 21, 2009, centred on Carrington Street, north of Magellan Street.

As well as meetings with the Chamber of Commerce organisers will be letter dropping businesses within the proposed area to advise them of proposed road closure times and associated events.

The parade route will be the same as in previous years leaving the Library Car Park via Magellan Street, left into Molesworth Street, right into Market Street and left into Victoria Street to the Riverside Park amphitheatre.

TAC17/09 Recommendation: That approval be granted for the proposed Lismore Lantern Parade and associated activities as outlined in the Event and Traffic Management Plan submitted. (CI09/2246:EF09/1897)

Lismore Truck Pull – Strongman Event

John Bancroft (*Events Coordinator Lismore City Council*) on behalf of Severino Da Roit

Submitting a traffic management plan and template for this year's Truck Pull to be held on May 2, 2009.

This event has been held in previous years along the same route without incident. This event will have a minor impact on local traffic but will not disrupt the community as a whole. Traffic Control will be in place for the event.

The event is supported provided it is held in accordance with the attached traffic management plan.

TAC18/09 Recommendation: That the proposed 'Strongman Event' be approved subject to compliance with Council and police conditions based on the submitted traffic management plan. (CI09/2615:EF09/1304)

Part 'B' – Determined by Committee

Joanne Gibson – Broadwater Road

Drawing attention to the problem of cane and quarry trucks speeding along Broadwater Road and suggesting the speed limit be reduced.

Broadwater Road is a typical rural road of suitable width for two lanes. The general condition of the road is good with development well spaced along its length. Arrangements have been made for classifiers to be installed on the road to determine if a significant speeding problem exists and the percentage of heavy vehicle movements. The results of the survey will be tabled at the meeting to determine any further action that may be required.

- B-09-04:1 **It was agreed:** That the results of the survey be discussed with a view to determining the need for any additional action. A response letter is to be sent to Ms Gibson advising her of the proposed survey. (CI09/1009:R5802)

Whian Whian Community – Fraser and Dunoon Roads

Requesting the provision of a 'Give Way' sign at the intersection of Fraser Road and Dunoon Road.

Fraser Road is a dead end road with a T formation where it intersects with Dunoon Road. A 'Give Way' sign is not considered warranted, however safety would be enhanced by the removal of vegetation growing close to the intersection along Dunoon Road.

- B-09-04:2 **It was agreed:** That a 'Give Way' sign not be installed at the intersection of Fraser Road and Dunoon Road for the reasons set out above and further that the vegetation along Dunoon Road be removed to improve sight of oncoming traffic. (R3407,R3405)

Jane Konz – Dunoon Road, Modanville

Requesting the speed limit through Modanville be reduced and pointing out the difficulty in turning from Craiglea Court onto Dunoon Road.

The section of Dunoon Road between the existing Modanville location signs is approx. 3.2km long. There are 46 houses generally set back from the road with a primary school and a number of intersecting side roads. Modanville Primary School is within an existing 40kph school zone speed limit. Due to the nature of the roadside development it is felt that any reduction in speed limit would have a low compliance rate by motorists generally, however it is suggested that this request for a review of the existing speed limit be referred to the Roads & Traffic Authority for determination.

- B-09-04:3 **It was agreed:** That the request for a review of the existing speed limit on Dunoon Road through the Modanville location be referred to the Roads & Traffic Authority for determination. (ED09/1480,R3407)

NORPA – Parking – Bounty Street, Lismore

Requesting permission to provide reserved parking space in Bounty Street from the City Hall carpark driveway to the ramp entrance driveway during the Careers Expo from May 6 to May 8 inclusive.

The inclusion of a temporary bus zone to cater for the number of students being transported by bus to the expo is supported.

- B-09-04:4 **It was agreed:** That a temporary bus zone be installed on the southern side of Bounty Street in front of the City Hall between the car park driveway and the up ramp during the Careers Expo from May 6 to May 8, 2009. (CI09/1952;R7301)

Red Inc. – Keen Street, Lismore

Raising concerns for the safety of its clients and other community members who attend the Red Dove Centre on the corner of Keen and Woodlark Streets and requesting consideration of the installation of a marked pedestrian crossing in Keen Street

A pedestrian refuge and kerb ramps already exist in Keen Street close to its intersection with Woodlark Street, however this type of facility has inherent problems, particularly for those people who may have mobility problems. Longer term, the installation of traffic signals at this intersection with the inclusion of a pedestrian phase on each of the four legs would address many of the current concerns. Shorter term it is suggested that a survey be carried out to determine if the warrant for a marked pedestrian crossing is met and this be reported back to the Committee for further consideration if required.

- B-09-04:5 **It was agreed:** That a survey be carried out to determine if the warrant for a marked pedestrian crossing is met and this be reported back to the Committee for further consideration if required. (R7313)

Mrs Kristy Hague – Victoria Street, Lismore

Advising that there is no signage on Victoria Street to let traffic know that there is traffic approaching from the left when turning onto Market Street and requesting consideration of installing a 'Stop' sign on Victoria Street.

This intersection is a standard T Junction layout and a 'Stop' sign is not considered warranted. Vegetation on the south western corner of the intersection (on the corner of the old bowling green) severely restricts vision of traffic moving along Market Street and it is suggested that if this was removed then the current safety concerns would be significantly improved.

- B-09-04:6 **It was agreed:** That this issue be referred to Council's Parks and Recreation Section for investigation into the removal of the vegetation after consultation with the owners of the Market Street Community Centre. (CI09/2203;R7320)

George Porter – Milton Street, Lismore Heights

Raising concerns of the potential traffic conflict as a result of the impending use of Milton Street being used by Lismore Heights Primary School as a drop off and pick up point and requesting consideration of installing a speed hump in Milton Street.

Adequate access to drop off and pick up points for Lismore Heights Primary School has been an issue for many years. Recently the school has obtained funding to upgrade the access off Milton Street which includes a fenced drop off and pick up point on school grounds. Whilst this practice has been occurring for many years in a less formal arrangement, the upgraded facility is likely to result in an increase in vehicle numbers in Milton Street. It is suggested that once the new facility is operational, a classifier be installed in Milton Street to determine if there is any significant problem in terms of vehicle numbers and speeds. It should be noted that existing drop off and pick up points already available in High Street will be maintained.

- B-09-04:7 **It was agreed:** That a classifier be installed in Milton Street once the new facility in the school grounds becomes operational to determine the need for any additional measures to calm traffic. (R7125)

RTA – Johnston Road, Eltham

Advising that an extension of the existing 50kph speed limit further up Johnston Road from Eltham cannot be justified under the current NSW speed zoning guidelines, as there is no roadside development and no accident history and proposing a number of signposting additions to improve safety at the intersection of Johnston Road with both Federation Drive and Rainforest Drive.

This survey was carried out as a result of a request from a resident of Rainforest Drive who had concerns for safety of residents who used the intersection. It is felt that the proposed additional signs will assist in reducing these concerns by highlighting the intersection to motorists driving through this area. A copy of the proposed signs will be tabled at the meeting.

- B-09-04:8 **It was agreed:** That it note the Authority's determination in relation to the extension of the existing 50kph speed limit further up Johnston Road and it support the installation of the additional signage as proposed. (CI09/2304:R4001)

RTA – Ballina Road/William Blair Avenue

Advising it has commenced developing concept options for the Bruxner Highway/William Blair Avenue but progress will depend on costs/benefits adhering to program guidelines.

The matter was referred to the RTA as a result of concerns raised by Lismore Police regarding the number of accidents that continued to occur at this location.

- B-09-04:9 **It was agreed:** That the contents of the letter from the RTA be noted. (CI09/1842:R4807)

RTA – Rous Road, Chilcotts Grass

Recommending the end of the 50km/h zone on Rous Road be moved west from its current location 200m west of Taylors Road to a location 80m west of McIntosh Road.

This speed zone review was carried out as a result of a request from Glen & Janet Essery that was submitted to the Traffic Advisory Committee meeting held on August 20, 2008.

- B-09-04:10 **It was agreed:** That the Committee support the proposed reduction in the length of the existing 50kph speed limit on Rous Road from a point 200m west of Taylors Road to a point 80m west of McIntosh Road. (CI09/2150:R6610)

Mike Perkins – Lismore City Council Development Engineer

Submitting a request for consideration of modifying existing loading facilities at Wyrallah Road Shopping Centre as part of a proposed shopping centre extension on the corner of Wyrallah Road and Esmonde Street.

As part of the DA process concerns have been raised by a nearby resident regarding the unsafe practice of semis stopping in the bus zone in Esmonde Street and unloading via forklift across the footpath into the rear lane access to the supermarket. The partly constructed public laneway currently services the rear of the supermarket but is not accessible to large vehicles due to its width and the lack of access onto the road network from the other end. It would make sense to encourage all unloading on site rather than Esmonde Street, however this would involve an extension of the existing rear lane onto Wyrallah Road close to the Dalley Street intersection. The closure of the lane as a public road and the shopping centre acquiring it is also being investigated. This would allow the developer to prevent the public from accessing the area in order to make it safer for its intended use. It is suggested that the Committee support in principle any proposal which would see all unloading carried out on site subject to a suitable plan being developed which would show all heavy vehicle movements being via Esmonde Street and left turn only onto Wyrallah Road. Any plan would need to take into account Council's long term proposal for a roundabout at the intersection of Wyrallah Road and Dalley Street.

- B-09-04:11 **It was agreed:** That the Committee support in principle any proposal which would see all unloading carried out on site subject to the above concerns being addressed. That the owner be approached to develop an interim traffic management plan. As part of the DA process there should be a clause to regulate parking activities. (DA08/331)

Mrs Robyn Jones – Gungas Rd, Nimbin

Raising concerns about the increasing dangers presented to residents and visitors using Gungas Road, Nimbin and suggesting a number of measures to improve safety.

Letter of appreciation to the Traffic Committee based on the issue raised at the February 2009 meeting.

- B-09-04:12 **It was agreed:** That the contents of the letter from Mrs Jones be noted. (CI09-2482:R2120-02)

Ms Robyn Kelly – The Channon Craft Market

Raising concerns about the increasing dangers presented to people attending The Channon Craft Markets and suggesting a number of measures to improve safety. Includes a Traffic Management Plan.

In February 2009, during routine traffic inspections we met with Robyn Kelly, the co-ordinator of The Channon Craft Markets. She had three key issues, the first being the Welcome sign and the white reflector poles being located too close to the 'No Standing' signs. Her concern was that this was creating a hazard for pedestrians particularly with increased volumes of pedestrians on market day.

Ms Kelly is also requesting a temporary reduction in the speed zone from 100km to 80km on market days. Ms Kelly is also concerned with the protruding vegetation over Rocky Creek/Robertson Bridge, which she believes is limiting vision. This information was not received until the morning of the Traffic Committee meeting.

B-09-04:13 **It was agreed:** That this item be carried over for discussion at the next Traffic Committee Meeting.

(CI09-2514:R3301)

Closure

This concluded the business and the meeting terminated at 11am.

Chairperson

**Traffic and Emergency
Services Coordinator**

Financial Assistance - Section 356

a) Council Contributions to Charitable Organisations**Policy 5.6.1 (ALLOCATION: 390.965.15)**

Budget: \$10,000 To date: \$8,930.34

Animal Right & Rescue \$0.00

Challenge Foundation \$106.09

Five Loaves \$116.45

Friends of the Koala \$6.36

Lismore Soup Kitchen Inc \$0.00

LifeLine \$210.00

Lismore & Dist Police Boys Club \$0.00

Saint Vincent De Paul \$22.64

Salvation Army \$64.91

Westpac Life Saver Rescue Helicopter \$6.36

Shared Vision Aboriginal Corporation \$0.00

TOTAL

\$532.81

In accordance with policy.

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

Budget: \$2,700 To date: \$12,000

Australian Navy Cadet TS Lismore is a youth training organisation based at Ballina directed at young people twelve and a half to twenty years of age that encourages personal development, team work and leadership. The organisation is seeking financial assistance to place a pontoon and a walkway beside the unit in Endeavour Close, Ballina. (CI09/2579)

\$50

Hearing Voices Choir has been invited to Sydney to sing and launch a CD at the Mental Health Coordinating Council Annual Conference. The organisation is seeking financial assistance towards the travel costs. (CI09/3372)

\$50

Far North Coast Country Women's Association are seeking a monetary donation towards the 2009 educational grants, which assists school children from years 7-12 who may experience financial difficulty associated with their studies. CI09/2932

\$300

Section 356 Donations

North Coast Region Music Teachers' Association hosts an HSC Music Enrichment program for 2 days at Southern Cross University. It is open to year 11 and 12 music students across the North Coast region. This year it will be on June 14-15. The organisation is seeking financial assistance for transportation costs. (ED09/4237)

\$100

Recommendation

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

Documents for Signing & Sealing

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

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

Recommendation

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

Easement for underground powerlines – Lots 3 & 4 Sec 18 DP758615 (P25245, P25246)

Easement for underground powerlines two metres wide and variable in favour of Country Energy along part of the eastern and southern boundaries of the Richards Oval.

Deed of Release – Lot 22 DP1133005 – Airport Industrial Estate (P29421, P30506)

In accordance with the Council report and subsequent resolution dated February 8, 2005 regarding the sale of land at the Airport Industrial Estate, Council entered into a contract for the sale of land to Hills Transport Investments Pty Ltd on April 24, 2008.

The purchaser breached the essential terms of the contract and failed to complete when required to do so. Council terminated the contract. To enable the matter to be resolved, agreement has been reached that the deposit (\$100,000) be released to Council and the parties release each other in relation to the matter. Upon exchange of the Deed of Release between the parties the matter will be at an end. Council will be at liberty to re-list the property for sale.

CROWN RESERVE TRUST MATTER:

The following document be executed under the Common Seal of the Council as Crown Reserve Trustee of Bexhill Reserve Trust – Reserve No R90794.

Licence for access to Open Air Cathedral, Bexhill – Reserve 90794 – Lot 204 DP755686 – Grace Road, Bexhill (P22062, P11133)

In accordance with Council resolution of December 11, 2007 to sign and seal the licence granting access to the Open Air Cathedral at Bexhill over Reserve 90794, the term be increased to ten years, as agreed by all parties to the licence.

Confidential Matters–Committee of the Whole

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

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

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

Clause 34 of Council Code of Meeting Practice

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

Recommendation

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

Item	<i>Sale of Land for Unpaid Rates</i>
Grounds for Closure	Section 10A(2) (>):
Public Interest	Discussion of this matter in an open meeting would on balance be contrary to the public interest because it concerns the personal matters of individuals.

Council Minutes

April 14, 2009

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE CITY OF LISMORE HELD IN THE COUNCIL CHAMBER, GOONELLABAH ON TUESDAY APRIL 14, 2009, AT 6.00PM.

- Present** Mayor, Councillor Dowell, Councillors Battista, Clough, Ekins, Graham, Houston, Marks, Meineke, Smith and Yarnall, together with the General Manager, Executive Director Infrastructure Services, Executive Director Development and Governance, Manager Finance, Manager Economic Development, Executive Services Coordinator and Personal Assistant to the General Manager.
- Apologies/ Leave of Absence** An apology for non-attendance on behalf of Councillor Chant was received and accepted and leave of absence granted by Council at its meeting held on March 10, 2009.
- 46/09 **RESOLVED** that leave of absence be granted for:
- Councillor Battista – April 20-21, 2009.
Councillor Meineke – May 4-8, 2009.
(Councillors Graham/Houston)
- 47/09 **Minutes** The minutes of the Ordinary Meeting held on March 10, 2009, were confirmed.
- (Councillors Clough/Marks)

Disclosure of Interest

(S451) **Councillor Battista** declared a non significant conflict of interest in the following item:

Report – Health Services Tender

Nature of Interest: James Duffy from James Duffy Chiropractic is my personal chiropractor and Dr Binns from the Goonellabah Medical Centre supported my election campaign.

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

Notice of Motion – Development of Community Garden/Farm

Nature of Interest: I am Vice President of the Rainbow Region Community Farm. I will absent myself from the debate on this item.

Councillor Smith declared a non significant conflict of interest in the following item:

Report – Conduct Review Committee Membership

Nature of Interest: One of the applicants is personally known to me. I will absent myself from the debate on this item.

Councillor Dowell declared a non significant conflict of interest in the following item:

Report – Health Services Tender

Nature of Interest: Dr Binns from Goonellabah Medical Centre supported my election campaign. Councillor Dowell stated that she would participate in the discussions and the voting.

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:

Linda Wirf – Notice of Motion – Community garden

Disclosure of Interest

At this juncture Councillor Clough left the meeting.

Ms Wirf spoke in support of a Community garden and gave examples of its benefits, such as social inclusion, particularly for the elderly. She stated that a community garden would create jobs, attract tourism and funding, be an educational source (garden/food production) and support healthy living. Ms Wirf suggested that this would be a neutral cost to Council and in fact the community might lose funding opportunities if it does not support this motion.

At this juncture Councillor Clough returned to the meeting.

Paul Albertini – Notice of Motion – Sealing of Military Road

Mr Albertini spoke in support of this motion. He argued that Military Road is regularly used by the largest football club in Lismore and has a large number of vehicles utilising it, especially on weekends. Mr Albertini stated that the road has been overlooked since 1975 and that its current surface is not attractive for tourists.

Amber Hall – Notice of Motion – Ban on circus animals

Ms Hall spoke in support of this motion. She spoke about the harsh treatment of animals, such as baby elephants being removed from their mothers, and monkeys and dogs being kept in cages. She challenged Council to send a clear message not to condone such treatment of animals and to vote in favour of this motion.

Michael Wood – Notice of Motion – Voluntary house purchase scheme for high risk properties

Mr Wood spoke in support of this motion. He advised that Richmond River County Council also fully supports this motion. Mr Toong Chin from the Department of Environment and Climate Change, also spoke about the State contribution of two-thirds of the cost of purchasing these houses and argued that the Council should remove these houses before a flood does. Lindsay Matterson from the SES cited particular concerns for both rescue workers and residents, if a rescue in the areas with high flood water velocities is required.

Bill Sheaffe – Report – Security Beat Patrol Review

Mr Sheaffe did not support the recommendations in the report. He argued that the Council resolution of the June 2008 meeting had not been met. Mr Sheaffe stated that the Beat Patrol was not necessary during the day and that the Town Centre Manager was not adequately funded to support the business district. He also stated that the questions in the survey were not appropriate.

Notice of Motions

Development of Community Garden/Farm

Disclosure of Interest

At this juncture Councillor Clough left the meeting.

48/09 Formal notice having been given by Councillor Houston it was **RESOLVED** that:

1. Council provide 'in principle' support for the development of a Community Garden/Farm to be located on Council land.
2. A letter be drafted to the Australian Department of Health and Ageing advising them of Council's support.

(Councillors Houston/Graham) (ED09/2027:EF09/631)

At this juncture Councillor Clough returned to the meeting.

Voluntary House Purchase Scheme for High Risk Properties

Formal notice having been given by Councillor Smith a MOTION was MOVED that:

1. Council commit to the continuation of the voluntary house purchase scheme for the acquisition of high risk properties in identified floodways of North Lismore.
2. That the 2008/09 Budget allocation of \$22,000 for flood mitigation be committed to the continuation of the program.
3. Council commit to an annual allocation of \$100,000 for continued acquisitions of high risk properties until the program is completed.
4. Council recognise the opportunity for Richmond River County Council to assist in the delivery and finalisation of this program.

(Councillors Smith/ Clough)

An AMENDMENT was MOVED that:

1. Council defers a decision until after Councillor workshop on the flood plain management plan.
2. Council considers an annual commitment of funding for voluntary acquisition of flood prone properties in the 2009/10 budget.

(Councillors Yarnall/Clough)

On submission to the meeting the AMENDMENT was DEFEATED.

Voting against: Councillors Clough, Graham, Ekins, Marks, Houston, Battista

A FORSHADOWED AMENDMENT was MOVED that:

1. Council continue the voluntary house purchase scheme for the acquisition of high risk properties in identified floodways of North Lismore.
2. That the 2008/09 Budget allocation of \$22,000 for flood mitigation be committed to the continuation of the program.
3. Council consider an annual commitment of funding for voluntary acquisition of flood prone properties in the 2009/10 budget.
4. Council recognise the opportunity for Richmond River County Council to assist in the delivery and finalisation of this program.

(Councillors Battista/Graham)

On submission to the meeting the FORSHADOWED AMENDMENT was CARRIED and become the MOTION.

49/09 **RESOLVED** that:

1. Council continue the voluntary house purchase scheme for the acquisition of high risk properties in identified floodways of North Lismore.
2. That the 2008/09 Budget allocation of \$22,000 for flood mitigation be committed to the continuation of the program.
3. Council consider an annual commitment of funding for voluntary acquisition of flood prone properties in the 2009/10 budget.
4. Council recognise the opportunity for Richmond River County Council to assist in the delivery and finalisation of this program.

(Councillors Battista/Graham) (ED09/2248:EF09/631)

Inclusion of Item for Councillor Reports in the Business Paper

Formal notice having been given by Councillor Ekins a MOTION was MOVED that:

Council amend the code of meeting practice to allow the inclusion of an item in the monthly business paper for Councillor Reports.

(Councillors Ekins/Clough)

An AMENDMENT was MOVED that:

Councillor representatives on Policy Advisory Groups, County Councils and NOROC be provided the opportunity to report in a workshop forum on a monthly basis.

(Councillors Graham/Meineke)

On submission to the meeting the AMENDMENT was CARRIED and become the MOTION.

Voting against: Councillors Clough, Ekins

50/09 **RESOLVED** that:

Councillor representatives on Policy Advisory Groups, County Councils and NOROC be provided the opportunity to report in a workshop forum on a monthly basis.

(Councillors Graham/Meineke) (ED09/2261:EF09/631)

Voting against: Councillors Clough/Ekins

Displaying Aboriginal Flag in Council Chambers

51/09 Formal notice having been given by Councillor Clough it was **RESOLVED** that:

1. Council display the Aboriginal flag in the front of the Council Chambers.
2. The Aboriginal flag have equal prominence with the Australian and Lismore flag.

(Councillors Clough/Yarnall) (ED09/2024:EF09/631)

Sealing of Military Road

Formal notice having been given by Councillor Smith A MOTION was MOVED that:

Council move the sealing of Military Road to the top of the road sealing projects to be undertaken.

(Councillors Smith/Battista)

An AMENDMENT was MOVED that:

Council requests the sealing of Military Road be considered by the Infrastructure Assets Policy Advisory Group.

(Councillors Yarnall/Graham)

On submission to the meeting the AMENDMENT was CARRIED and become the MOTION.

Voting against: Councillors Houston, Battista, Marks, Smith

52/09 **RESOLVED** that:

Council requests the sealing of Military Road be considered by the Infrastructure Assets Policy Advisory Group.

(Councillors Yarnall/Graham) (ED09/1900:EF09/631)

Voting against: Councillors Houston, Battista, Marks, Smith

Footpath and Cycleways Funding

Formal notice having been given by Councillor Clough a MOTION was MOVED that:

Council allocate 10% of its 'Roads to Recovery' funding for urban roads to the provision of cycleways.

(Councillors Clough/Ekins) (ED09/1968:EF09/631)

On submission to the meeting the MOTION was DEFEATED.

Voting against: Councillors Houston, Meineke, Marks, Yarnall, Graham, Dowell.

Ban on Animal Circuses in Lismore

53/09 Formal notice having been given by Councillor Battista it was **RESOLVED** that:

Council move to introduce a ban on animal circuses in the whole of Lismore Local Government Area, on Council owned land.

(Councillors Battista/Yarnall) (ED09/2047:EF09/631)

Voting against: Councillors Meineke, Marks, Graham.

Altering Order of Business

54/09 **RESOLVED** that the order of business be altered to debate the following matters raised during Public Access:

Report – Security Beat Patrol Review - moved to the first report agenda item.

(Councillors Graham/Meineke)

Reports

Security Beat Patrol Review

A MOTION was MOVED that:

1. Council defer the decision on the Security Beat Patrol Service until we have further consultation and a staff report that considers all other alternatives.
2. The report be referred to SBRVL Advisory Group prior to coming back to Council.

(Councillors Ekins/Clough)

An AMENDMENT was MOVED that:

1. Council note the Evaluation Report and continue with the Security Beat Patrol Service.
2. That the survey respondents, Chamber of Commerce and the SBRVL Advisory Group members be advised of Council's resolution and sent a copy of the survey results.

(Councillors Graham/Marks)

On submission to the meeting the AMENDMENT was DEFEATED.

Voting against: Councillors Houston, Battista, Clough, Ekins, Smith, Yarnall

55/09 **RESOLVED** that:

1. Council defer the decision on the Security Beat Patrol Service until we have further consultation and a staff report that considers all other alternatives.
2. Report be referred to SBRVL Advisory Group prior to coming back to Council.

(Councillors Ekins/Clough) (ED09/1431:EF09/1715)

Voting against: Councillors Graham, Dowell

**Adoption of Amendment No. 40 to Lismore Local Environmental Plan – Land
Reclassification**

A MOTION was MOVED that:

1. Council adopt Amendment No. 40 to the Lismore Local Environmental Plan 2000 as attached to this report.
2. Council use its delegations under s69 of the *Environmental Planning & Assessment Act* 1979 to forward the amendment to the Minister for Planning with a request that he make the Plan.
3. Council exclude category two e.g. carparks from Amendment No. 40 and staff prepare a plan of management for carparks.

(Councillors Ekins/Clough)

An AMENDMENT was MOVED that:

1. Council adopt Amendment No. 40 to the Lismore Local Environmental Plan 2000 as attached to the report.
2. Council use its delegations under s69 of the *Environmental Planning & Assessment Act* 1979 to forward the amendment to the Minister for Planning with a request that the Plan be made.

(Councillors Graham/Smith)

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

Voting for: Councillors Dowell, Houston, Battista, Meineke, Clough, Graham, Yarnall, Marks and Smith

Voting against: Councillor Ekins

56/09 **RESOLVED** that:

1. Council adopt Amendment No. 40 to the Lismore Local Environmental Plan 2000 as attached to the report.
2. Council use its delegations under s69 of the *Environmental Planning & Assessment Act* 1979 to forward the amendment to the Minister for Planning with a request that the Plan be made.

(Councillors Graham/Smith) (ED09/567 & ED09/316:EF09/1957)

Voting for: Councillors Dowell, Houston, Battista, Meineke, Clough, Graham, Yarnall, Marks and Smith

Voting against: Councillor Ekins.

Request for Tender – Health Services

Disclosure of Interest

At this juncture Councillor Battista left the meeting.

57/09 **RESOLVED** that:

1. Having received inadequate responses for the provision of health services, Council, in accordance with Clause 178(3)(e) of the Local Government (General) Regulation, resolve to enter into a selective quotation process for those health services still requiring finalisation.
2. In accordance with Clause 178(4)(a) of the Local Government (General) Regulation, the reasons that Council will not invite fresh tenders are:
 1. Council has already conducted a request for tender process and received inadequate responses.
 2. Council has identified a number of organisations that can deliver the required service.
 3. Reasonable competition can be expected in the proposed selective quotation process because there are a number of providers with which Council is proposing to liaise.
3. In accordance with Clause 178(4)(b) of the Local Government (General) Regulation, the reasons that Council is proposing to enter into a selective quotation process with the identified organisations is that they are reputable organisations within the industry, and Council through its own investigations has established that they have the capability to provide the required services.
4. The General Manager be authorised to execute the Contracts, once finalised.

(Councillors Meineke/Clough) (T2009-17)

At this juncture Councillor Battista returned to the meeting.

Asset Management Policy

58/09 **RESOLVED** that:

1. The Asset Management Policy, as attached to the report, be endorsed and adopted.
2. The Assets Management Policy Section 4.2.11. should read: 'Future life cycle costs will be reported and considered in all decisions relating to new services and assets and upgrading of existing services and assets; and incorporated into Council's ten year plan'.
3. The Assets Management Policy Section 4.2.2 should read: 'All relevant legislative requirements together with political, social, economic and environmental aspects are to be taken into account in assets management.

(Councillors Yarnall/Graham) (ED09/1494:EF09/2075)

Delegations to the General Manager (S6)

59/09 **RESOLVED** that Council defer a decision on the delegations of the General Manager, pending an explanatory Councillor workshop.

(Councillor Yarnall/Ekins) (ED09/2045:EF09/1075)

Conduct Review Committee Membership

Disclosure of Interest

At this juncture Councillor Smith left the meeting.

60/09 **RESOLVED** that Council appoint Peter Boughey, Ken Clarke, Maureen Follers, Bronwyn Connolly, Nicolas Harrison and Lindsay Taylor as Conduct Reviewers for Council, and that all other applicants be thanked for their interest.

(Councillors Houston/Battista) (ED09/2031:EF09/640)

At this juncture Councillor Smith returned to the meeting.

Lismore Masters Games Steering Committee Membership

61/09 **RESOLVED** that Council appoint Therese Crollick, Dave Arthur, Peter Cordery, Tony Clarke, Dave Graham and Greg Downes to the Lismore Masters Games Steering Committee for the 2009 and 2011 Lismore Masters Games.

(Councillors Graham/Clough) (ED09/1427:EF09/190)

Investments Held by Council – March 2009

62/09 **RESOLVED** that:

1. Council note and receive the report.
2. The action taken to terminate investments in Beryl Esperance 2, Beryl Global Bank Note, Zircon Merimbula, Zircon Coolangatta and Zircon Miami be endorsed.

(Councillors Smith/Marks) (ED09/2877 & ED09/2878:EF09/2210)

Applications for closure of unformed public road – off Stony Chute Road, Nimbin

63/09 **RESOLVED** that:

1. Council consent to the application to close the unformed, unnamed road reserve adjoining Lot 1 in DP 620549 and Lot 1 in DP 252963, shown as red and yellow respectively on the aerial photograph included in the report.
2. All costs associated with the closure and sale process are to be met by the applicants.
3. Upon closure of the road, the applicants be required to purchase the land from the Department of Lands, and consolidate the respective portions with their adjoining property.
4. The Department of Lands be advised accordingly and requested to progress the application.
5. The common seal of Council to be affixed to any documentation as necessary.

(Councillors Meineke/Graham) (ED09/1474:R2105-03)

Nimbin Road, Goolmangar – Federal Blackspot Funding Program

64/09 **RESOLVED** that:

1. The General Manager be authorised to finalise negotiations with the relevant property owners for Council to acquire (purchase and land swap) parts of Lot 1 DP 122612, Lot 1 DP 122598 and Lot 1 DP 122616 as shown in the attachments accompanying the report for the purpose of re-alignment of Nimbin Road, Goolmangar.
2. Council provide replacement boundary fencing along the roadway and complete all necessary works to enable the road realignment.
3. Council pay all fees and reasonable legal costs of the respective property owners in relation to the property acquisitions necessary for the road realignment.
4. The Mayor and General Manager be authorised to sign and affix the Council Seal to all documentation necessary to complete the required land transactions.

(Councillors Graham/Meineke) (ED09/1406:R2801-09)

Voting against: Councillor Ekins

Committee Recommendations

Traffic Advisory Committee

- 65/09 **RESOLVED** that the minutes be received and adopted.
(Councillors Clough/Marks) (S352) (ED09/1961:ED09/1963)

Documents for Signing and Sealing

- 66/09 **RESOLVED** that the following documents be executed under the Common Seal of the Council:

Option to renew Lease – Lismore Neighbourhood Centre – 14-18 Bounty Street, Lismore

Renewal of Lease under the existing option rights for five years in accordance with original Lease over Lots 1 DP123208, Lot 1 DP1123244 and Lot 1 DP1033659 known as 14, 16 and 18 Bounty Street, Lismore for the purpose of conducting the business and related activities of a Neighbourhood Centre. Annual rental is in accordance with the original Lease agreement, which allows for CPI adjustment.

CROWN RESERVE TRUST MATTER:

The following document be executed as Crown Reserve Trustee of Lismore Albert Park Reserve Trust – Reserve No. 89503:

Grazing Licence to Hepburn – 338 Keen Street, Lismore

Licence to graze livestock over part of this Crown reserve for a period of three years - Lot 237 DP 755718. The site was advertised for expressions of interest for grazing in *The Northern Rivers Echo* on January 22, 2009. The Licence is to be forwarded to Department of Lands for consent and execution.

(Councillors Clough/Battista)

Financial Assistance - Section 356

67/09 **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/Smith) (S352)

a) Council Contributions to Charitable Organisations

Waste Facility – Policy 5.6.1 (GL390.965.15)

Budget: \$10,000 To date:\$7276.54

Animal Right & Rescue \$6.36
Challenge Foundation \$209.36
Five Loaves \$59.18
Friends of the Koala \$0.00
Lismore Soup Kitchen Inc \$0.00
LifeLine \$210.00
Lismore & Dist Police Boys Club \$0.00
Saint Vincent De Paul \$19.09
Salvation Army \$139.36
Westpac Life Saver Rescue Helicopter \$25.45
Shared Vision Aboriginal Corporation \$0.00

In accordance with policy.

\$668.80

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

Budget: \$2,700 To date:\$1550.00

Sophie Boyle of Goolmangar has been selected to participate in the 2009 NSW YMCA's Youth Parliament where students from 9-12 years debate youth issues and participate in the parliamentary process. Sophie is seeking a donation to her expenses.

\$50

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

Budget Approved:\$15,200 Budget Available: \$1,187

ACE North Coast requesting Council discount the hire charges (\$460) for the hire of the kitchen to hold a 5 week cooking course in 2009. ACE North Coast is a not for profit, community based adult education provider. An entrance fee is to be charged (CI09/526).

Recommendation: In accordance with Clause 5 of the policy, a donation of 20% of the hire fee applies.

\$92.00

Northern Rivers SLSA Helicopter Rescue Service Pty Ltd Coast requesting Council waive or discount the hire charges (\$750) at City Hall for the bi-annual Gala Ball. The ball is an important fundraising event. An entrance fee is to be charged (CI09/600).

Recommendation: In accordance with Clause 5 of the policy, a donation of 20% of the hire fee applies.

\$150.00

NETPAC requesting Council discount the hire charges (\$1,781) at City Hall for the 2009 Northern Rivers Careers Expo. This is an annual event for students in years 10-12 with the aim to provide them with information and advice on careers and pathways. No entrance fee is to be charged, but exhibitors will pay a fee (EF09/723).

Recommendation: In accordance with Clause 5 of the policy, a donation of 20% of the hire fee applies.

\$356.20

Lismore Reconnecting to Country Working Group requesting Council discount the hire charges (\$121) at City Hall for a community workshop. They are a community based organisation and who will be presenting their ideas for a local community environmental restoration project to be funded from the NSW Environmental Trust. No entrance fee is to be charged (EF09/723).

Recommendation: In accordance with Clause 5 of the policy, a donation of 25% of the hire fee applies.

\$30.25

Northern Rivers Migrant Group requesting Council discount the hire charges (\$213) at City Hall for a community workshop. They are a community based organisation and who will be presenting their ideas for a local community environmental restoration project to be funded from the NSW Environmental Trust. No entrance fee is to be charged (EF09/723).

Recommendation: In accordance with Clause 5 of the policy, a donation of 25% of the hire fee applies.

\$30.25

Joseph Kennedy requesting Council discount the hire charges (\$121) at City Hall for a local youth concert. An entrance fee is to be charged (EF09/723).

Recommendation: In accordance with Clause 5 of the policy, a donation of 20% of the hire fee applies.

\$24.20

Confidential Matters – Committee Of The Whole

68/09 **RESOLVED** that the Committee exclude the press and public from the meeting and move into closed Committee to consider the following matter:

Item	Performance Monitoring 2008/09 – General Manager
Grounds for Closure	Section 10A(2) (a)):
Public Interest	Discussion of this matter in an open meeting would on balance be contrary to the public interest because it involves personnel matters concerning a particular individual.

(Councillors Marks/Clough)

Resumption of Open Council

Council Minutes

April 14, 2009

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

Performance Monitoring 2008/09 – General Manager

Recommends that Council adopt the recommendations contained in that report:

1. That the General Manager's 2008/09 performance Plan be endorsed.
2. That Council records its satisfaction with the performance of the General Manager based on the Performance Monitoring documentation 19 March, 2009.

69/09 **RESOLVED** that the General Manager's report of the Committee of the Whole be received and adopted.

(Councillors Marks/Ekins)

Closure

This concluded the business and the meeting terminated at 10:10pm.

CONFIRMED this May 12, 2009 at which meeting the signature herein was subscribed.

MAYOR