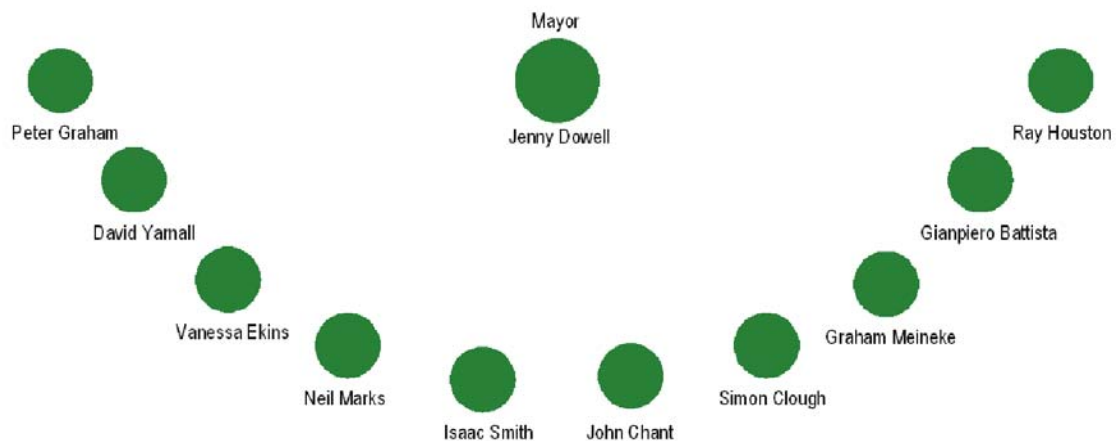


Notice of Council Meeting



Ordinary Meeting

An ORDINARY MEETING of LISMORE CITY COUNCIL will be held at the COUNCIL CHAMBERS, Oliver Avenue, GOONELLABAH on **Tuesday 8 December 2009, 6:00pm** and members of Council are requested to attend.

Paul G. O'Sullivan
General Manager

1 December 2009



Agenda

Opening of Meeting and Prayer (Mayor)

Apologies and Leave of Absence

Confirmation of Minutes

Ordinary Meeting held on 10 November 2009

Disclosure of Interest

Public Access Session

Mr Jim Edwards – Notice of Motion - Clunes Wastewater Project

Public Question Time

Condolences

Mayoral Minutes

Notice of Rescission Motions

Councillors Meineke, Marks and Graham – Proposed Addition to Large Lot Residential Zone Draft LEP, 275 Cameron Road

Councillors Meineke, Marks and Graham – Tender T2010-03 – Margaret Olley Arts Centre

Notice of Motions

Councillor Graham – Proposed Addition to Large Lot Residential Zone Draft LEP, 275 Cameron Road

Councillor Meineke – Leasing of CBD Shops for Local Artists

Councillor Marks – Margaret Olley Arts Centre

Councillor Battista – Clunes Wastewater Project

Councillor Yarnall – Federal Funding for Infrastructure

Councillor Marks – Drug Free Nimbin Signs

Altering Order of Business

(Council may by resolution alter the order of business to debate matters raised during Public Access).

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Lismore City Council Community Strategic Plan 2008 - 2018



Guiding Principles	Outcomes
Social Inclusion and Participation	That all Lismore residents enjoy equal opportunities within a strong, inclusive community.
Sustainable Economic Growth and Development	That Lismore's economy is vibrant and development is environmentally and socially sustainable.
Protect, Conserve and Enhance the Environment and Biodiversity	That Lismore's natural ecology is protected and maintained in a healthy and robust state for future generations
Best-Practice Corporate Governance	That best-practice management principles pervade our business; that we are innovative, ethical, and our use of resources provides maximum benefits to the community.

Community Strategic Priorities	Outcomes
Enhance Lismore as a Regional Centre	That Lismore retains and builds on its regional service centre role, including the provision of key medical, legal and tertiary education functions
Foster Youth Development	That young people are included in our community and can safely pursue their interests and aspirations.
Support an Ageing Population	That older people have access to appropriate services and facilities to enhance their health and wellbeing.
Provide Sustainable Land-use Planning	That land-use planning is founded on principles of sustainability.
Improve Catchment Management	That catchment management is integrated and holistic, in order to achieve a sustainable and balanced use of natural resources.
Revitalise the CBD	That the CBD becomes a vibrant meeting place and a cultural and entertainment hub for the Northern Rivers region.
Integrated Waste Cycle Management	That Lismore minimises waste to landfill by reducing, reusing and recycling.
Improve Roads, Cycleways and Footpaths	That Lismore has an extensive transport network and is an accessible, safe and efficient city for motorists, cyclists and pedestrians.
Mitigate Climate Change at a Local Level	That Lismore is a leader in reducing carbon emissions and minimising the impacts of climate change.
Develop and Support Art, Cultural, Sporting and Tourism Activities	That our regional art, cultural and sporting facilities remain a major component of Lismore life and an increasingly popular attraction for domestic tourists.
Integrated Water Cycle Management	That Lismore maintains long-term water security for its growing population through the efficient use of this precious resource.
Provide Greater Housing Choices	That Lismore offers a diverse range of housing options to accommodate a variety of households.
Improve Passive and Active Recreational Facilities	That Lismore retains and builds on its regional recreation centre to attract major events and tournaments.

Corporate Foundations	Outcomes
Efficient Use of Council Resources	That we maximise the value of our resources, continually review our operations to ensure best value, eliminate waste and duplication, and gain the full service potential from our assets
Engage With the Community	That the community is informed and consulted about the issues that are relevant to their lives and we are fully accountable to the community for our operations.
Promote a Constructive Corporate Culture	That customers and staff experience a supportive organisation, with a strong sense of integrity, which responds to their needs and provides innovative and creative services.
Whole of Council Corporate Planning	That we have clear goals and act as one in their co-ordinated implementation, in order to maximise the return on resource investment and staff expertise.
Providing Excellent Customer Service	That our primary focus is to understand and respond to the needs of the community we serve.

Rescission Motion

Crs Meineke, Marks and Graham have given notice of their intention to move the following rescission motion:

That Council rescind **Resolution 208/09** regarding the development at 275 Cameron Road, McLeans Ridges.

General Manager

Should the rescission motion be successful, Councillor Graham proposes to move a Notice of Motion which has the intent of approving the subdivision of land at McLeans Ridges, consistent with the recommendation contained in a report to Council at its 10 November 2009 meeting.

(EF09/1921:ED09/18319)

Rescission Motion

Crs Meineke, Marks and Graham have given notice of their intention to move the following rescission motion:

That Council rescind **Resolution 211/09** and not proceed to enter into negotiations with Tonkin Zulaikha Geer to design the Margaret Olley Arts Centre.

General Manager

The result of this rescission motion has potential implications for a Notice of Motion lodged by Councillor Marks and also for the staff report entitled:

'Grant Application – Margaret Olley Arts Centre'.

(EF09/1921:ED09/18305)

Notice of Motion

Cr Peter Graham has given notice of his intention to move:

That Council resolve to include the area of land shown as Lots 1 to 4 on the attached subdivision plan for Lot 5 DP827282, 275 Cameron Road, McLeans Ridges in the R5 Large Lot Residential zone in the new comprehensive Local Environmental Plan consistent with the Standard Instrument, subject to the land owners signing a draft Planning Agreement that includes the matters detailed in this report and the Planning Agreement require the southern boundary of Lot 4 to be moved sufficiently far south to enable a 30m buffer planting to be included in the lot between the building envelope and the adjacent macadamias.

General Manager

This Notice of Motion has the same intent as the initial Motion (Councillors Meineke/Graham) which was defeated at the 10 November 2009 Council Meeting.

(EF09/631:ED09/18919)

Notice of Motion

Cr Graham Meineke has given notice of his intention to move:

That Council immediately move to rent some vacant shops in the CBD and negotiate to lease them rent free to local artists on short term. Revolving leases would enable our local artists to display their artistic endeavours.

Councillor Comment

The concept of leasing shops for local artists will permit them to showcase their 'products' and simultaneously give the shop owners some needed income, as well as presenting a CBD to visitors that appears healthy. There is nothing more off putting to visitors and prospective investors than having a plethora of vacant shops in the CBD. I understand that Newcastle has already done this to good effect.

Staff Comment

Executive Director Sustainable Development

The following is a brief overview of the Art in the Heart project. An 'Art in the Heart Taskforce' (AHT) has recently been assembled by the City Centre Manager (CCM), with stakeholders including art practitioners, NGOs, arts advisors, and community groups. Both NORPA and LightnUP (the Lismore Lantern Parade) are involved.

AHT aims to utilise vacant premises as creative workspaces, somewhat similar to the Renew Newcastle model, but with the advantage of the critical mass of creative industries and individual practitioners that is unique to the Northern Rivers. With the CBD's occupancy rates down to 65% this would present an ideal opportunity to help revitalise the CBD. The Renew Newcastle shops that had been taken over by artists found commercial tenants a lot quicker than the vacant shops. Second the amount of graffiti and vandalism was reduced.

The CCM has held a meeting with Lismore's real estate and commercial letting agents to enlist their support in asking local and absentee property owners to consider making vacant premises in the CBD available for creative and employment-related activities. The other exciting aspect is that Wi-Fi could be put in place to give artists access to the internet.

Unless grant funding is secured for an Art in the Heart worker the 'Renew Newcastle' type project will not proceed. Assistance has been sought from Arts NSW for short term or 'bridging' funding to employ a suitably-qualified Arts Worker to instigate and manage the Lismore 'Art in the Heart' project until a comprehensive application (including progress and achievements of the 'pilot' scheme) can be made within the scheduled funding round for 2010-2011 financial year.

Potential competition with Lismore 'Art in the Heart' project to be 'first cab off the rank' in NSW consists of Central Coast and Parramatta.

In terms of the specific Notice of Motion (NOM) obviously the concept is supported as outlined above. **However, without funding the NOM cannot be supported given that there is a lot of set up paperwork and negotiations required in order to get the scheme off the ground. This is not a project mandated in the 2009/10 Management Plan and Budget.**

(EF09/631:ED09/18672)

Notice of Motion

Cr Neil Marks has given notice of his intention to move:

That:

1. Council decline to accept any tenders for the design of the Margaret Olley Arts Centre.
 2. That Council cease all current work and expenditure on the Margret Olley Arts Centre.
 3. That Council provide a cost benefit analysis to the community of the Margret Olleys Arts Centre.
 4. That Council survey Lismore City Council Rate payers on the building of the Margret Olley Arts Centre after explaining all funding arrangements and the need for any possible extra funding initiatives for the future running of the gallery.
-

General Manager

This Notice of Motion, if successful, will render the staff report entitled: 'Grant Application – Margaret Olley Arts Centre', redundant whereby it will not be debated.

In the circumstances, and because management's recommendation is to submit an application for a grant to at least give Lismore a chance to benefit from a significant capital grant, **the Notice is Motion is not supported.**

(EF09/631:ED09/18916)

Notice of Motion

Cr Gianpiero Battista has given notice of his intention to move:

That staff report to Council by March 2010 with a proposed timeline which demonstrates the progression of high priority projects within the water and wastewater area, including the EIS for the Clunes Wastewater Project.

Councillor Comment

The money to start the process is available and it has been put aside for this purpose (\$270,000). The report can be used at a later date when the Clunes Wastewater Scheme again becomes a priority for this Council.

Completing the report now will save money in the long term as cost always increase with time. The project will identify problems which may, if undetected, delay the Scheme even further. The EIS will provide some form of assurance to the resident of Clunes that the project is important for Council and whilst deferred for the moment will nevertheless be started in the near future.

Staff Comment

Executive Director Infrastructure Services

Council has several urgent projects which require attention in the wastewater area. These include; North Woodburn sewerage, review of Council's trade waste policy, the southern trunk main and Clunes Wastewater Project. Resources do not allow all these projects to be progressed at the same time.

(EF09/631:ED09/18918)

Notice of Motion

Cr David Yarnall has given notice of his intention to move:

That Council investigate the possibility of applying for Federal Government funding through the stimulus package for the either the Southern Trunk Main, Council's Cycleways Plan or other suitable projects.

Councillor Comment

If we have a pressing need to apply for Federal Funding then the obvious choice is our inadequate sewerage infrastructure which is vital to Lismore's ability to survive as a regional center.

Staff Comment

Manager Assets

The only federal funding available for large infrastructure projects at this time is the competitive round of the Regional and Local Community Infrastructure Program (RLCIP). Council can only nominate one project for funding under this program and construction must commence within six months of Council signing a funding agreement, should any application be successful.

The report titled 'Grant Application – Margaret Olley Arts Centre' discusses further the reasons why projects such as the Southern Trunk Main are not suitable for nomination for funding under this program.

The RLCIP-SP Guidelines state road projects and related infrastructure covered by Roads to Recovery funding are not eligible. The definition of related infrastructure includes bicycle paths (if the bicycle path is located within the road reserve). Council's adopted Cycleway Plan has the majority of the proposed cycleway networks within the road reserve, therefore Council's Cycleway Plan is not suitable for nomination for funding under this program.

(EF09/631:ED09/18925)

Notice of Motion

Cr Neil Marks has given notice of his intention to move:

That Council erect or rent billboards at southern and northern entrances to Nimbin to state, 'Lismore City Council supports a drug free Nimbin, your support would be appreciated'.

Councillor Comment

After reading so many emails and letters during the recent skate park debate so much of them stating that it was required for a healthy lifestyle for Nimbin youth it would seem that the majority of Nimbin residents have the health needs of the community at heart at this moment. It would seem sensible to back up the Council's recent decision on the skate park with other health related messages.

This measure would show that the council supports the community and its push towards a healthy lifestyle and is aimed at people who would come to Nimbin with the sole purpose of purchasing illegal drugs.

(EF09/631:ED09/18850)

Report

Subject	Urban Land Release and Infrastructure Servicing Review
File No	EF09/821:ED09/18653
Prepared by	Acting Manager, Integrated Planning and Strategic Engineer
Reason	Orderly planning of infrastructure to cater for existing and future development
Objective	To obtain direction from Council on the outcomes of the urban land release infrastructure servicing review
Strategic Plan Link	Provide Sustainable Land-Use Planning Integrated Water Cycle Management
Management Plan Project	Exhibit Draft LES/LEP Waste Water Services

Overview of Report

The Lismore Urban Strategy investigated the potential of a number of areas to be developed to accommodate future population growth and recommended three potential Greenfield residential release areas at Invercauld Road, Chilcotts Grass and Trinity Drive. Following the submission and assessment of rezoning submissions, the first two of these areas were included in the draft LEP2009. Trinity Drive is delayed due to the presence of a threatened flora species. Southern Cross University (SCU) land was also included. Since then a number of issues have arisen that have led staff to undertake a number of reviews of the strategy and the sites included in the draft LEP2009. This report outlines these reviews and recommends a preferred strategy to accommodate future population growth and address inadequacies in existing infrastructure.

Declaration of Interest – General Manager

In accordance with the requirements of Council's Code of Conduct for all Council officials to ensure full disclosure in the interests of transparency and probity I wish to draw attention to the fact that I am the joint owner of a house property at City Acres – a locality adjacent to Chilcotts Grass and which may be impacted by the recommendation in this report.

Background

The Lismore Urban Strategy was adopted in 2003 with amendments made in 2005. The strategy investigated the potential of a number of areas to be developed to accommodate future population growth and recommended three potential Greenfield residential release areas at Invercauld Road, Chilcotts Grass and Trinity Drive. An infill site at 20 Holland Street, Goonellabah was also proposed. Landowners were subsequently invited to submit rezoning applications, which were assessed by staff and, apart from the land at Trinity Drive, recommended for inclusion in the draft LEP2009. The Trinity Drive site was found to contain a significant population of Thorny pea, a threatened species, and will be considered as an amendment to the new LEP if DECCW and Council are satisfied that the impacts on the Thorny pea can be addressed.

Southern Cross University land currently included in the 5(b) Special Use (Technology Park) zone was also included in the draft LEP in a mixed-use zone following advice from the Department of Planning (DoP) that the 5(b) zone would no longer exist and that a residential only zone would not be supported. Council endorsed the draft LEP2009 in August 2008 to obtain a public exhibition certificate from the DoP. Since then, the following has occurred:

- A new Council with a focus on sustainable development was elected. The subsequent adoption of the Community Strategic Plan raises the question of whether the strategy as included in the draft LEP is consistent with the principles of sustainable development;
- New information has been obtained about traffic movement in the region;
- There have been requests from landowners to consider the inclusion of alternative sites in the draft LEP; and
- Evidence has emerged about the lack of capacity in Goonellabah's sewerage system to service existing land zoned for residential development.

These factors led to a number of reviews as follows:

- Staff from Integrated Planning (strategic land use planning, environmental strategies and community services), Development and Strategic Engineering have undertaken a desktop strategic review of the strategy on sustainability principles. This did not extend to detailed studies of sites not previously investigated through the rezoning process, or to the infill site at 20 Holland Street, Goonellabah;
- Three (3) separate detailed analyses of the capacity of the Goonellabah sewerage system occurred; and
- Consultants were engaged to review strategic costs of infrastructure external to each site, that is, roads, water and sewer.

These reviews resulted in a number of conclusions and suggested policy direction for the growth of Lismore in the next 10 years. This information was presented to a Council workshop on 19 October 2009.

This report outlines the key findings of the staff and consultant reviews and recommends a suitable strategy to accommodate future population growth and address inadequacies in existing infrastructure.

Social, Environmental, Economic and Infrastructure Impacts – Greenfield Sites

The review extended to all areas in the Urban Strategy not just the Greenfield sites contained in the draft LEP 2009. Attachment 1 shows the sites reviewed. It is important to note that the review was conducted at a strategic level with the only additional detailed studies undertaken on the costs of infrastructure external to the sites.

Attachment 2 contains a brief overview of each site along with a summary of the conclusions reached by staff about the merits of each location with regard to social well being, natural environment, transport, water and sewer infrastructure, market factors, demographics and employment and open space and recreation. This table shows the complexity and interrelationship of factors that need to be considered in determining preferred land release areas that are sustainable in the long term.

The reviews have focussed on Greenfield residential land, which traditionally in Lismore, have very low densities in the order of 8 dwellings per hectare. A limited review of the merits of increasing densities close to existing commercial and community services in Lismore was also undertaken and is included in the Attachment 2.

While it is generally accepted that increasing urban densities is more sustainable than allowing cities to continue to sprawl at the edges, further work is required to determine the areas in Lismore in which increased densities are most likely to be achieved. A number of factors are involved rather than it simply being a matter of changing the land use zoning, or stating that Lismore needs more housing in the CBD.

However, with respect to Greenfield sites, the preparation of Development Control Plans (DCP) will provide the opportunity to plan for densities above those traditionally achieved in Lismore. This will provide for more efficient use of infrastructure and greater housing choice and assist to limit the spread of urban development onto agricultural and/or environmentally sensitive land. Council staff where possible will try to encourage and negotiate with the developers of Waterford Park to increase the lot densities in the next land release stages. We are not in a position to force increased densities as we have not changed our DCP's. Given our limited availability of quality residential land in Lismore, Council's significant infrastructure investment to support growth and the new Strategic Plan direction we cannot afford to wait for greater housing choice to occur when new land is released under the draft LEP.

Analysis of Capacity of Goonellabah Sewerage System

Concerns over a possible lack of capacity within the existing Goonellabah sewerage system have been growing over the past year. An initial analysis undertaken by Council staff indicated the Goonellabah sewerage system was overloaded and did not have any reserve capacity to cater for new development. Since this initial assessment, three (3) separate analyses of the Goonellabah sewerage system have been undertaken. Attachment 3 contains an explanation of the Goonellabah sewerage system and an overview of the results of the three (3) studies.

In summary, once existing approved developments such as Waterford Park are completed, further development of the eastern catchments will be constrained both by a lack of capacity in relevant pump stations and also in the northern trunk main. Further development of the northern ridges and related catchments is constrained by the lack of capacity in the northern trunk main and in several catchments, by a lack of pump station capacity.

The only portion of the Goonellabah catchment that appears to have any development potential is the south-western part of the Goonellabah catchment in the vicinity of Invercauld Road and Cynthia Wilson Drive. However, potential for this area is still limited.

Apart from the limited capacity for development of the south-western portion of the catchment, the existing sewerage system does not have any reserve capacity to service further development of the catchment once existing approved developments are completed. This has obvious serious implications for the further growth and development of Goonellabah, along with the potential for significant public health and environmental risks.

Preferred Option to Address Lack of Capacity – Southern Sewer Trunk Main

Options available to address the lack of capacity in the system are summarised in Attachment 3. It is evident from a review of these options that the optimal and most cost effective solution to address existing capacity constraints in Goonellabah and provide additional capacity to service new development in the medium term is the Southern Trunk Main. Given the urgent need to address the capacity constraints, it is recommended that construction of the Southern Trunk Main be given priority status to achieve completion of this project as soon as practicable. This has implications for other projects in the Strategic Business Plan for Wastewater Services, which is separately addressed in the Council Meeting Agenda.

Land Zoned Residential

The discussion in Attachment 3 focuses on the need to service developments that have had approval or are already underway. However, there is also land in Goonellabah that is zoned Residential but where development has not yet been approved. This land can also be serviced in the short term *only* if the STM is brought forward *and* on the understanding that there is a risk of wet weather overflows until the STM is able to extend the capacity of the sewerage system. Council's engineering staff and senior management staff are of the view that this risk is acceptable if the STM is constructed as recommended. Subject to Council committing resources to this outcome, development applications to subdivide existing zoned land can be deemed to have access to satisfactory sewerage servicing.

Strategic Assessment of Infrastructure Costs

Consultants HydroScience, in conjunction with TTM traffic engineers and Lambert & Rehbein, were

engaged to prepare a strategic assessment of the costs of infrastructure external to each of the sites. This study assessed the sites individually and in 'fronts'. Reference to the 'Southern Front' is to the sites south of Ballina Road and reference to the 'Northern Front' is to those north of Ballina Road. The conclusions of this study are that, based on infrastructure costs and public benefit:

- All of the identified areas can be serviced at a greater or lesser cost. There are many combinations of release that can be considered and the order in which they occur and the infrastructure cashflow requirements change with every one. Meeting some of the existing system needs such as by constructing the Southern Trunk Main is critical.
- Some areas offer greater general benefits than others. The Northern Front reduces Bruxner Highway congestion and required intersection upgrades, as does the Southern Front but to a lesser degree.
- A staged development front approach is preferred.
- All sites except North Lismore Plateau require significant work to upgrade the existing Goonellabah sewerage system.
- The Southern Front should be developed first followed by the Northern Front followed by North Lismore Plateau.
- Developing the Northern Front before the Southern Trunk Main will incur additional costs.
- Development of Areas E, F, G and H (refer to Attachment 1) involve the least amount of additional/upgraded infrastructure. The key upgrade to facilitate development in these areas is the signalization of the intersection of Invercauld Road and Ballina Road.
- Small land releases within Areas B and C could potentially occur with minimal upgrades; however the vast majority of development on these sites requires the construction of link road from the Bruxner Highway to Bangalow Road plus the proposed roundabout at the intersection of Bruxner Highway, Pineapple Road and Oliver Avenue.
- A limited staged release of residential lots within Area D may be possible with minor works to the existing high way intersection at Pineapple Road and partial completion of the northern bypass.
- The up front infrastructure costs for the SCU land can be reduced by delaying much of the Dalley Street upgrade works until other parts of the southern link roads are in place, making the cost per Equivalent Tenement (ET) competitive.
- Areas F and H - Invercauld Road and Monaltrie, could then proceed, again offering road benefits to the community.
- Area E - Chillcotts Grass offers little wider benefit for the infrastructure it requires, however it can be used as a release area to delay the need to develop the Northern Front.
- Areas B and C - Trinity Drive and Lagoon Grass if progressed next would offer significant benefits to the Bruxner Highway and existing residents north of it.
- Area D - Pineapple Road should be delayed until there is more external requirement for the completion of the Link Road 1 (partially built for areas B and C.)
- Area A - North Lismore Plateau is a large area requiring major works even when requirements that benefit the wider community are removed. It presents the most challenges in terms of infrastructure access.

Conclusions of the Reviews

The outcomes of the reviews outlined in the preceding sections of this report demonstrate that each site has advantages and disadvantages and topography presents major challenges to the amount of land available for development in Lismore. The sewerage capacity analysis and the strategic infrastructure costing assessment demonstrate the cost and community interest benefits in developing 'fronts', apart from North Lismore Plateau, which requires significant works that do not have cross benefits. These also show that the requirement to bring forward the southern trunk main is the driver to continue with the release strategy included in the draft LEP. The following conclusions have been reached:

- 1 The sites closest to the CBD, that is, North Lismore Plateau and SCU land, have the greatest advantages/least impact on social and employment grounds although the development of North Lismore would be constrained until the noise impacts of the speedway are resolved.

- 2 These advantages are outweighed by the significant costs attached to the development of the North Lismore Plateau in relation to water, sewerage and roads, and the inability to develop it as part of a 'front'.
- 3 The Southern Trunk Main is required to be brought forward urgently to address the lack of capacity in the Goonellabah sewerage system. The impetus to bring forward the STM supports the release of the sites currently proposed in the draft LEP.
- 4 The development of the SCU land will have positive outcomes socially, environmentally and economically.
- 5 While not part of the southern 'front', bringing forward the STM should also provide sufficient sewerage capacity to allow the development of Trinity Drive to be considered as an amendment to the LEP, subject to the resolution of adverse impacts on the Thorny pea.
- 6 The northern bypass is necessary to relieve pressure on the Bruxner Highway. A proactive approach needs to be taken to its investigation and securing of the corridor. Development of the land close to this route should therefore be maximised due to the significant costs that will be involved in the construction of the road coupled with the overall shortage of full urban land in Lismore.
- 7 The land proposed for release in the draft LEP and the land at Trinity Drive will satisfy a range of housing markets and respond to predicted population growth.
- 8 The Monaltrie area could be serviced by the Southern Trunk Main and requires few road works. However, further detailed studies are required to address environmental constraints such as the presence of core koala habitat. It is also considered to be relatively isolated from existing residential areas.
- 9 Further studies are required to assess the most appropriate parts of existing Lismore urban area to achieve higher density residential development.
- 10 The preparation of development control plans for all of the release sites will be an ideal opportunity to develop measures to achieve higher residential densities on the Greenfield sites.
- 11 Nothing in the review raised fundamental problems with the existing urban land release strategy as reflected in the draft LEP2009.
- 12 The strategy contained in the draft LEP2009 is more cost effective than pursuing development on the northern front (including North Lismore Plateau).
- 13 Proceeding with the southern front does not relieve congestion of the Bruxner Highway in the short term.
- 14 Both the STM and the northern bypass have citywide benefits beyond the immediate growth cells they service and hence they should be given priority status in Council's infrastructure capital works planning and funding.
- 15 The need to develop an integrated transport plan for the City that includes item (6) above as well as the other key arterial works namely the third bridge crossing which is critical to relieving CBD congestion.

These conclusions have resulted in the development of a preferred growth option, which has the following components:

- i Proceed with the zoning of the release areas included in the draft LEP2009, that is, SCU land, Invercauld Road and Chilcotts Grass subject to (x) below.
- ii Consider the inclusion of the land at Trinity Drive in a residential zone as a future amendment to the LEP, subject to satisfactory resolution of mitigation of impacts on the Thorny pea.
- iii Prepare an amendment to the Lismore Urban Strategy to allow land in Pineapple Road to be considered for inclusion in an urban residential zone.
- iv Prepare a study into the best means and most appropriate areas to achieve increased densities in existing urban areas.
- v Include mechanisms to achieve greater housing diversity and density in the development control plans prepared for the Greenfield release sites, obtain increase lot densities in existing zoned residential subdivisions by agreement where possible and in the longer term identify higher density infill areas.
- vi Prepare a Growth Management Strategy that investigates the inclusion of the remaining sites in an urban residential zone. It is not a matter of if but when in terms of the remainder of the sites, that is, they are all needed to accommodate growth over 25-30 years.

- vii Adopt a more proactive approach to planning for and implementing the northern bypass road given its citywide benefits.
- viii Place on the work program the development of a integrated transport plan for the City that particularly gives priority to (vii) above and the longer term need for a third bridge crossing.
- ix That in terms of sewage capacity that Council is satisfied that service is acceptable for subdivision on exiting residential zoned land subject to (x) below.
- x Bring forward the funding of the Southern Trunk Main and reconsider the timing of funding the sewage treatment system for Clunes.

The above strategy will accommodate projected growth for the next 10 years; will allow the draft LEP to proceed on its 'fast track' through the Department of Planning; is soundly underpinned by the Lismore Urban Strategy and the studies discussed in this report; and a major departure from the draft LEP would require a total review of the Lismore Urban Strategy and delay the adoption of the new LEP.

Implications

1. **Bring Forward the Southern Trunk Main**

As discussed in an earlier section of this report, given the urgent need to address capacity constraints in Goonellabah, it is recommended that construction of the Southern Trunk Main be prioritised to achieve completion of this project as soon as practicable. The financial implications of doing this and the implications this has for other projects in the Wastewater Strategic Business Plan are discussed in a separate report.

2. **Draft LEP Amendment 36**

The above strategy has immediate implications for draft LEP Amendment 36. On August 12, 2008 Council resolved to prepare a draft amendment to the Lismore LEP2000 to allow rural residential subdivision of land in Pineapple Road into a maximum of 36 lots. Staff subsequently wrote to the DoP informing them of Council's decision. The DoP requested a geotechnical and soil stability assessment be completed and advice obtained from the RTA that the Bruxner Highway/Pineapple Road intersection is adequate to service the proposed development. The RTA confirmed the adequacy of the intersection to service the proposed rezoning to create up to 36 lots but no further action has been taken to progress the LEP Amendment as the review was underway.

Retaining this area as a rural residential area would not maximise the use of land near a significant item of infrastructure, that is, the northern bypass. It is therefore recommended that Council not proceed with draft amendment 36. There are obvious short term implications for the land owners, who have been keen for the amendment to progress. While the concerns of the land owners about the extension of time this will mean to resolve the development of their land are acknowledged, it is more appropriate to adopt a policy position that will have better city wide outcomes. There is also other land in the Pineapple Road area that would be suitable for higher density residential development than would be achieved through a rural residential zone.

The Department of Planning has advised that the current urban strategy can be amended to include the land originally considered. This would be a relatively straightforward exercise that would allow the land that is the subject of the rural residential rezoning to be considered as one of the first amendments to the draft LEP2009. However, it also requires further consideration of the timing of road upgrades and access to the Goonellabah sewerage system.

Comments

Financial Services

From a financial perspective, there are two recommendations which require specific comment. They relate to the a) northern bypass road and bridge crossing and b) funding of the Southern Trunk Main and reconsider the timing of funding for the Clunes Wastewater System.

In regards to a), Council's Strategic Urban Roads Section 94 Plan includes the northern bypass and bridge crossing hence a funding source is available to progress these matters.

As to b), it possible to bring forward the Southern Trunk Main and defer the Clunes Wastewater System without increasing the wastewater user charges above the increase proposed in the adopted Strategic Business Plan for Wastewater Services for 2010/11 and 2011/12.

Other staff comments

Executive Director Sustainable Development

It has been a privilege to lead a multi-disciplinary team in the first major integrated planning growth management project of its kind. This review or 'stocktake' as it has become known was triggered by a change in Council, a greater focus on sustainability, the need for greater housing choice and questions around sewerage capacity. The term stocktake indicates an important point namely that this was not a comprehensive review of the Lismore Urban Strategy (LUS) but rather a strategic audit of the fundamentals from a sustainability viewpoint.

There were a number of aspects to the stocktake's approach that were different to other reviews. Firstly all land release options identified in the LUS had a robust comparative analysis undertaken from a sustainability viewpoint or a triple bottom line perspective. Secondly there was an audit of growth cell infrastructure costings by an independent expert. Thirdly, some initial thinking was started as to how greater housing choice could be achieved through the land use strategy given Lismore's dependence on very low density housing. Finally in a similar way initial thinking was developed around the key priorities of an integrated transport strategy.

The first key finding of the stocktake is that the LUS is sound including the initial land release staging. However there is a need to bring forward the timing and funding of the STM in order to allow current and future zoned land to be released. Currently the Clunes waste water solution has been the funding and timing priority. Therefore the main recommendation of this report is to reverse the funding priority in order to allow land on the southern front of Lismore to be released. The Crawford land is part of that front and it is a crucial part to the new Strategic Plan direction. Apart from this the STM will have citywide benefits as it will free up the northern truck main's capacity to allow other land to be serviced on the northern front.

The second key finding is the need to take a more proactive approach to relieving congestion on Ballina Road given the City's dependence upon it for 60-70% of its total vehicle trips. In particular it is critical that a more proactive approach is taken to investigating and purchasing the northern bypass corridor. In the longer term doing the same for the third bridge crossing is critical to relieving CBD congestion and connecting up with the northern bypass. The third key finding is the need for greater housing choice through increasing densities in Greenfield sites (via DCP's and by agreement) and longer term on infill sites (albeit a time consuming and often a very contentious process).

Finally it is of prime importance that Council consider the recommendations in this report as an integrated 'package'. This package of recommendations will ensure that there is greater housing

choice for Lismore with land releases that can be serviced with infrastructure in a timely and affordable manner. Two elements of that package are the land release and the STM recommendations. These elements are not just linked they are dependant upon each other.

Public consultation

Public consultation on the draft LEP2009 will occur in the New Year once the Department of Planning releases the public exhibition certificate. Public consultation on other documents, such as the amendment to the LEP to include Trinity Drive and the Growth Management Strategy will occur as required.

Key Findings

The first key finding of the stocktake or review is that the Lismore Urban Strategy (that is the basis for the draft LEP land release approach) is robust in terms of the recommended land release staging. However what requires special attention is the fact that currently the southern sewer trunk main's (STM) timing and funding is not aligned to allow the release of the recommended land release over the short to medium term. The Clunes waste water solution currently has priority in terms of timing and funding. Therefore a key recommendation of this report is to reverse the funding priority in order to allow land on the southern front to be released. The STM will service a much larger number of lots compared to the Clunes project as well as being critical to City growth and greater housing choice.

The second key finding is the need to take a more proactive approach to relieving Ballina Road given the City's dependence upon it for 60-70% of its total vehicle trips. In particular taking a more proactive approach in the medium term to investigating and purchasing the northern bypass route corridor is important to providing an alternative route. In the longer term doing the same for the third bridge crossing is critical to relieving CBD congestion and connecting eventually up with the northern bypass. The final key finding is the need for greater housing choice through increasing densities in Greenfields sites (via DCP's and by agreement) and longer term on infill sites.

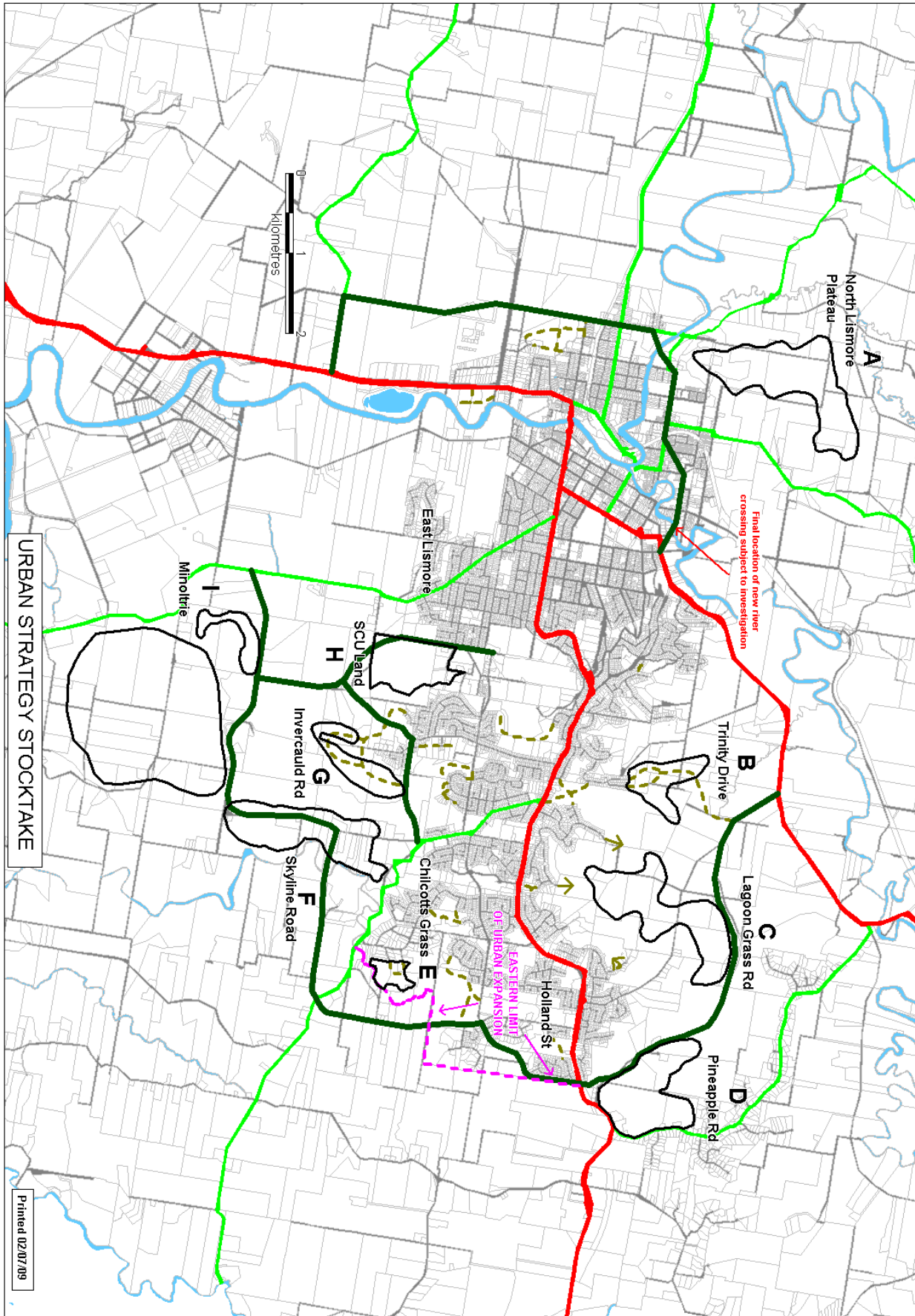
Recommendation

That Council:

1. endorse the zoning of the residential/mixed use land release areas included in the draft LEP 2009, namely the subject Crawford land, Invercauld Road land and Chilcotts Grass land subject to recommendation (2) below for the reasons outlined in the report.
2. allocate highest priority to the investigation and construction of the Southern Trunk Main to facilitate (1) above.
3. note subject to (2) above that subdivision applications for existing residential zoned land in Lismore is deemed to have sufficient main trunk sewerage capacity.
4. endorse in principle the inclusion of the subject land at Trinity Drive in a residential zone as a future amendment to the draft LEP 2009, subject to the satisfactory resolution of mitigation of impacts on the thorny pea and the matter being reported in detail back to Council.
5. not proceed with draft LEP amendment 36 and prepare an amendment to the Lismore Urban Strategy to allow the land in Pineapple Road as per attachment 1 to be considered for inclusion in an urban residential zone.
6. prepare as part of a housing strategy a study into the best means and most appropriate areas to achieve increased densities in existing urban areas.
7. include planning controls to achieve greater housing diversity and density in the development control plans prepared for new Greenfield land release areas and achieve this objective by agreement in existing Greenfields residentially zoned areas where possible.
8. prepare a Growth Management Strategy that determines the staging of the remaining land releases not included in the draft LEP 2009 over the next 25-30 years.
9. adopt a more proactive approach through the delivery plan to ensuring the northern bypass road is constructed in a timely manner given its citywide benefit in terms of investigation, design and acquiring the road corridor.
10. develop an integrated transport plan for the City that particularly gives priority to (9) above and the

longer term need for a third bridge crossing.

Attachment 1 – Urban Strategy Review Sites



Attachment 2 – Site Overview

LISMORE URBAN STRATEGY – INTERNAL STAFF REVIEW - CONCLUSIONS

Site A: North Lismore Plateau	
<ul style="list-style-type: none"> • North Lismore – west of Dunoon Road • Current vehicle access via McLeay Road • Approximately 110ha with indicative lot yield of 800 lots • Elevated plateau close to CBD - reasonably level with high quality views and aspect • Proximity to showground and speedway • No rezoning application 	
Issue	Comments
Social well being	<ul style="list-style-type: none"> • Close to CBD, facilities and employment • Strong community cohesion (in North Lismore) • Close to Showground – noise could significantly affect social well being • May not be affordable for those that need affordable housing • Good opportunity for open spaces and active recreation.
Natural Environment	<ul style="list-style-type: none"> • Vegetation is mainly cleared pasture with pockets of rainforest regrowth and Camphor Laurel • Vegetation mapping identified coastal valley grassy woodlands, north coast wet sclerophyll forest, dry rainforest, eastern riverine forest and northern hinterland wet sclerophyll forest on the plateau • The plateau is mapped as regionally significant farmland • The plateau contains some Class 3 Agricultural land • Needs more detailed studies to check for Threatened species • North Lismore the first area to be isolated in flood.
Transport	<ul style="list-style-type: none"> • McLeay Road, at the northern end of the plateau, currently provides the only public road access to the area. The existing intersection of McLeay Road and Dunoon Road is deficient and upgrading opportunities are restricted due to topography (significant side slope). It is likely that this intersection will be moved with the relocation of Dunoon Rd as discussed below • Additional access and the upgrading/relocation of the existing McLeay Road access would need to be provided. The likely access points would be from Sexton Road, if acceptable grades can be achieved and Nimbin Road. This would provide three access points to the area, one at each extremity and one in the middle. At least two of these access points would need to be provided quite early in the development of the area • The section of Dunoon Road between Cusack Road and McLeay Rd, the existing cutting, would need to be upgraded at some stage as the geometry and width of this section of road is poor. It is likely this will require the road to be shifted to the existing unformed road reserve running up the ridge approx 200m west of the existing road. This would change the location of the McLeay/Dunoon Rd intersection with some thought needed as to the timing of works to ensure that Dunoon Rd/McLeay Rd intersection and Dunoon Rd relocation are done in a manner that is cost effective • Third bridge crossing needed; Council would have to fund backlog demand • No public transport is currently available to the site. However, the development of this land would be of a size to warrant the extension of bus services to this area • The development of this land may not generate as much traffic upon Ballina Rd as some other development areas; therefore it may extend the timeframe for having to implement Ballina Rd/Urban Arterial Rd upgrade • Construction of bridge and upgrade of Dunoon Rd would provide broader benefit to greater community.

<p>Infrastructure – water, sewer, stormwater</p>	<ul style="list-style-type: none"> • Upgrading of South Lismore Sewage Treatment Plant (SLSTP) required; not programmed for another 10 years. Estimated cost of upgrading SLSTP \$8.4 million of which approx \$1.2 million attributable to North Lismore Plateau • Cost of servicing with water (trunk only, excluding reticulation) approx \$2 million • Cost of servicing with wastewater on 'stand alone' basis (trunk only, excluding STP upgrade and reticulation) approx \$4.5 million. Alternatively, could be combined as part of a combined scheme serving Areas A, B, C (& D?) for approx \$8 to \$10 million total (excluding SLSTP upgrade and reticulation) • Stormwater treatment to be incorporated into any preliminary design, including at source treatment.
<p>Market factors/ Demographics/ Employment</p>	<ul style="list-style-type: none"> • North Lismore plateau is reasonably level and enjoys high quality views and aspect • The area is close to the CBD and should attract premium prices given the characteristics of the site • The site is considered capable of supporting a range of housing types • The area would support the CBD and the North Lismore neighbourhood retail and industrial areas.
<p>Open Space/ Recreation</p>	<ul style="list-style-type: none"> • The site is close to the Lismore Showground precinct, which supports a number of noise generating activities that includes the Showground, the Lismore saleyards and the go-cart track • The Lismore Speedway is of particular concern from noise impact. Speedway noise measured in detail in 2004-5.
<p>Site B: Trinity Drive</p> <ul style="list-style-type: none"> • 89ha with indicative lot yield of 220-239 lots • Extended ridgeline from Trinity Drive, Goonellabah • The site enjoys good views and aspect to the north • Rezoning application submitted • Site not endorsed for inclusion in draft LEP due to presence of Thorny pea and requirements of DECCW to be satisfied 	
<p>Social well being</p>	<ul style="list-style-type: none"> • Good social connectedness • Poor useable open spaces • Not affordable for many people currently requiring housing • Limited opportunity for recreation areas due to steep terrain • Poor walkability • Good views.
<p>Natural Environment</p>	<ul style="list-style-type: none"> • The site contains a large population of Thorny pea (threatened species), which is scattered over the ridgeline. Two ecologically endangered communities are also located on the site • Vegetation is mostly cleared pasture with some Camphor Laurel regrowth • Vegetation mapping identified dry rainforest, north coast wet sclerophyll forest and coastal valley grassy woodlands on the site • Koala habitat mapped on the site • Rezoning submission proposes measures to conserve areas with conservation significance.

<p>Transport</p>	<ul style="list-style-type: none"> • Initial access to the site is to be provided from Bangalow Road (Lagoon Grass Road) as the existing access from Ballina Road will not be able to accommodate the increase in traffic as a result of the development • The development of the land would provide construction of part of Urban Arterial Road system mostly funded by development as section 79(C) works • Would provide improved access for existing residences in this precinct to the CBD in the morning peak via Bangalow Rd • In the longer term a connection will be required from Woodlawn Avenue to Ballina/Rous Rd intersection and upgrading of this intersection as per the adopted section 94 plan • Public transport is available to the site via a bus route to Bruxner Crescent - Mountain view Drive. This service would need to be extended to incorporate Trinity Drive.
<p>Infrastructure – water, sewer, stormwater</p>	<ul style="list-style-type: none"> • Approx cost of servicing with water (trunk only, excluding reticulation) \$1 million • Given capacity constraints in existing Goonellabah system, servicing with wastewater likely to be through combined wastewater scheme combining Areas A, B, C (&D?) at total cost of \$8 to \$10 million. Cost of servicing A & B alone approx \$7 to \$8 million. If Area B serviced in this manner, logically Area B would only be developed after Area A substantially developed as part of a staged implementation of wastewater scheme. Alternative is to pump to existing Goonellabah system if Southern Trunk Main and other measures can produce sufficient reserve capacity in Goonellabah system to take this additional load • Stormwater issues– proximity to Wilsons River Source but assessment of rezoning submission shows this is able to be resolved.
<p>Market factors/ Demographics/ Employment</p>	<ul style="list-style-type: none"> • Trinity Drive is an area that has performed strongly in terms of land sales • This area has a high level of amenity with quality views and aspect • Likely to be an attractive alternative for the higher end of the market • Area predominately comprised of family households & detached housing • Approximately 6km from the CBD (from Ballina Road) and 4km from the Goonellabah shopping centre • Access to Ballina Road and Bangalow Road provides access to both the CBD and Goonellabah • Would continue urbanisation of northern slopes.
<p>Open Space/ Recreation</p>	<ul style="list-style-type: none"> • Limited opportunity for recreation areas due to steep terrain – rezoning submission includes local parks • Poor walkability.
<p>Site C: Lagoon Grass Road</p> <ul style="list-style-type: none"> • Approximately 90ha with possible 300 lots • Goonellabah – ridgeline running from end of Northcott Drive to Lagoon Grass Road • Prominent ridgeline - expansive rural views • Included in Regional City Plan 2005 and Far North Coast Regional Strategy (30 year timeline) • Lower parts flood prone • No rezoning application – limited information available on this site 	
<p>Social well being</p>	<ul style="list-style-type: none"> • Poor useable open spaces (steep terrain) • Not affordable for many people currently requiring housing • Limited opportunity for recreation areas • Poor walkability • Good views • Some public transport.

Natural Environment	<ul style="list-style-type: none"> • Mapped koala habitat on the site • High conservation value vegetation mapped on the site – category 2: riparian areas • Vegetation mapping identified north coast wet sclerophyll forest, dry rainforest and coastal valley grassy woodlands on the site • The northern portion of the site (low lying land off Lagoon Grass Road) is identified as regionally significant farmland • The northern portion of the site is flood prone • The land is steep in parts and potentially geologically unstable in parts • Buffers to watercourses would be required.
Transport	<ul style="list-style-type: none"> • Road access previously suggested via the existing Deegan Drive and Northcott Drive (1996 study). This would have impacts on the Bruxner Highway and lead to worsening traffic problems at these intersections • There would be limited development potential of this land based on the existing road network (existing intersections on Bruxner highway). This would be determined by more detailed analysis of specific intersections and capacity. An alternative access point would need to be provided to the site. The construction of the Pineapple Road link road and Ballina Rd/Pineapple Rd intersection treatment would overcome this problem • Impacts of traffic noise from new Ring road proposal needs assessment. • A bus service is available in close proximity to this area (James Rd route).
Infrastructure – water, sewer, stormwater	<ul style="list-style-type: none"> • This area would require the construction of two major pump stations plus a gravity trunk main for the provision of sewerage. Adequate water would be available from the existing system.
Market Factors/ Demographics/ Employment	<ul style="list-style-type: none"> • Development of this land would urbanise the rural slopes to the north of the highway and would have visual impacts at one of the main entrance points to Lismore • Anticipated that this area would have a similar market to existing residential development in Northcott, Deegan and Trinity Drive.
Open Space/ Recreation	<ul style="list-style-type: none"> • Limited opportunity for recreation areas due to steep terrain but vehicle access to recreation opportunities in Goonellabah.
<p>Site D: Pineapple Road</p> <ul style="list-style-type: none"> • 150ha (approx) but no detailed investigation into urban lot yield • Adjacent to ‘northern road bypass’ that links Ballina Road to Bangalow Road • Adjoins the urban fringe of Goonellabah • Steep in parts • Major part of the area is in Rural Housing Strategy – for this reason excluded from Urban Strategy • Rural residential rezoning submission on part of the land – 36 rural residential lots. 	
Social well being	<ul style="list-style-type: none"> • The area is adjacent to the Summerland Christian College • Not affordable for many of people currently requiring housing • Poor public transport • Poor walkability • Poor useable open space.
Natural Environment	<ul style="list-style-type: none"> • The land is mostly undulating and cleared. Where it is steep it is potentially unstable • The site contains some class 3 agricultural land. A portion of the land is identified as state significant farmland • Vegetation mapping identified dry rainforest, north coast wet sclerophyll forest and coastal valley grassy woodlands on the site • Koala habitat is mapped on the site.

Transport	<ul style="list-style-type: none"> • The intersection of Pineapple Road and Bruxner highway is a current limitation to urban development in this area. A link road is proposed from Pineapple road to Bangalow road, but until this connection is constructed there will be implications for urban development of land in this area • The RTA supports the existing rural residential proposal only • There is no current bus service to Pineapple Road. A bus service operates to Daniel Drive and this service may be extended to the Pineapple road area • Noise impact from new Ring road proposal would require further assessment.
Infrastructure – water, sewer, stormwater	<ul style="list-style-type: none"> • Wastewater services could only be provided to the site once the Southern Trunk Main has provided additional sewerage capacity • Water supply will be provided by an extension and augmentation of the existing water reticulation network.
Market Factors/ Demographics/ Employment	<ul style="list-style-type: none"> • The land is currently identified for rural residential development and it is anticipated that the nature of development in this area would be low density residential • The site is approximately 4km from the Goonellabah shopping centre and is within close proximity to Centenary Drive Industrial estate • This area is the furthest away from the CBD (approximately 10km) and forms the fringe of the urban area of Goonellabah.
Open Space/ Recreation	<ul style="list-style-type: none"> • Poor useable open spaces • Close to the Goonellabah Sports and Aquatic Centre.
<p>Site E: Chillcotts Grass</p> <ul style="list-style-type: none"> • Approx 22 ha with indicative lot yield of 113 lots • Chillcotts Grass – adjacent to ‘City Acres’ • Bounded by Tucki Creek, the site enjoys a pleasant rural outlook. • Forms extension of existing urban area to the north. • Rezoning application submitted 	
Social well being	<ul style="list-style-type: none"> • Poor public transport • Poor community facilities • Close to Goonellabah shops and recreation centre • Poor walkability.
Natural Environment	<ul style="list-style-type: none"> • The land is gently undulating with mostly cleared pasture and Camphor Laurel regrowth • Koala habitat is mapped on the site along with coastal valley grassy woodlands, dry rainforest and north coast wet sclerophyll forest • The land is mapped as regionally significant farmland and contains some class 3 agricultural land • Tucki Creek reserve will be extended with buffer and vegetation regeneration.
Transport	<ul style="list-style-type: none"> • Access to the site proposed via George Drive and Willowtree Drive. Traffic would utilise the existing road network. Upgrading of McIntosh Drive for bus pick/up setdown and on street parking would be required due to its narrow pavement width • No public transport services in the area. This is due to the location of the site on the urban fringe (adjacent to rural residential development).
Infrastructure – water, sewer, stormwater	<ul style="list-style-type: none"> • Proposed development would require significant water and sewer augmentation works in order to service the land • The development of a servicing strategy for the proposed development can proceed within likely timeline for rezoning and subsequent development approval.

Market Factors/ Demographics/ Employment	<ul style="list-style-type: none"> • The site is in close proximity to services in Goonellabah, in particular the Goonellabah shopping centre and centenary drive industrial estate • The site is approximately 9km from the CBD and forms the south-eastern fringe of the urban area • The area does not enjoy high quality views and aspect but should be well positioned to provide more affordable allotments which has traditionally represented a significant component of the residential market in Lismore • Envisaged that the Chilcotts Grass area would attract family households.
Open Space/ Recreation	<ul style="list-style-type: none"> • An opportunity for extending the existing Tucki Creek open space corridor and walking track network into the area to service the needs of new and existing residents – proposed in rezoning submission.
<p>Site F: Invercauld Road</p> <ul style="list-style-type: none"> • 59.7ha with estimated 265 lots. • Southern end of Invercauld Road, Goonellabah • Gently sloping south and south/east facing land - bordering koala habitat • Eastern part of site has high habitat and conservation value. This area separates the site from existing development in Julie Crescent/Stevenson Street. • Rezoning application submitted 	
Social well being	<ul style="list-style-type: none"> • Poor community infrastructure • The area has poor walkability • Probably affordable • Good views/amenity.
Natural Environment	<ul style="list-style-type: none"> • Most of the land has been cleared however it borders primary koala habitat to the east, south and west. The site also supports scattered mature habitat trees as well as some significant isolated rainforest trees • Vegetation mapping identified dry rainforest, coastal valley grassy woodlands, eastern riverine forests and north coast wet sclerophyll forest on the site • On the eastern boundary there is an un-named creek, which flows to Monaltrie creek and Wilsons River. The upstream catchment of un-named creek is approximately 3km² • Rezoning submission proposes protection of the areas of high conservation significance – would be zoned appropriately.
Transport	<ul style="list-style-type: none"> • Access to the site would be achieved from the end of Invercauld Road, however the road network servicing future lots would need to address existing issues with the intersections of Invercauld Rd and Cynthia Wilson Drive and Invercauld Rd and Ballina Rd, width of Dalley St and Dalley St/Wyrallah rd intersection • The above road limitations may be addressed by the construction of the urban arterial link roads that connect Invercauld road to Skyline road to the east and Skyline road to the west • An existing bus service operates in Invercauld Road.
Infrastructure – water, sewer, stormwater	<ul style="list-style-type: none"> • Provision has been made for the servicing of this land with Council's Strategic Business Plan for Water Supply and Wastewater Services. Water supply is able to be provided by an extension and augmentation of the existing water reticulation network. Wastewater services are to be provided by the proposed Southern Trunk Main.
Market Factors/ Demographics/ Employment	<ul style="list-style-type: none"> • This area is characterised by family households, with housing stock predominately consisting of detached dwellings but with some medium density development • This area is close to the university and Lismore High School and may be a desirable area for families and students • The site is close to retail, community and industrial development in Goonellabah • The land is approximately 6km from the CBD.
Open Space/ Recreation	<ul style="list-style-type: none"> • Local parks would be provided as part of overall development of the site • Land along and including the un-named creek proposed to be protected.

Site G: SCU Land (Crawford land) <ul style="list-style-type: none"> • 74ha owned by SCU estimated 180 dwellings • East Lismore bounded by Crawford Road, Military Road and Skyline Road • Mixed Use Development Site – approx 4km from CBD • Rezoning application, master plan prepared, 15 ha in Mixed Use zone • Potential flooding in the south western corner • Currently zoned Special Use (Technology Park) and Dept of Planning advised this zone will not be used in the standard template. Therefore, mixed use zoning proposed. • Rezoning application submitted. 	
Social well being	<ul style="list-style-type: none"> • Probable good affordability • Potential for good social connectedness • Good parks/recreational facilities • Close to uni, school and hospital (private) • Good transport.
Natural Environment	<ul style="list-style-type: none"> • High conservation value vegetation is mapped on the land – category 2: riparian areas • Koala habitat is mapped on the eastern boundary currently zoned for environmental protection, which will remain • Vegetation mapping identified dry rainforest, coastal valley grassy woodlands and north coast wet sclerophyll forest on the site • A permanent (un-named) creek is located on the site and flows some 4km southwest to the Wilson's River • Three intermittent gullies traverse the 'Crawford' land from east to west draining the land and bushland and urban development to the east • Part of the 'Crawford' land is identified as flood prone land. The low lying flood prone area is classified as class 3 agricultural land.
Transport	<ul style="list-style-type: none"> • Access to the land would be via the existing road network to Crawford Road (Crawford Road would require upgrading) • The land is well located for public transport, due to its proximity to the hospital and university. The area is serviced by two existing bus routes; these services would need to be extended to incorporate the whole development site • Located on proposed 'Link Rd' to SCU • Will have similar issues to Invercauld Rd in some regard and would be required to address adequacy of Dalley St, Dalley St/Wyrallah Rd intersection, Cynthia Wilson/Invercauld Rd intersection and Invercauld Rd/Balina Rd intersection • Would benefit from construction of Skyline Rd/Invercauld Rd/Skyline Rd link and/or Skyline Rd/Crawford Rd Urban link road.
Infrastructure – water, sewer, stormwater	<ul style="list-style-type: none"> • Provision has been made for the servicing of this land with Council's Strategic Business Plan for Water Supply and Wastewater Services. Water supply is able to be provided by an extension and augmentation of the existing water reticulation network. Wastewater services are to be provided by the proposed Southern Trunk Main.
Market Factors/ Demographics/ Employment	<ul style="list-style-type: none"> • The land is approximately 4km from the Lismore central business area and 1km south of the main Lismore Campus of SCU • The land is in close proximity to the university, Wyrallah road shopping centre and the CBD. The area is also close to industrial land on Wyrallah and Skyline Road • The site will support mixed use development which will create employment opportunities for local residents and wider economic growth for the area.
Open Space/ Recreation	<ul style="list-style-type: none"> • The land is next to Wade Park • The development of this land would result in a large area of recreation and open space (on the flood affected land).

Site H: Monaltrie	
<ul style="list-style-type: none"> • 150ha (approx) + 40ha • Durham Road to Monaltrie Lane • North/west facing slopes – approx 5km south of CBD. • No rezoning application. 	
Social well being	<ul style="list-style-type: none"> • Proximity of the site to the sewerage treatment works, rifle range and garbage tip • Isolated from existing urban residential areas • Limited opportunities for social connectedness • Poor public transport.
Natural Environment	<ul style="list-style-type: none"> • Vegetation is mainly cleared pasture but the site contains significant koala habitat (core habitat) • Vegetation mapping identified dry rainforests, coastal valley grassy woodlands, north coast wet sclerophyll forests, eastern riverine forests and northern hinterland wet sclerophyll forests on the site • The site contains some class 3 agricultural land • The low lying areas of the site are flood prone.
Transport	<ul style="list-style-type: none"> • Access to the area is by Wyrallah Road or Skyline Road and evacuation route available in flood • Would utilise the Skyline Rd urban arterial Rd, which has already been constructed • Would achieve benefit from Crawford Rd/Skyline Rd link Rd and Skyline Rd/Invercauld/Skyline Rd urban arterials but not considered necessary for development • No bus service is currently available to this area. A bus service operates in Wyrallah Road and this route could be extended to service a new population in this area.
Infrastructure – water, sewer, stormwater	The area can be serviced by the Southern Trunk Main. With respect to water the area would ideally have a reservoir but no site with the required elevation has been identified.
Market Factors/ Demographics/ Employment	<ul style="list-style-type: none"> • When the Urban Strategy was prepared the area had low ranking in terms of market demand. Recent information provided shows some market interest but not clear whether this is in urban development • The area is close to Wyrallah road shopping centre and is located approximately 5km from the CBD • The area is also well positioned in relation to the university, private hospital and the proposed mixed use development on the Crawford land • Potential conflicts between agriculture and residential.
Open Space/ Recreation	<ul style="list-style-type: none"> • Access to open space and recreation opportunities limited.
Other	<ul style="list-style-type: none"> • Desktop only - no recent investigations done • Access out available during a flood.

Increase Residential Densities – Existing Lismore urban area	
<ul style="list-style-type: none"> • ‘Shop-top housing’, infill, resubdivision and mix used redevelopment near urban attractors such as parks, hospitals, university. • Limited sites currently available. • Flooding, heritage item/conservation areas and small lots are existing constraints in areas closest to commercial and community services. 	
Theme	Comments
Social well being	<ul style="list-style-type: none"> • More diverse housing stock allows people to ‘age in place’ • Perceptions of crime need to be addressed.
Natural Environment	<ul style="list-style-type: none"> • Expect limited ecological values in established urban areas but need to acknowledge hazards – particularly flooding in CBD and land east up to Diadem Street.
Transport	<ul style="list-style-type: none"> • Could strengthen public transport usage; otherwise could result in increased parking demands/conflicts/complaints.
Infrastructure – water, sewer, stormwater	<ul style="list-style-type: none"> • Capacity of water and sewerage systems would require further investigation. Effect on storm water run off and quality may need site by site analysis.
Market Factors/ Demographics/ Employment	<ul style="list-style-type: none"> • Historically a low market. Existing residential zoning allows a variety of housing but it has not been achieved. Small lot sizes in areas close to CBD could inhibit the achievement of higher densities • Incentives needed for development and purchase of higher housing density development • Could reduce journey to work and increase use of CBD including after hours • Health, retail and education are largest employment sectors with highest growth in retail. Therefore, proximity to the CBD area and existing urban areas an advantage.
Open Space/ Recreation	<ul style="list-style-type: none"> • Amenity improvements to CBD area needed • Close proximity to regional city parks.
Other	<ul style="list-style-type: none"> • There is no current information on capacity. The 1996 Urban Development Strategy identified ‘CBD infill’ as a priority depending on development of incentives. Also identified need for ongoing program of studies to identify potential infill areas, promotion of attractive infill, support for amalgamation of parcels, complementary Council activities such as retrofitting landscaping/streetscaping improvements. However, there have been limited resources to prepare programs and studies • Requires further work to ensure goals are achievable.

Attachment 3 – Capacity of Goonellabah Sewerage System and Options to Address Capacity Constraints

1.0 Background

Concerns over a possible lack of capacity within the existing Goonellabah sewerage system have been growing over the past year. These concerns first came to light following the developers of the Waterford Park Estate approaching Council with a proposal to construct a new sewage pump station to serve the latter stages of their development, serving approximately 270 additional lots, and discharge this load to the catchment of the adjoining Kadina Street sewage pump station. An initial analysis was undertaken by Council staff at this time which indicated that the Goonellabah sewerage system was overloaded and did not have any reserve capacity to cater for new development.

Since this initial analysis, further analysis has been completed allowing a more comprehensive assessment of the capacity of the Goonellabah system to be undertaken. This report provides a summary of analysis undertaken to date and outlines a strategy to address existing shortcomings within the Goonellabah sewerage scheme highlighted by this analysis.

2.0 Analysis of Capacity of Goonellabah Sewerage System

A total of three separate analyses of the existing Goonellabah sewerage system have now been undertaken. Two of these have considered an analysis of key gravity trunk mains within the system, while all three have considered the capacity of existing sewage pump stations. Details of each of these analyses was provided to Council at its workshop on 19 October 2009.

The presentation to the above workshop included an overview of the Goonellabah sewerage system, including an explanation of the 'cascading' effect which results when the sewage pump station draining a given catchment, discharges to the catchment of an adjoining pump station. This results in the situation where the ability to service development in a given catchment may be determined by the capacity of sewerage infrastructure located a considerable distance outside the catchment.

A plan of the Goonellabah sewerage system showing the location and numbering of individual pump station catchments is attached as Appendix A. A schematic of the sewerage system is also attached as Appendix B, which indicates the relationships between pump station catchments (i.e., the cascading of flows from one catchment to another referred to above). The meaning of this schematic was explained to Council at the workshop mentioned above.

Throughout the remainder of this report the term SPS refers to a sewage pump station with details of the designated number and location of the pump station following [e.g., SPS 16 (Wade Park) refers to Sewage Pump Station No. 16, which is located at Wade Park].

The results of each analysis vary slightly from each other, but a general consistency of results was obtained throughout this process. The key results of this analysis are:

- Several existing pump stations are already overloaded. Generally, these pump stations are of less relevance as there is limited potential for further development of their respective catchments.
- There is only limited reserve capacity in the majority of remaining pump stations. This includes all the pump stations relevant to the further development of the eastern portion of the Goonellabah catchment, where the majority of future development within Goonellabah is likely to occur. The relevant pump stations are SPS 16 (Wade Park), SPS 17 (Kadina Street), SPS 18 (Just Street) and SPS 19 (Allambie Drive).
- With the exception of SPS 16, the limited reserve capacity available in the 'critical' pump stations listed above will be fully utilised once staged developments which already have development consent (such as Waterford Park), are completed. This places a constraint on any further development within Catchments 17, 18 and 19 apart from those developments which have already obtained development consent. In the case of SPS 16, only a very limited reserve capacity will be available once these developments are completed. This places a general constraint on any development elsewhere in

Goonellabah, as SPS 16 is responsible for draining the entire catchment;

- The few pump stations which have sufficient capacity to cater for future development of their catchments are all constrained by a lack of capacity in downstream pump stations.
- There are several points on the existing Northern Trunk Main where capacity constraints are already evident. [The Northern Trunk Main is an existing major gravity trunk sewer which drains development of the northern ridges and also receives pumped flows from the eastern portion of the Goonellabah catchment. Its location is shown on the attached schematic referred to previously.] The completion of staged developments which already have development consent will only lead to further stress on this main. This places a general constraint on further development of the northern ridges and the critical eastern catchments where lack of pump station capacity is already a constraint.

In summary, once existing developments such as Waterford Park are completed, further development of the eastern catchments will be constrained both by a lack of capacity in relevant pump stations and also in the northern trunk main. Further development of the northern ridges and related catchments is constrained by the lack of capacity in the northern trunk main and, in several catchments, by a lack of pump station capacity also.

The only portion of the Goonellabah catchment which appears to have any development potential; (once existing developments are completed); is the south-western part of the Goonellabah catchment; in the vicinity of Invercauld Road and Cynthia Wilson Drive. This area relies on a trunk gravity main located in Cynthia Wilson Drive, rather than the northern trunk main, to gain access to SPS 16. Consequently, this area is not subject to capacity constraints on the northern trunk main or the capacity of sewage pump stations apart from SPS 16. Development potential for this area is still limited by the capacity of SPS 16. Once existing developments are completed, there will only be limited capacity left in SPS 16 to support development of this area.

In conclusion, apart from the limited capacity for development of the south-western portion of the catchment as outlined above, the existing sewerage system does not have any reserve capacity to service further development of the catchment once existing developments are completed.

3.0 Determination of Preferred Solution

There are several possible options available to address the lack of capacity in the Goonellabah sewerage system as follows:

3.1 Inflow/Infiltration Reduction

Measures aimed at reducing inflow and infiltration rates to the sewer can provide a cost-effective alternative to costly capital upgrades. Such an approach seeks to reduce sewer loads to match capacity; rather than adopting the approach of increasing capacity to match the load. Techniques and options available under such a strategy include:

- the use of smoke testing, site plumbing inspections and CCTV inspections to identify localised problems, followed by undertaking relevant remedial work. This approach can bring significant results in the short term on a local basis; and/or
- asset renewal programs to systematically replace or renew ageing assets. Such programs generally seek incremental improvement over an extended period of time. (The two approaches can work hand in hand, where asset renewal priorities may be determined using information gained from local investigations).

Lismore City Council already has programs in place which adopt both of these approaches and these will continue. However, resulting short to medium term improvements are unlikely to be sufficient to address existing capacity constraints in the Goonellabah system. Reasons for coming to this conclusion include:

- there is a finite limit to reductions in total flow achievable through reductions in inflow/infiltration, as the base domestic load to sewers remains unchanged by reductions in inflow/infiltration. The base

- domestic load itself is a significant component of total flows;
- furthermore, due to the principle of diminishing returns, there is also a practical limit to reductions able to be achieved as, beyond a certain point, the cost of pursuing further reductions exceeds the likely benefits gained;
 - seeking to achieve significant reductions in inflow/infiltration in the short to medium term through an accelerated program of asset renewals; (i.e. attempting to achieve a wholesale renewal of infrastructure within the catchment in a limited period of time); would be costly compared to other alternatives listed above, such as capital upgrades.

Another important consideration here is to understand the methods of analysis outlined in the previous section. All of these involved the use of various means to calculate theoretical values of the load placed on the system, based on catchment characteristics. This theoretical load is then compared to the design capacity of the system to determine if any reserve capacity is available. All these methods involve the calculation of likely inflow and infiltration to the sewer, based on typical sewer behaviour. (The alternative would be to determine loads based on actual flow measurements undertaken during major wet weather events, which would be both costly and time consuming). Consequently, all the analysis undertaken involved an assumption of 'normal' inflow and infiltration to the sewer.

The implications of this are that, even if a concerted program of smoke testing and CCTV inspections were undertaken and a high level of inflow/infiltration was identified and addressed, this may simply be an indication that conditions were worse than originally assumed. In such a case, any resulting improvements may only reduce inflow/infiltration from values which were higher than had been assumed back to values approximating the 'normal' conditions assumed in original calculations.

Considering the above, in the short to medium term it is unlikely that implementing a program to reduce inflow and infiltration is likely to reduce loads significantly enough to address existing capacity constraints within the Goonellabah system.

3.2 Upgrading of Existing System

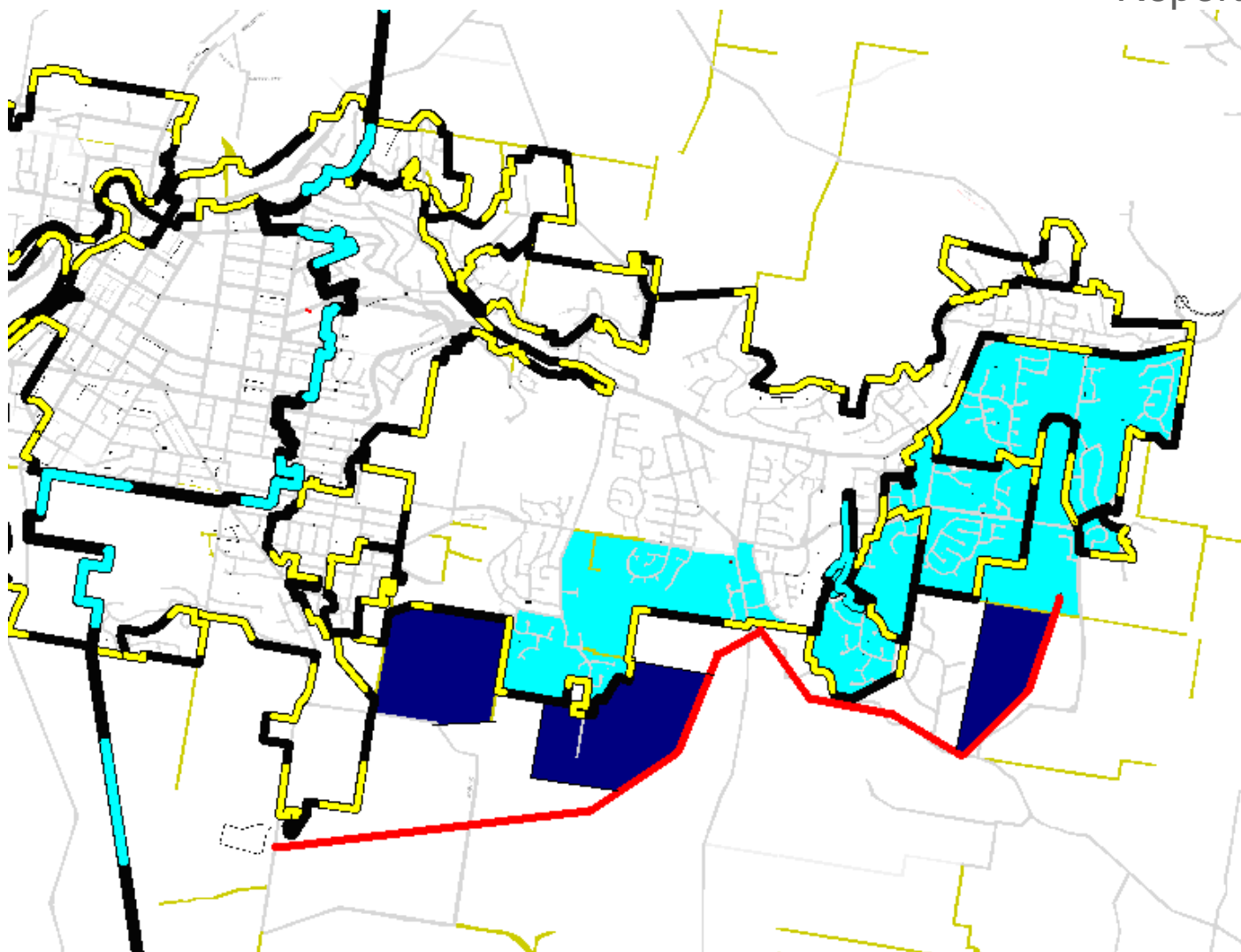
Seeking to upgrade the capacity of the existing system is a feasible solution. However such options are extremely costly, particularly given the high cost of seeking to augment or replace the existing northern trunk main.

Such a solution is also relatively ineffective, in that it only addresses the lack of capacity in the existing system yet does little to provide additional capacity for development of new urban release areas in the future. In comparison, alternative solutions such as the Southern Trunk Main outlined below address both existing capacity deficiencies, in addition to the provision of additional capacity for future development, at a comparable cost.

Consequently, seeking to upgrade the capacity of the existing system is not considered to be a cost-effective solution.

3.3 Southern Trunk Main

The Southern Trunk Main is a proposed wastewater infrastructure project included within the future capital works program listed within Council's Strategic Business Plan for Wastewater Services. The current version of the Strategic Business Plan proposes that construction of this project be undertaken in stages over the next nine years. This proposed infrastructure project is illustrated below.



The Southern Trunk Main, shown as a red line in the illustration above, is a series of proposed new gravity trunk mains, sewage pump stations and rising (pumped) mains. The areas in dark blue represent the new urban release areas; of the SCU/Crawford Land, Invercauld Road and Chilcotts Grass; which would be served by the Southern Trunk Main. Areas shown in light blue indicate portions of the existing Goonellabah catchment which could be diverted to the Southern Trunk Main.

The Southern Trunk Main has the following advantages:

- it provides additional capacity to serve the three new urban release areas listed above (shown in dark blue above);
- diversion of portions of the existing Goonellabah sewer catchment, (shown in light blue above), to the Southern Trunk Main would relieve pressure on the existing northern trunk main and SPS 16 (Wade Park). This would effectively remove all significant capacity constraints on the remaining, undiverted portion of the Goonellabah system. This may also produce sufficient reserve capacity to allow future urban land release areas located to the north, such as Trinity Drive, to connect to the existing system in the future. (This will be the subject of future analysis);
- the diversion of existing development at Waterford Park and Blue Hills Estate direct to the Southern Trunk Main would relieve pressure on SPS 17 (Kadina Street) and SPS 19 (Allambie Drive);
- diversion of existing eastern catchments would lead to improvements in the rated capacity of existing pump stations due to improvements in the static pressure being pumped against. This would lead to further relief of SPS 17, SPS 19 and relief to SPS 18 (Just Street) and SPS 22 (Oliver Avenue);
- construction of the Southern Trunk Main would allow decommissioning of the existing SPS 25 (Blue Hills Avenue) and SPS 28 (Rous Road).

3.4 Northern Alternative to the Southern Trunk Main

A possible alternative solution to the Southern Trunk Main is the provision of a new infrastructure project to the north of Goonellabah. This would provide additional capacity to service proposed urban release areas to the north, such as Trinity Drive, but would also provide the opportunity for part of the existing northern trunk main, and its associated catchments, to be diverted to this new northern wastewater infrastructure. This would provide relief to the remaining section of the northern trunk main and SPS 16. Further details of this proposal, including a schematic of the scheme, were provided to Council during the workshop on October 19, 2009 referred to previously.

Such a proposal has some validity. However, when compared with the proposed Southern Trunk Main, it has the following disadvantages:

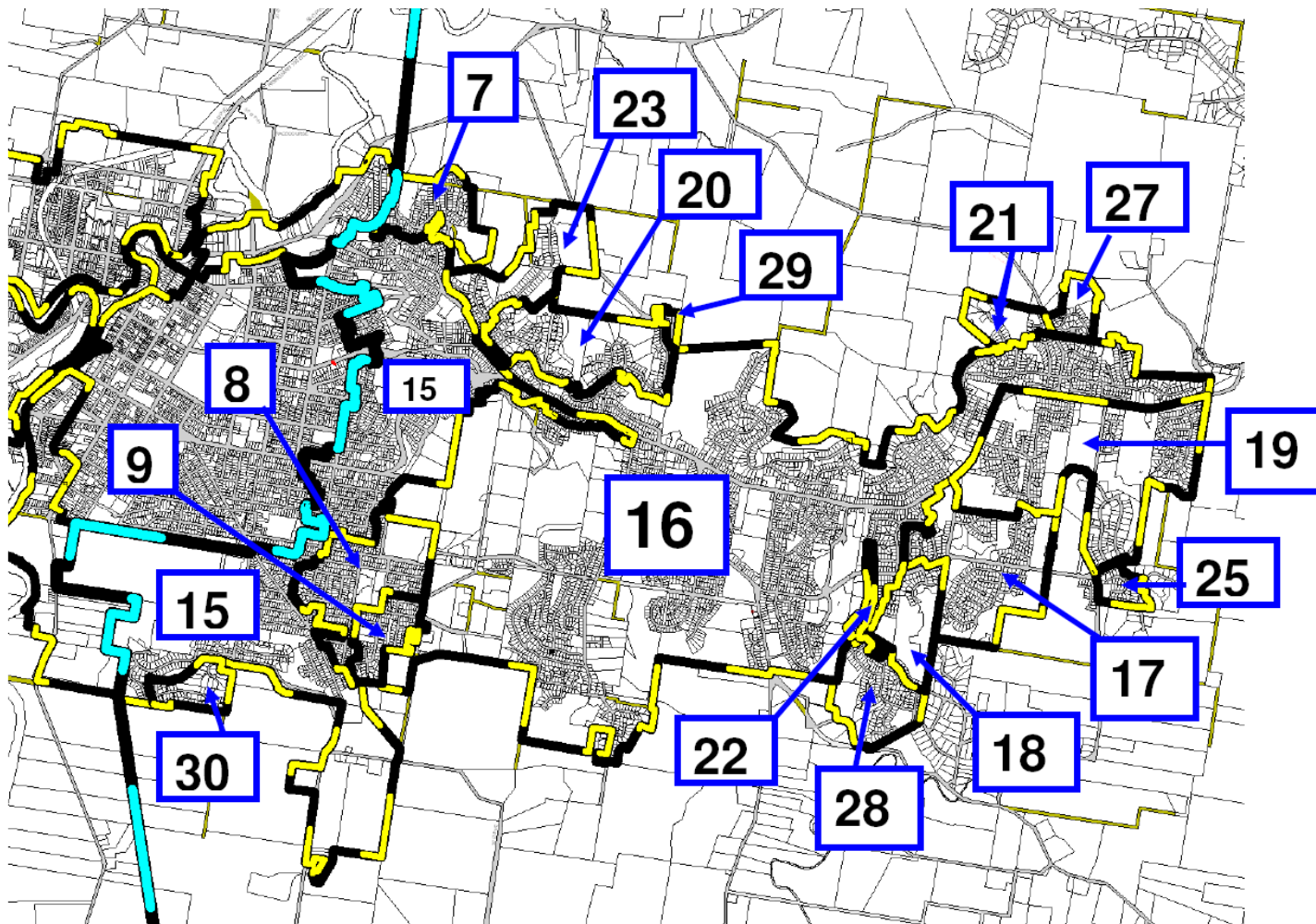
- while it provides relief to the existing northern trunk main and SPS 16 it does nothing to relieve pressure to the key pump stations in the eastern Goonellabah catchments (i.e. SPS 17, SPS 18, SPS 19, SPS 22 and SPS 28). Further development of these critical catchments would still be constrained by a lack of local sewer capacity;
- the relief to SPS 17 and SPS 19, gained through the diversion of Waterford Park and Blue Hills Estate direct to the Southern Trunk Main, would be forfeited. Similarly, other improvements to pump station performance gained through diversion of the eastern pump stations would be forfeited;
- decommissioning of SPS 25 and SPS 28 would not be possible.
- this proposal would involve diversion of load from the East Lismore Sewage Treatment Works to the South Lismore Sewage Treatment Works. The East Lismore Sewage Treatment Works has sufficient spare capacity to take this load. In comparison, adding load to the South Lismore Sewage Treatment Works would be likely to bring forward the planned upgrade of this plant with associated significant cost;
- the northern alternative is a more costly solution than the Southern Trunk Main.

Pursuing such an option would only be justifiable if it were planned to proceed with new urban land release areas in the north, such as the North Lismore Plateau and Trinity Drive, prior to release of urban release areas in the south. However, such a strategy is inconsistent with the Lismore Urban Strategy, the draft Local Environmental Plan and does not address the lack of sewerage capacity in Goonellabah. It is also more costly when the provision of all necessary infrastructure; such as roads, water and wastewater; is considered.

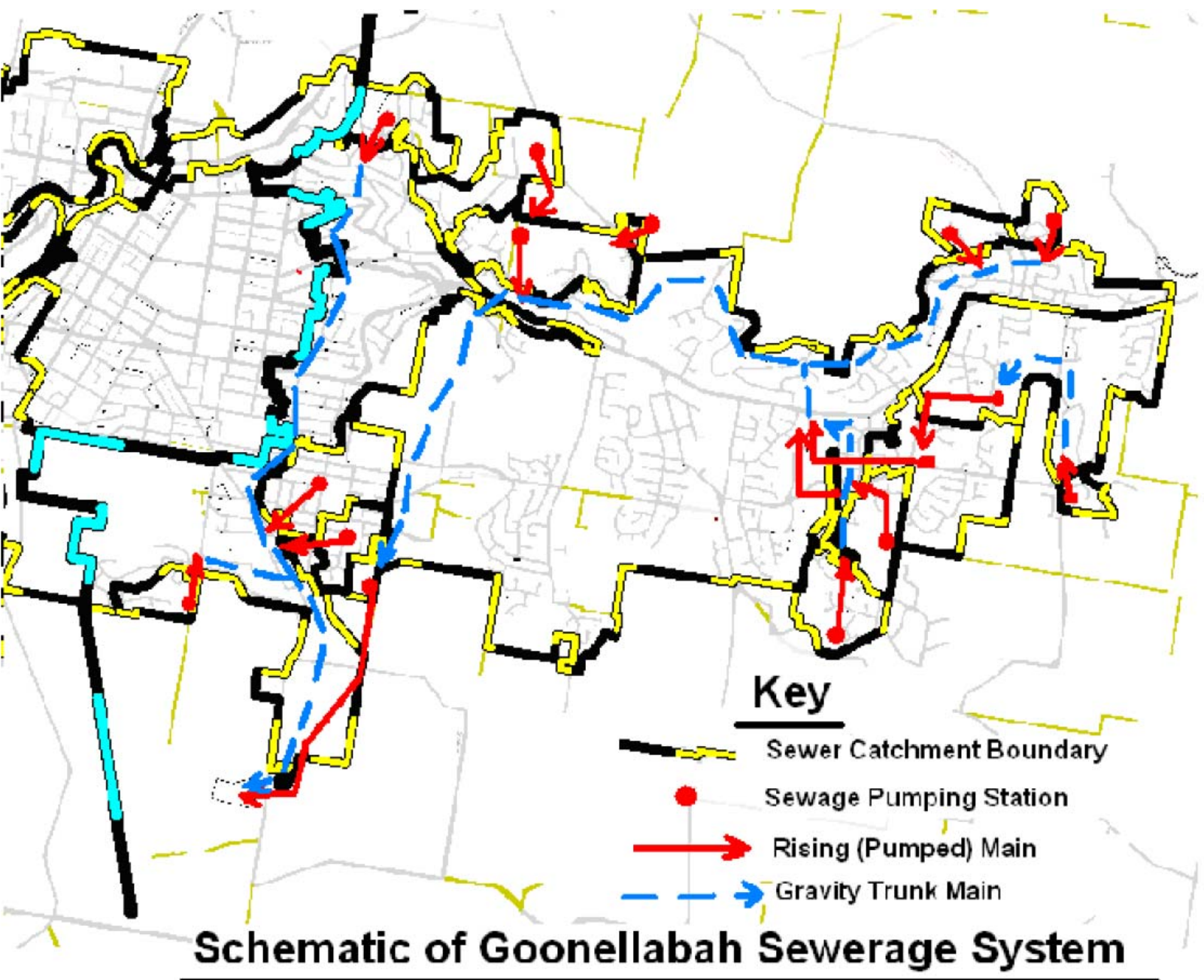
3.5 Preferred Option

Considering the above, construction of the proposed Southern Trunk Main is considered to be the optimal and most cost effective solution to address existing capacity constraints in Goonellabah and also provide additional capacity to service new development in the medium term.

Appendix A



Plan of Goonellabah Sewerage System Showing Location & Numbering of Sewer Catchments



Report

Subject	Clunes Wastewater Scheme and Southern Trunk Main
File No	EF09/2408;EF09/2511;EF09/1700:ED09/18797
Prepared by	Strategic Engineer – Water & Wastewater
Reason	Orderly planning of wastewater infrastructure to cater for existing and future development.
Objective	To obtain a resolution from Council to amend the Strategic Business Plan for Wastewater to bring forward construction of the proposed southern trunk main and delay the proposed Clunes Wastewater Scheme by two years.
Strategic Plan Link	Integrated Water Cycle Management
Management Plan Project	Wastewater Services

Overview of Report

A separate report in this business paper outlines the results of a review of Council's urban strategy, including recent analysis to determine the capacity of the existing Goonellabah sewerage system. One of the conclusions of this previous report was that construction of the proposed southern trunk main be brought forward to address a lack of capacity in the existing Goonellabah sewerage system.

The implementation of the above recommendation necessitates a revision of Council's *Strategic Business Plan for Water Supply and Wastewater Services*. The current report outlines financial modelling of the necessary amendments to the Strategic Business Plan, which indicates that bringing forward the southern trunk main can only be achieved in a financially responsible manner if commensurate measures are taken to forestall capital expenditure otherwise planned during the same period. The report concludes that delaying the proposed Clunes Wastewater Scheme for two years is the most appropriate adjustment to the Strategic Business Plan which would enable fast tracking of the southern trunk main project.

The report also summarises the results of a recent survey of the performance of existing on-site wastewater treatment facilities within Clunes. This survey indicates that on-site treatment facilities can adequately be managed during the proposed delay to implementation of the Clunes project, without risk to public health or without significantly adding to environmental risks during this period. Details are also provided of public consultation undertaken to date and submissions received from residents at Clunes.

The recommendation of the report is that Council endorse a proposed amendment to the Strategic Business Plan for Wastewater involving bringing forward the construction of the southern trunk main as soon as is practicable and delaying construction of the proposed Clunes Wastewater Scheme by two years. It is further recommended that levying of the Clunes Sewer Charge, currently paid by landholders in Clunes, be suspended for a minimum of two years and that this year's charge be written off from the rates account of affected properties.

Background

Concerns over a possible lack of capacity within the existing Goonellabah sewerage system have been growing over the past year. A separate report in this business paper outlines analysis undertaken to determine the capacity of the Goonellabah sewerage system and options to address identified shortcomings in the capacity of this system. One of the recommendations of this separate report is that, given the urgent need to address capacity constraints in Goonellabah, construction of the southern trunk main be brought forward and fast tracked to achieve completion of this project as soon as practicable. This will require a review of Council's current *Strategic Business Plan for Wastewater Services*.

Modelling of Financial Impacts

The need has been identified to fast track construction of the proposed southern trunk main, however, doing so involves bringing forward several years approximately \$7 million of capital expenditure. This has a significant impact on Council's current *Strategic Business Plan for Wastewater Services*.

Financial modelling has been undertaken by Council's Finance Section to determine the impacts of bringing forward this expenditure, whilst also keeping the remainder of the capital works program proposed within the Strategic Business Plan unchanged. The conclusion of the analysis is that this proposed change to the capital works program cannot be undertaken in a financially responsible manner unless a commensurate amount of expenditure otherwise planned for the same period is delayed. A delay of the proposed Clunes Wastewater Scheme is considered the only feasible means by which this can be achieved. Further financial modelling indicates that delaying the Clunes scheme by two years is sufficient to reduce financial risks to an acceptable level. Further details of financial modelling undertaken and the results of this analysis, are provided within Financial Services' comments to this report, located below.

Consequently, the proposed fast tracking of the southern trunk main will necessitate delaying the Clunes Wastewater Scheme by two years. Both these changes to Council's capital works program would be incorporated into the necessary review of the *Strategic Business Plan for Wastewater Services* previously recommended within this report. Following proposed changes, completion of the Clunes Wastewater Scheme would be delayed until the 2014/15 financial year.

Given the delay in implementing the Clunes Wastewater Scheme, it is considered reasonable to suspend levying of the Clunes Sewer Charge, currently paid by landholders in Clunes, for a minimum of two years and this year's charge be written off from the rates accounts of affected properties.

Consideration of Possible Delay of Clunes Project

The proposed delay to constructing the Clunes Wastewater Scheme, referred to above, has the potential to lead to public health and environmental risks. These risks need to be assessed prior to a decision to delay the Clunes project being confirmed. The need to consult with community members is also addressed within the section of this report titled Public Consultation. This includes a summary of submissions received from community members.

A recent survey of existing on-site wastewater treatment facilities located in Clunes has been undertaken by Council's On-site Sewage Management Officer. The purpose of this survey was to assess the performance of existing on-site systems to determine potential public health and environmental risks associated with the proposal to delay construction of the Clunes Wastewater Scheme, and to determine if these risks can be adequately managed during the period of this delay.

A report on the results of the above survey is attached to this report as Appendix A. The key findings of this survey are summarised below.

A total of 198 on-site sewage management systems (OSMS) at Clunes were inspected during the survey. Of these:

- 19 systems (10%) were identified as 'crucial failures' and require immediate remediation to eliminate a potential threat to public health;
- a further 34 systems (17%) were identified as 'potential failures'. Typically this refers to properties currently diverting grey water to surface application to relieve pressure on the absorption trench, or properties with an undersized land application area (LAA) or inadequate area to provide a reserve LAA if required;
- the remaining 145 systems (73%) were deemed to be satisfactory. Of these, a small percentage (10 systems or 5%) were identified as requiring minor repairs and were identified as 'technical failures'.

Subsequent discussions with Council's On-Site Sewage Management Officer indicate that approximately half of properties identified as 'crucial failures' could have the OSMS remediated at minimal cost through planting of appropriate grass species within the LAA. The remainder of 'crucial failures' are likely to require construction of a new absorption trench. Many of the systems identified as 'potential failures' would also benefit from planting of appropriate grass species within LAAs.

Considering the above information, it is concluded that on-site treatment facilities in Clunes can adequately be managed during the proposed delay to implementation of the Clunes project without risk to public health or without significantly adding to environmental risks during this period.

Comments

Financial Services

Financial modelling has been undertaken on the following options:

- Option 1) Southern Trunk Main (STM) brought forward to 2010/11 and deferment of the Clunes Wastewater Scheme (CWS) until 2014/15.
- Option 2) Southern Trunk Main brought forward to 2010/11 with no deferment to other capital works.

Strategic Business Plan for Wastewater Services

The *Strategic Business Plan for Wastewater Services* was last updated as part of the 2009/10-12 Management Plan. Both the STM and CWS were included but not as proposed by Options 1 or 2. As Wastewater Services is a 'user pays' service, typical user charges are required to be set to fund all works and services. For residential charges, a charge of \$545 was adopted for 2009/10 and this is required to be increased to \$595 +CPI (2010/11) and \$645 +CPI (2011/12) to fully implement the current Strategic Business Plan.

Residential Charges

The options were assessed for their impact on residential charges. The impact on residential charges for each option compared to the current Strategic Business Plan is summarised in Table 1.

Table 1: The impact on residential charges:

	<u>2009/10</u>	<u>2010/11</u>	<u>2011/12</u>
Strategic Business Plan	\$545	\$595*	\$645*
Option 1)	\$545	\$595*	\$645*
Option 2)	\$545	\$605*	\$675*

* CPI is to be added

The current Strategic Business Plan includes works for the CWS which are equivalent in value to the STM. By bringing works forward for the STM and deferring the CWS (Option 1), no additional increase in residential charges other than that already required to fully implement the current Strategic Business Plan is required.

Should works be undertaken concurrently (Option 2), Council would be required to increase residential charges by \$10 in 2010/11 and \$30 in 2011/12 to that already required to fully implement the current Strategic Business Plan.

Cash Flow

The result of adopting either Options 1 or 2 will be to bring forward these major capital works from that planned in the current Strategic Business Plan. The current Strategic Business Plan anticipates \$14M to be spent over eight years; Option 1 does this over six years and Option 2 does this over four years.

For Options 1 or 2 to proceed, Council will need to borrow earlier than planned. This will result in loan repayment costs that need to be funded earlier. In the case of Option 1, it is anticipated that these cash outlays for loan repayments can be offset by maturing investments and the repayment of internal loans. In the case of Option 2, only a part offset can be achieved.

As has been previously reported, Council's cash flow has been negatively impacted by a number of factors including the Global Financial Crisis with a number of investment products unable to be realised in the short to medium term, and internal loans being extended to medium rather than short terms. Cash flow projections for the whole of Council indicate that the level of short term cash available is not sufficient to undertake all the planned works at once.

Based on both the impact on residential charges and cash flow, Option 1 - Southern Trunk Main (STM) brought forward to 2010/11 and deferment of the Clunes Wastewater Scheme (CWS) until 2014/15 is recommended.

Clunes Sewerage Charges

Council introduced a charge for Clunes sewerage in 2007/08. The charge has generated \$164,000 in revenue and the 2009/10 charge is \$400 per property. To progress the CWS, a total of \$1.7 million has been expended and a subsidy of \$256,000 received from the State Government. The difference between total costs and total revenues has been funded by all other wastewater users.

The report recommends that the 2009/10 charge of \$400 per property be written off and the charge be suspended for a two year period. If approved, this will result in revenues declining by \$82,000. An offset reduction will be required in wastewater expenditure budgets and how this can be achieved will be reported to Council as part of the December 2009 Quarterly Budget Review.

Other staff comments

Refer to Appendix A for the On-site Sewage Management Officer's report.

Public consultation

Proposed changes to the timing of Clunes has already been the subject of a concerted public consultation plan, including a public meeting held on 9 November 2009. At the time of writing this report, a total of five submissions have been received from residents. A summary of issues raised in these submissions is provided overleaf.

Issue Raised	Comment
How will the Clunes Sewer Charge for 2009/10 be reimbursed?	(This question is based on assurances given at the public meeting that a recommendation would be made to Council that this charge be reimbursed). The reimbursement of this charge, if confirmed by Council, would be achieved by writing off the charge from the rates account of affected properties. For the majority of properties, this will result in a reduction in future rates instalments for the remainder of the year. For properties which have paid all rates in full for the year, a credit on their account will result, which will be refunded to them.
When will the Clunes Sewer Charge be reinstated?	(Again this question is based on assurances given at the public meeting regarding the proposed deferral of the Clunes Sewer Charge). Any future reinstatement of this charge, and the amount of this charge, would be subject to a future decision of Council. This report recommends levying of this charge be suspended for a minimum period of two years, commencing the current financial year. This period has been chosen to reflect the proposed two year delay in the project. If this recommendation is adopted by Council, this would indicate the earliest reinstatement of the charge to be the 2011/12 financial year. However, the wording of the recommendation would leave it open to Council to delay the reinstatement of this charge to a later date. Council could resolve to commit to a longer suspension. However, it would be difficult for the current Council to make any binding commitment beyond the 2012/13 financial year given a new Council is to be elected in 2012, who will be responsible for determining a new Delivery Plan the following year.
Given that the Council has not undertaken regular inspections of on-site sewage management systems in Clunes, how can it justify charging the On-Site Sewer Charge?	The On-Site Sewer Charge funds the costs of administering Council's On-Site Wastewater Register and the activities of the On-Site Sewage Management Officer, covering approximately 6,000 on-site sewage management systems throughout the local government area. At present, inspection of all these facilities is carried out as part of a 20-year program. Council is currently recruiting an additional officer to increase the number of inspections each year.
Will Council provide any financial assistance to residents whose on-site systems are failing?	Council's current position with respect to the management of on-site sewage management facilities is to provide technical assistance and advice only, with property owners being responsible for undertaking any work on their property. Any decision to provide financial assistance to residents in Clunes could set a significant precedent with implications for all 6,000 on-site systems located throughout the local government area. It is not proposed that financial assistance be offered to residents in Clunes.
The decision has already been made. Goonellabah wins. Clunes loses. Villages only seem to matter when it comes to charging of rates.	The Goonellabah vs Clunes issue can be argued both ways. Rates levied from properties in Clunes have been used to fund facilities in Goonellabah. However, the majority of the costs of investigating the Clunes Wastewater Scheme and the majority of future construction costs will be borne by wastewater customers in Goonellabah and Lismore.
Council needs to get its priorities in order. Stop spending money on luxuries like the Goonellabah Sports and Aquatic Centre and proposed Art Gallery and spend it on essential services such as sewerage systems and roads. Council's main purpose is the provision of these core services.	There is only limited connection between projects such as GSAC and the Art Gallery and the Clunes Wastewater Scheme given that the former projects are funded from the General Fund and the latter from the Sewer Fund. However, such major projects do affect Council's cash flow which may affect Council's ability to undertake sewer projects at a given time. In the case of Clunes, the proposed delay is primarily being caused by the need to bring forward another 'essential services' project, deemed to be of a higher priority. The submission does highlight the need for Council to reflect critically on its focus and priorities on a regular basis.

Issue Raised	Comment
Both the southern trunk main and Clunes would have been included in Council's strategic plans for several years. If both these projects have been planned for so long, why can't we afford both?	Council's Strategic Business Plan does make provision for the completion of both projects, over time. It is the matter of timing that is critical. The current Strategic Business Plan recognises it is inadvisable to attempt to undertake both projects concurrently, which is why they are proposed to be constructed over different time frames. The proposed amendment to the Strategic Business Plan also recognises this, with time frames again being separated. Seeking to undertake both projects concurrently impacts adversely on Council's cash flow or would place unacceptable pressure on wastewater charges. It has always been planned that these two major projects be undertaken at separate times.
If Council was not willing to raise wastewater charges to connected residents to enable funding of both the southern trunk main and Clunes, how can it justify charging residents of Clunes \$400?	The \$400 Clunes Sewer Charge is recommended to be written off due to the change.
Is the Clunes Wastewater Scheme eligible for funding under the federal government's Regional and Local Infrastructure Program – Strategic Projects? If so, should the Clunes Wastewater Scheme be nominated for funding under this program in place of the Margaret Olley Arts Centre?	The scheme would not be eligible for funding due to inability to meet the requirement of the funding program that work commence on the project within six months of signing a Funding Agreement.

The following two additional issues are raised by the owner of a property served by an advanced Enviro-Cycle two-tank system, who has mandatory quarterly inspections of his system undertaken by a licensed plumber at his expense.

Issue Raised	Comment
Will I be required to connect to the new Clunes Wastewater Scheme once it is constructed?	In 2003 the former Council resolved to adopt recommendations from the Clunes Wastewater Committee, which allowed for residents to opt out of connecting to the proposed Clunes Wastewater Scheme. It is recommended that this position be reviewed by the current Council at some stage in the future and a definitive policy on this issue determined.
I am currently incurring significant expense to ensure my wastewater is managed efficiently and thus avoiding reliance on a system provided by Council. Can I receive a reduction in my rates in recognition of this?	Council has previously resolved that a report be prepared on the possibility of offering rebates to people with working on-site systems. However, this proposal relates to rebates on sewer charges for properties subject to these charges.

Conclusion

As identified in the separate report in this business paper, addressing the lack of capacity in the existing Goonellabah sewerage system is an urgent priority. Failure to do so would have serious implications for the growth and development of Lismore in the short to medium term. Consequently, bringing forward the construction of the southern trunk main has considerable merit.

Financial modelling indicates that this can only be achieved in a financially responsible manner by delaying implementation of the proposed Clunes Wastewater Scheme by two years. The recent survey of the performance of existing on-site wastewater treatment units in Clunes indicates that this can be done without risks to public health and without significantly adding to environmental risks during the period of delay.

While the disappointment of the Clunes community to a delay in the Clunes project, as indicated by submissions received, is understandable; the fast tracking of the southern trunk main is assessed to be a higher priority when considering the wastewater servicing needs of the local government area as a whole.

Consequently, it is recommended that Council endorse the proposed changes to the *Strategic Business Plan for Wastewater Services*.

Recommendation (IS79)

That:

1. Council adopt the following changes to the *Strategic Business Plan for Wastewater Services*:
 - Consistent with the reasons outlined in the Council report entitled 'Urban Land Release and Infrastructure Servicing Review', priority be given to investigation and construction of the proposed southern trunk main to achieve completion of this project as soon as is practicable.
 - Delay construction of the proposed Clunes Wastewater Scheme by two years. Following this change, completion of this scheme would be achieved by the 2014/15 financial year.
2. Full details of these changes, including revised budgets for the southern trunk main, will be provided to Council during preparation of the 2010/11 – 2013/14 Delivery Plan and associated 2010/11 Operational Plan.
3. Levying of the Clunes Sewer Charge be suspended for a minimum period of two years, commencing the current financial year, and that this year's charge be written off from the rates accounts of affected properties.

Clunes On-site Wastewater Assessment 2009

INTRODUCTION

An assessment of 198 on-site sewage management systems (OSMS) within the village of Clunes was conducted in November, 2009. The aim of the assessment was to evaluate and report on the current performance and longevity of OSMS owned by candidates for the proposed Clunes Wastewater Scheme.

METHODS

On-site Sewage Management Systems and their associated land application area (LAA) were inspected visually in accordance with the current standard adopted by Councils OSMS inspection program. The type of system, land application type and site limitations were recorded and inspection results were assigned a rating in accordance with the criterion presented in Table 1 below.

TABLE 1. Result Criterion

Category	Criterion
Pass	<p><i>Septic Tanks</i></p> <ul style="list-style-type: none"> • Septic tank complete (sealed, inspection opening (IO) covers in place, outlet junction in place and damage free) • LAA not demonstrating signs of excessive moisture or exhaustion • Adequate reserve area should LAA fail <p><i>Aerated Wastewater Treatment Systems</i></p> <ul style="list-style-type: none"> • AWTS is performing adequately (pump, blower, disinfection) • Adequately sized LAA
Technical Failure	<ul style="list-style-type: none"> • Septic tank not sealed or damaged • Outlet junction or IO missing • Sprinklers missing or broken (AWTS)
Potential Failure	<ul style="list-style-type: none"> • Grey water is being diverted from OSMS (informal surface application) • Undersized LAA in confined space • Inadequate reserve LAA
Crucial Failure	<ul style="list-style-type: none"> • Effluent pooling on grounds surface providing opportunity for human contact.

Properties were assigned a risk rating in concurrence with the inspection result. Risk ratings were based on parcel size, ability to meet buffers, age and condition of system and obvious environmental limitations such as poor soils, distance from creeks/ drainage lines and overshadowing.

RESULTS

Of the 198 OSMS inspected, 10 systems (5%) were found to be requiring minor repairs, 34 systems (17%) were identified as highly probable of failing without ongoing informal management, and 19 systems (10%) were identified as requiring immediate remediation to eliminate a potential threat to public health.

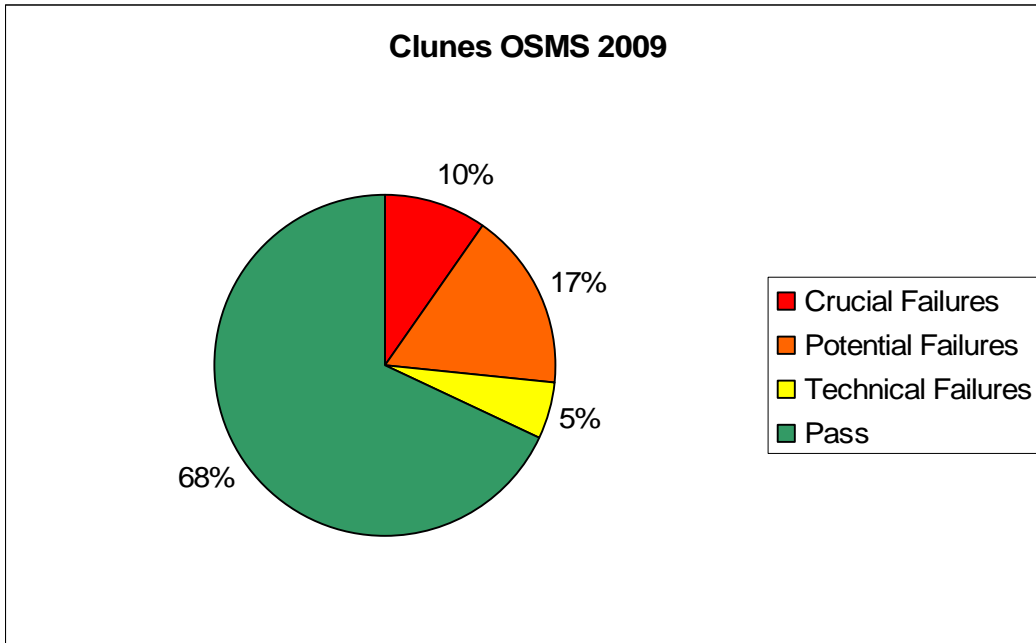


Figure 1 – Inspection results by percentage

A total of 101 systems were identified as low-medium risk with the remaining 97 determined as high risk. The majority of on-site systems within the village are septic tank/ absorption trench systems. Primary treatment systems totalled 141 with the remainder being secondary treatment systems, mainly AWTS.

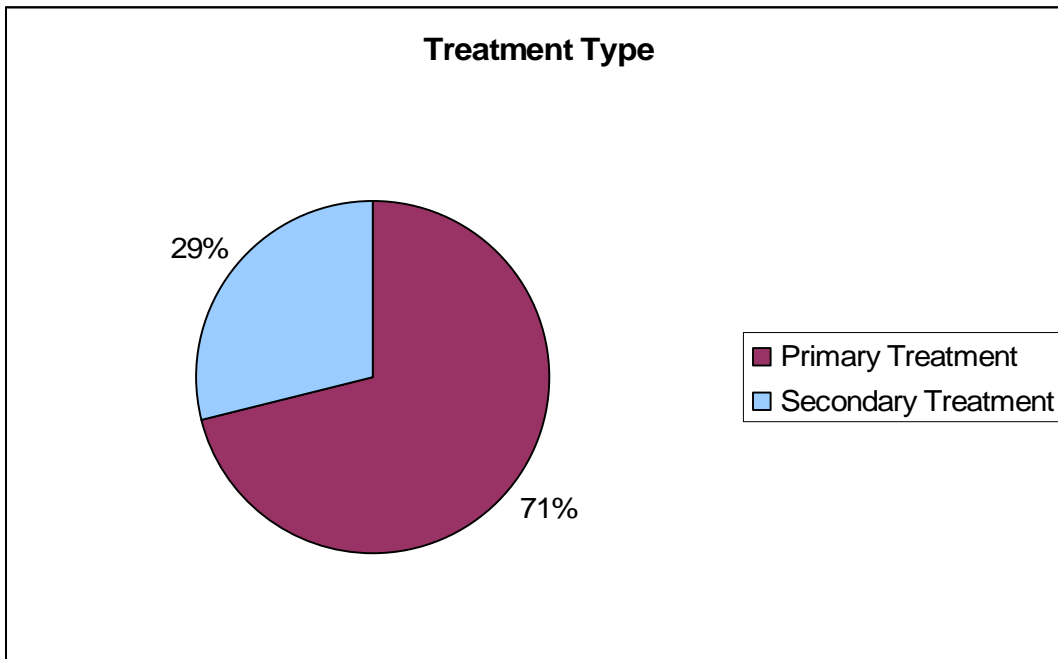


Figure 2 – Treatment types

DISCUSSION

An extended dry period between June and October 2009 coupled with above average temperatures during the inspection period provided favourable conditions for evapo-transpiration and absorption in effluent disposal areas. Conditions experienced during the assessment period are generally not representative of the average operational conditions. Furthermore several residents had indicated although operating well now, their absorption trench would seep during periods of rain exceeding two days.

The majority of septic tank systems (93%) are in excess of 20 years old, with the average life span of an absorption trench being between 10 and 15 years depending on soil type, hydraulic loading rates and in house management.

If not for the proposed Clunes Wastewater Scheme, 27% of systems would require significant remediation works to meet the requirements of Council's current On-site Sewage and Wastewater Management Strategy.

Surface application of grey water, mainly washing machines (25% of the average household's daily wastewater flow), was apparent throughout the village and without ongoing informal management as such, many of the older absorption trenches already under pressure would most certainly fail.

Report

Subject	Full Budget Review 2009/10
File No	EF09/2198:ED09/19130
Prepared by	Manager – Finance
Reason	To inform Council of the outcomes of the review.
Objective	Seek Council endorsement to implement outcomes of the review.
Strategic Plan Link	Best Practice Corporate Governance
Management Plan Project	All

Overview of Report

Council resolved to review the 2009/10 Budget with the objective to identify savings to mitigate the impact of the global financial crisis and on Council's Budget and increase funding for asset management.

A review process has been undertaken and \$572,000 identified as potential savings. These savings can be used to fully offset the increased superannuation contribution for 2010/11 anticipated to be similar to the 2009/10 contribution (\$580,000).

It is recommended that Council consult with all stakeholders on several proposals prior to making a final determination.

Background

The preparation of the 2009/10-2011 Management Plan highlighted Council's limited short term financial ability to fund new or enhanced works and services. To address this situation, Council resolved to undertake two processes being a full budget review and to explore a special rate variation.

A separate report on the Special Rate Variation has been prepared and is to be considered by Council as part of this meeting agenda.

In regards to the full budget review, the objective has been to deliver savings to manage the global financial crisis impact on the Budget and increase funding for asset management. Council resolved at its March 10, 2009 meeting to conduct a full budget review during 2009/10 and at its August 11, 2009 meeting resolved that it be completed by December 2009 and undertaken by Councillors and Management.

Process Undertaken

Workshops were held on September 22, 2009, October 2, 2009 and November 12, 2009 to undertake the full budget review based on the adopted 2009/10 Budget.

To ensure the process was effective and leave the core budget open to scrutiny, it was agreed not to review budgets that would not achieve the objective to improve Council's financial position. Consequently, the following budgets and program areas were excluded from the review:-

1. Budgets that reallocate costs between Programs – ABC Charges (Activity Based Costing), National Competition Policy Charges and Depreciation Expenses
2. Budgets for one-off projects in 2009/10
3. Budgets for unexpended grants
4. Budgets for transfer to and from reserves.
5. Program Areas for Water, Quarries, Waste and Wastewater Funds

Outcomes

Attached is a Summary by Program Areas totalling \$572,000. It is recommended that action is taken to realise these savings for inclusion in the draft 2010/11 Budget. If realised, these savings are anticipated to fully offset the impact of increased superannuation contributions (\$580,000 2009/10) in 2010/11 and into the future. If this is not possible, Council will need to consider other changes to its recurrent budget to generate the required savings.

It is acknowledged that there will be service level impacts as a result of the recommendations, but to improve Council's financial position, business as usual is not possible. Where necessary, consultation with stakeholders is essential.

A number of items have also been listed for further consideration during the preparation of the draft 2010/11 Budget or require a separate report to Council.

In addition to the savings listed on the attachment, the following comments are provided in regards to some of the outcomes:-

Koala Day Care Centre – As the Lismore community is considered to be well provided for in regards to long day child care, it is proposed to explore the sale of this service and facility.

Goonellabah Library – The Goonellabah Library is one of the quietest in the Richmond Tweed Regional Library's network with 2008/09 loans totalling 46,437 compared to 441,275 for the Lismore City Library. As the Lismore City Library is only 7 kilometres away and there is relatively good public transport available from and to Goonellabah, it is proposed to close the Goonellabah Library from June 30, 2010.

Surplus Properties – There are number of commercial properties which are not providing a commercial return in Council's property portfolio. The sale of these properties is to be explored.

Comments

Other staff comments

Not applicable

Public consultation

In regards to the sale of the Koala Day Care Centre and closure of the Goonellabah Library, consultation with all stakeholders is essential before a final decision is made by Council.

Conclusion

Council resolved to undertake a full budget review during 2009/10. This has been completed and the outcomes of the review reported. A total of \$572,000 has been identified which includes the closure of the Goonellabah Library. These savings can be used to fully offset increased superannuation contribution costs in 2010/11 and into the future. If these savings are not realised, Council will need to consider other changes to the recurrent budget as part of preparing the draft 2010/11 Budget.

In addition to these savings, it is recommended that the sale of the Koala Day Care Centre and surplus properties be explored.

Recommendation

That:

1. The savings listed on the Savings by Program Area attachment totalling \$572,000 be factored into the draft 2010/11 Budget.
2. Management explore the sale of the Koala Day Care Centre by first consultation with all stakeholders and reporting back to Council on the outcome.
3. Management consult with all stakeholders on the impact of closing the Goonellabah Library on June 30, 2010 and report back to Council on the outcome.
4. Management explore the option of selling surplus properties and report back to Council on the outcome.

Full Budget Review - 2009/10
Recurrent Savings by Program Area

Program	Description	Potential Savings
Art Gallery	Operating Expenses	16,700
Asset Management and Support	Road Safety	23,700
	Sustainable Transport Projects	4,700
	Street Lighting - Minor Upgrades	7,000
Bridges	Maintenance/Construction	26,400
Communications, Executive Services & Corporate Governance	Community Link	8,000
	Lismore Show Stand	6,000
	Local Government Week	3,000
	Corporate Customer Surveys	16,000
	Flood Awareness Week	2,500
	Promotion and Advertising	3,000
Community Services	Community Services	30,000
	Social & Community Plan	7,000
	Youth Activities	1,500
	Recreation Officer Costs	3,500
Corporate Support - Councillors	Professional Development	5,500
	Sundry Councillor Costs	1,000
Economic Development Unit	Economic Development Costs	37,300
Environmental Health	Water & Environmental Monitoring	9,200
	Clean Up Australia Day	3,200
Finance	Uniform Costs	4,500

Full Budget Review - 2009/10
Recurrent Savings by Program Area

Program	Description	Potential Savings
Information Services	Operations	50,000
Lawn Cemetery and Crematorium	Lawn Cemetery	25,000
	Other Cemeteries	2,900
Lismore Regional Airport	Operations	20,000
Organisation Development & Human Resource	Operations	15,000
Properties and Community Facilities	Surplus Properties	21,800
Public Libraries	Goonellabah Library	65,600
Roads and Traffic Authority Works	Regional Roads Block Grant	100,000
Rural Fire Services	Contribution to Brigades	5,000
	Non subsidised costs	7,000
Swimming Pools	Lismore Memorial Baths	40,000
		572,000

Report

Subject	Special Rate Variation for 2010/11
File No	EF09/1914:ED09/19095
Prepared by	Manager – Finance
Reason	In accordance with Council resolution 132/09
Objective	To assist Council in determining the level of community support for a Special Rate Variation application to be applicable from July 1, 2010.
Strategic Plan Link	Best Practice Corporate Governance
Management Plan Project	Financial Services

Overview of Report

Council resolved at its August 2009 meeting that a fully developed report be prepared for the December 2009 meeting seeking Council's approval to apply for a Special Rate Variation for 2010/11.

Two workshops have been held with the first to clarify what proposals should be nominated and the second to review the information and consider options.

It is recommended that a community engagement process be undertaken to assess the level of community support for a special rate variation to raise \$800,000 per annum (\$500,000 for roads, \$200,000 for an environment levy and \$100,000 for business promotion) on an ongoing basis.

Background

The preparation of the 2009/10-2011 Management Plan highlighted Council's limited short term financial ability to fund new or enhanced works and services. To address this situation, Council resolved to undertake two processes being a full budget review and explore a special rate variation.

The objective of the full budget review was to deliver savings to manage the global financial crisis impact on the Budget and increase funding for asset management. The outcome of this review is separately reported in the Business Paper.

In regards to the Special Rate Variation (SRV), two workshops have been held. The workshops clarified the proposals to be nominated, presented relevant information on those proposals and highlighted the need to seek community engagement much earlier in the process than initially planned.

It is important to note that the special rate variation is in addition to the annual rate pegging increase legislated as the maximum rate increase set by the State Government without the need for Councils to make a special application. This Council has always adopted the maximum annual rate pegging increase and this is not proposed to change.

Nominated Projects

The following projects have been nominated for consideration by Council for inclusion in SRV application:-

- Margaret Olley Arts Centre
- Roads
- Environment Levy
- Business Promotion
- Cycleways

Information on the nominated projects follows:

Margaret Olley Arts Centre

Council is proposing to construct a new regional art gallery building within Lismore's central business district (CBD). The Margaret Olley Art Centre (The Olley) will be the flagship project within Lismore Cultural Precinct, and will drive a creative industries city revitalisation of Lismore. The existing gallery has been occupied since 1954, is in poor condition without disabled access to the first floor, has inadequate climate controls and is too small for current and future activities.

The aim of The Margaret Olley Arts Centre is to make Australian art and Australian history accessible to the entire community. The Centre will present Australian culture and embrace the values and heritage of regional Australia. Creativity, innovation, Lismore's stories and education will be key components of the Centre. The Margaret Olley Arts Centre will be a nationally significant facility operating in regional Australia and will be a centre for learning.

'The Olley' will be Australia's first green gallery, introducing sustainability concepts to the construction and ongoing operations of a modern gallery. The building will be located on the old Lismore High School site on the corner of Keen and Magellan Streets, Lismore. Located within the CBD 'The Olley' will link retail activities with neighbouring sporting and cultural facilities, and also with the Lismore City Library and Northern Rivers Conservatorium of Arts which are both located on the Old High School site, forming a new cultural hub and civic nexus.

The proposal relies on Council funding \$3 million via loans with the balance a combination of Government grants and partner contributions. When operational in 2012 at the earliest, loan repayment costs are estimated to be \$280,000 per annum and net operating costs will increase by \$160,000 per annum. As these costs are not applicable to the next two budgets, this project is **NOT RECOMMENDED** for inclusion in the SRV for 2010/11.

Roads

Council commissioned the Australian Roads Research Board (ARRB) in 2005 to undertake a condition survey and assessment of funding requirements for maintaining Council's sealed road network. The results of the survey were reported to Council in 2007. The analysis indicated that approximately 24% of the network exceeded acceptable maximum roughness limits, which was a slight improvement over a similar survey undertaken in 1999/2000, and that Council has a backlog of works of \$87.1 million and an annual shortfall in maintenance funding of \$2.43 million (all 2009 dollars).

It is **RECOMMENDED** that an annual allocation of \$500,000 be included in the SRV. This will increase the funding available annually for the works. The program of works will be determined in accordance with the Roads Asset Management Plan to be considered by Council and the current point score model used by the Infrastructure Assets PAG.

Environment Levy

Council has nominated a list of environmental priorities for the 4-year Delivery Plan, a number of which require funding to be achieved. These include:

- Development and implementation of a Biodiversity Strategy (Essential)
- Climate Change Adaptation and Mitigation (High)
- Improve Public Transport (High)
- Support Improved Catchment Management (High)
- Sustainability Planning (High)

A levy will also increase the pace at which achievement of priorities can occur. The objectives for imposing an environment levy are:

- To promote and encourage sustainability both within Council and the wider community.
- To develop the necessary strategies to effectively manage Lismore's natural and social environment.
- To maintain, restore, enhance and protect Lismore's natural environment.
- To mitigate and adapt to climate change including the utilisation of renewable energy sources.
- To enhance the connectivity and resilience of the community.
- Undertake research and monitoring to enhance the effectiveness of existing projects and provide new/innovative solutions to environmental challenges.

It is **RECOMMENDED** that an annual allocation of \$200,000 be included in the SRV for the implementation of this program. The program includes a planning and implementation phase for at least the next 5 years.

Business Promotion

Council adopted the City Centre Management Business Plan in August 2009. A lack of adequate funding has precluded the identified key initiatives from being wholly instigated. The additional funding in the first year proposes to augment the business plan budget in the following manner namely:

• Increased media spend of new brand	\$55,000
• Paint the town seed funding	\$ 5,000
• Non-CBD promotion/activities	\$ 5,000
• Attracting conferences plus increased special events funding	\$25,000
• Markets/street entertainment	<u>\$10,000</u>
Total	\$100,000

The SBRVL is part of the rates charged to all business rated properties in the urban Lismore area. For 2009/10, this equated to 1,082 properties. If approved, this would result in these properties being specifically rated for the increase in the SBRVL plus their share rates for any other proposals (Roads, and Environment Levy) included in the SRV. It is **RECOMMENDED** to increase the existing Special Business Rate Variation Levy (SBRVL) promotion funding by including \$100,000 in the SRV.

Cycleways

Council has made significant inroads into the \$4.4 million Cycleway Strategy Plan in recent years and grant funding opportunities appear possible over time.

For example, this year Council has been successful with a grant application to the Jobs Fund Program – National Bike Paths where funding this year will be matched totalling \$526,500 (Fed \$263,250, LCC \$263,250). This is in addition to the \$125,000 provided by the NSW Roads and Traffic Authority towards the construction of new cycleways adjacent to State Roads.

As such, cycleways are **NOT RECOMMENDED** for inclusion in the SRV.

Special Rate Variation - Summary

Based on the **RECOMMENDED** projects, the extra rate revenue for 2010/11 and subsequent years will be:-

<u>Projects</u>	<u>2010/11</u>
Roads – Upgrades	500,000
Environment Levy	200,000
Business Promotion	100,000
Total	800,000

For an \$800,000 increase in the rates, the SRV would need to be 3.51%. If an assumed rated pegging increase of 3.5% was also factored into the equation, Council's total general rates for 2010/11 would increase by 7.01%.

When assessing the impact on the average residential rates, it should be noted that the Business Promotion (\$100,000) will only be rated to business properties in the Lismore urban area. As such, the increase on average residential rates would be 6.57%. A 6.57% increase in rates would increase the average residential rates from \$972 by \$64 to \$1,036 in 2010/11.

In regards to business properties in the Lismore Urban area, they will be rated the full 7.01% increase.

It is important to note that the above information is based on 2009/10 land valuations and rating structure. These will change in 2010/11 as a result of:

1. From July 1, 2010, new land valuations will be applied to all rateable properties in the Lismore local government area. The early indications are that there is not a consistent change in valuations hence it would be misleading to simply increase the 2009/10 general rates by the proposed rate increase to assess the impact on individual properties at this time.
2. The Lismore Flood Levee Special Rate is to cease in 2009/10. This will mean that properties who receive the benefit of the flood levee, and in particular many business rated properties, will no longer have this charge from July 1, 2010. In total, this amounts to \$100,000 per annum

From July 1, 2010, the \$100,000 will be rated across all rateable properties.

Typical Residential Bill

The typical residential bill includes rates, water, wastewater and waste charges. The following is a guide on anticipated increases in the 2010/11 typical residential bill which includes a special rate variation:

Rates - Rate Pegging	\$34
- Special Rate Variation	\$30
Water	\$65
Wastewater	\$62
<u>Waste</u>	<u>\$14</u>
Total – Rate Pegging	\$175
Total – Rate Pegging + SRV	\$205

In regards to Water and Wastewater charges, these increases are consistent with the adopted Strategic Business Plans for Water Supply and Wastewater Services. The waste charges reflect the impact of the second year increase in the State Government's waste disposal penalties being fully passed onto users.

Other Information

Comparative Data – Rates

The Department of Local Government comparative data for 2007/08 shows Lismore City Council as a Group 4 Council and there are 33 councils in this group. In total, there are 11 Groups for the 152 councils in NSW.

Based on this information:-

- Lismore has the 4th highest average residential rate in this group being about 20% above the group average.
- Lismore has the 9th highest average farmland rate in this group being about 32% above the group average.
- Lismore has the 8th highest average business rate in this group being about 19% above the group average.

Outstanding Rates and Annual Charges

The percentage of outstanding rates and annual charges has been steadily increasing. For example, in 2005/06, the percentage was 9.76%. For 2008/09, this percentage increased to 11.19%.

The level of outstanding rates and annual charges can be attributable to factors such as the ability to pay and debt collection policies and procedures. It is difficult to assess the impact of each factor as many variables exist within. It is however acknowledged that affordability is an issue, but also Council's policy on debt recovery from pensioners.

Census Data

When considering rating, Council should give consideration to the fact that a rate which is fair when judged by the benefit principle may not be fair according to the ability to pay principle and vice versa. The following is raw data from the Australian Bureau of Statistic Census Data on the median household income (weekly) for the Lismore local government area compared to NSW.

	1996	2001	2006
Lismore LGA	\$494	\$587	\$ 759
NSW	\$637	\$826	\$1,034

By comparison to the NSW median, Lismore LGA households have weekly incomes which are 27% less.

Comments

Infrastructure Assets PAG

The Infrastructure Assets PAG at its November 26, 2009 meeting confirmed its support for Council to progress to further community consultation for a special rate variation for the 2010/11 financial year and beyond on the basis that roads are included in the process

Public consultation

To apply for a special rate variation, Council is required to undertake extensive community consultation. The actions taken and the result of this consultation are to be submitted with the application to the Minister. At this stage, little community engagement has occurred.

At the November 24, 2009 workshop, it was clear that Councillors believe a consultation process is required on alternatives before submitting an application in accordance with the NSW Department of Local Government's guidelines. These require a council to submit an SRV application by March 31 or within two weeks following the announcement of the rate peg, whichever is the latest. This may require an extraordinary Council meeting in late March 2010 to enable the application to be completed and submitted within the required time.

Based on this, it is proposed to undertake extensive community engagement in February and March 2010, seeking feedback on the proposal. The proposal could be a special rate variation application for \$800,000 that could include roads (\$500,000) and/or environment levy (\$200,000) and/or business promotion (\$100,000).

In recognising the special circumstances of the business community, a specific consultation process would be undertaken for the business community.

Conclusion

Council requested a report to be presented to the December meeting on applying for a special rate variation. Based on discussion at Councillor workshops, consultation with the community is required before determining if a special rate variation application is to be prepared.

As such extensive community engagement will be undertaken in February and March 2010, seeking feedback on the proposal. The proposal could include roads (\$500,000) and/or environment levy (\$200,000) and/or business promotion (\$100,000). In recognising the special circumstances of the business community, a separate consultation process will be undertaken for the business community.

The results of this consultation will be reported back to Council for determination as to if a special rate variation application in accordance with the Department of Local Government's guidelines is to be submitted. An extraordinary meeting in March 2010 may be required to achieve this timeline.

Recommendation

1. That Council, in February and March 2010, conduct an extensive community engagement process consistent with the requirements of the draft Community Engagement Policy Framework to ascertain public opinion on a proposal to lodge a special rate variation application for an increase in rates of \$800,000 per annum for Roads (\$500,000) and/or Environment Levy (\$200,000) and/or Business Promotion (\$100,000).
2. A separate consultation process is held with the business community recognising their special circumstances.
3. A report on the outcome of the consultation is presented to Council so a special rate variation application can be submitted in accordance with the Department of Local Government's guidelines if required.

Report

Subject	Grant Application – Margaret Olley Arts Centre
File No.	EF09/2005:ED09/18858
Prepared by	Manager – Assets
Reason	To advise Council of opportunities under the program.
Objective	To have Council endorse a proposal to nominate the Margaret Olley Arts Centre for funding under the competitive component of the program.
Strategic Plan Link	Develop and Support Art, Cultural, Sporting and Tourism Activities
Management Plan Project	Margaret Olley Arts Centre

Overview of Report

This report outlines an opportunity for Council to obtain significant funding towards construction of the Margaret Olley Arts Centre under the federal government's Regional and Local Community Infrastructure program. The report recommends that the project be nominated for funding.

Background

Regional and Local Community Infrastructure Program

The Federal Government has implemented the Regional and Local Community Infrastructure Program (RLCIP) as part of its economic stimulus package. There are two components to the program. The non-competitive component allocates to each local government area in Australia an amount of money to undertake projects, whilst the competitive component allows councils to compete for funding for strategic projects.

Lismore City Council has been allocated \$449,000 under the non-competitive component of the program and at the meeting of 10 November 2009 confirmed the allocation of these funds to the provision of a concrete skate park in Peace Park at Nimbin.

The competitive component of the program is open to all councils to apply for projects that are of regional/strategic significance. Applications for funding under the competitive component of the program close on 15 January 2010.

Margaret Olley Arts Centre

Council has in the current budget allocated \$739,000 for the preparation of a detailed design, development application and construction certificate for the Margaret Olley Arts Centre. The project is a major feature of Council's current management plan. In addition to providing improved accommodation for arts and cultural activities, the centre will create significant opportunities for increased activity in the CBD, especially on weekends, and is a strong element of Council's strategy to revitalise the CBD. The proposed treatment of the public space between the centre and the library will create an area with opportunities for activities such as regular markets, open air performances etc. The possibilities and importance of this space to both the arts centre project and the CBD revitalisation were well canvassed and supported at the Councillor workshop held on Friday, 14 August 2009.

The intention of Council in allocating funds in its current budget towards this work was to progress the project to a point where it would be ready for construction and place Council in an advantageous position to apply for funding under round two of the RLCIP. A condition of the funding agreement which would come with a successful application is that work must physically commence within six months of the funding agreement being signed. Progressing the project to the point of lodging a development application and construction certificate would allow Council to meet this requirement.

Tenders were called for preparation of a detailed design, development application and construction certificate recently and closed on 28 September 2009. Council at its meeting of 10 November 2009 awarded the contract to the Architectural firm, Tonkin, Zulaikha Greer (TZG), however a rescission motion was lodged regarding this decision and will be considered at the current Council meeting.

Without significant funding from an external source, construction of the Margaret Olley Arts Centre cannot proceed. The project is an ideal candidate for funding under the competitive round of the RLCIP. The RLCIP is a one off funding program that the federal government implemented in response to the global financial crisis and is unlikely to be repeated. Further, it is considered to be the only opportunity for Council to secure the level of external funding required for this project in the medium to long term.

The project is also an ideal candidate for the funding under the RLCIP due to:

- The funding model includes contributions from all levels of government.
- Council has a committed private partner in Southern Cross University.
- The project includes funding from other private partners.
- The creation of a regional facility that will deliver services and opportunities for the arts community well into the future
- The project is an important element of the CBD revitalisation strategy which aims to support local business.
- The project will create a town centre/square for Lismore.

Project Budget

It is necessary for Council to consider the overall budget for the project and confirm how much funding it wishes to apply for. To date the project has been estimated as costing a total of \$8 million to construct, however a number of issues have been identified in progressing the project to date and in particular were discussed at the Councillor workshop on Friday, 14 August 2009.

At that workshop Councillors and relevant staff considered the proposed masterplan for the site and the preferred location for the building. It was apparent that the area between the library and the proposed site for the building, and the space through to Keen Street will be critical to the overall success of the project. The creation of a true community space in this area is a prime objective of the masterplan for the cultural precinct. This in turn provides the opportunity for increased activities such as markets, open air performances etc. especially on weekends, which is a strong element of Council's strategy to revitalise the CBD.

The budget of \$8 million provided for limited treatment of these spaces, and certainly did not allow for works of the type contemplated to cater for markets, open air performances etc. In addition, the matter of the existing electrical sub-station has been further explored. A preliminary estimate of the cost to relocate the sub-station has been advised by Country Energy as approximately \$900,000. No allowance for this expense had been made in the budget of \$8 million and it is considered to be a non-essential element of the project.

One of the key suggestions from the Councillor workshop on 14 August was that artists' studios could be provided in the space between the building and Keen Street. This proposal was also discussed at the steering committee meeting. In simple terms, this proposal cannot be funded without a significant increase in the project budget. There are also practical issues to consider in that the area fronting

Keen Street which was identified as a potential site for the studios contains a number of underground services. These would be problematic to deal with in that they would need to be either relocated at significant expense, or the buildings would need to be designed to be removed if there was ever a need for upgrade or significant maintenance on these services. Clearly this element of the project is beyond the project budget at this time and would require significant further investigation before a decision could be made on its viability in that location.

The project budget was reviewed at the Project Steering Committee meeting of 26 November 2009. To achieve the goals of the masterplan and ensure that the spaces around the Margaret Olley Arts Centre are complimentary to the building, inviting to patrons and integral to the functioning of the entire space when it is complete, it is considered that additional funding is required to ensure an adequate treatment of these spaces can be undertaken. Further, whilst relocation of the electricity sub-station is not considered essential to the project, an upgrade will be necessary to accommodate the gallery. The total cost of these additional works is estimated at \$1 million. The following table outlines the proposed project budget.

Construction Cost Estimate

Item	Price (GST excl)	Comments
Tonkin Zulaikha Greer Construction Cost Estimate (QS)	\$6,081,934	Quantity Surveyor cost estimate based upon submitted design with a GFA of 1,400m ² .
Open Car Park	\$350,000*	Includes bitumen seal, stormwater drainage, minimal lighting and minor landscaping.
Landscaping treatment to building surrounds, Keen Street frontage and "Town Square"	\$778,500	Estimate based upon \$180/m ² and 4,325 m ² site.
Substation	\$250,000	Allowance made for upgrade of the existing 1000KV _a substation as it is currently near capacity and cannot facilitate the increased load of the proposed Arts Centre
Fit Out	\$504,000	Based on 1,400 sq/m @ \$360 sq/ m.
Project Management	\$100,000	
Estimated Cost	\$8,064,434	
Contingency (12%)	\$967,732	
Total Budget	\$9,032,166	

*General cost estimate based upon Rawlinsons Australian Construction Handbook edition 26, 2008

It should be noted that these costs are in addition to the preliminary costs associated with design development, lodgement of a development application etc. which are funded from the \$739,000 Council has allocated in the current budget.

Council's original proposed funding sources for the project when estimated at \$8 million were as follows:

Lismore City Council:	\$3,000,000
Southern Cross University:	\$500,000
Arts NSW	\$110,000
Private donors	\$390,000
Federal Government (RLCIP):	<u>\$4,000,000</u>
Total:	\$8.0 million

A revised funding model for a project costing \$9 million would be:

Lismore City Council:	\$3,000,000
Southern Cross University:	\$1,000,000
Federal Government (RLCIP):	\$4,500,000
Arts NSW:	\$210,000
Private donations:	<u>\$290,000</u>
Total:	\$9.0 million

Southern Cross University has recently confirmed to Council its increased contribution to the project. Council has also applied for a further \$100,000 from Arts NSW and staff are confident of success. The previous Gallery Director was also confident of securing private donations in excess of the amount shown in this funding model.

Alternative Projects

Recently some alternate projects have been raised as possibilities for nomination to this funding program. These are the Clunes Wastewater Scheme and the proposed southern trunk main.

One of the requirements of the funding agreement, should Council be successful in receiving a grant, is that work must physically commence within six months of the funding agreement being signed.

This timeline would be impossible to meet for the Clunes Wastewater Scheme. This project is still very much in the planning stage and there are a number of significant processes which need to be finalised before construction could commence. Each of these processes on their own would potentially preclude the project from nomination but the combined effect of all, would make it impossible to achieve the requirement for construction to commence within six months of signing the funding agreement. The major issues still in progress or yet to be resolved include:

- Preparation of the Environmental Impact Statement and associated exhibition and approval processes – not yet commenced and expected to take a minimum of 10 months to complete.
- Reclassification of the property at James Gibson Road to Operational Land – this process is part of the preparation of the draft LEP which has been with the state government for some time. Council is yet to receive approval from the state government to exhibit the draft LEP, following which it must be exhibited, submissions considered and the LEP potentially amended before being sent again to the state government for approval. It is impossible to predict how long this process will take because of the involvement of the state government. At best, and based on recent advice from the Department of Planning, it could be expected to take 12 months to complete.
- Calling of tenders for construction of the scheme – The value of the work is well in excess of \$150,000 and as such a public tender process will be required. The tender process could not commence until Council has all of the necessary approvals in place for the project, eg. completion of the EIS, as any relevant conditions of approval relating to construction would need to be incorporated into the tender documents. This process would take 4 - 6 months following all necessary approvals being issued.

The southern trunk main is also problematic with design, pre-construction approvals and activities, land acquisitions and tender processes all yet to be undertaken.

The strategy for Council in identifying the Margaret Olley Arts Centre in the current management plan and providing funding in the current budget, was to progress the project to the point where all of the necessary approvals had been obtained such that construction could commence within a short timeframe of funding being obtained for the project.

On the clear direction provided by Council that the Margaret Olley Arts Centre was being targeted towards the RLCIP funding, Council staff have not progressed any other projects to the point that they would be suitable for nomination under the program. It must also be noted that the program allows each council to nominate one project only for funding.

Comments

Financial Services

The total project cost for the Margaret Olley Arts Centre is approximately \$9.77 million (Pre-construction \$738,000 and Construction \$9.032 million). Project funding is planned to come from:

Loans – Preconstruction	\$ 589,000
– Construction	\$3,000,000
Grants – RLCIP	\$4,500,000
– State Government	\$ 210,000
Contributions – SCU	\$1,000,000
– Private	<u>\$ 472,000</u>
Total	\$9,771,000

In addition to preconstruction and construction costs, net operating costs are estimated to increase from \$422,500 per annum to \$585,800 per annum.

While a funding strategy has been developed in regards to Council's contribution which makes the project affordable, the key funding component, but not the only one, is a \$4.5 million grant from the Commonwealth's Regional & Local Community Infrastructure Program – Strategic Projects 2009-10. If an application is not submitted, it is highly unlikely that other external funding sources will be identified for this project to proceed in the foreseeable future.

In addition to the Commonwealth grant funding, it is critical that all amounts listed as grants and contributions be confirmed so as prior to signing any funding contract with the Commonwealth, the appropriate arrangements are in place.

In regards to the funding strategy for Council's contribution, it is based on the following scenario:

- Loan repayments for pre-construction activities have already been factored into the recurrent budget in accordance with the 2009/10-12 Management Plan. These are estimated at \$47,000 per annum.
- Loan repayments for construction works are estimated to be \$47,000 (2010/11), \$190,000 (2011/12) and \$280,000 from 2012/13, and
- Increased operating costs are estimated to be NIL (2010/11), \$81,500 (2011/12) and \$163,000 from 2012/13.

It is proposed to meet the combined costs of b) and c), \$47,000 (2010/11) and \$271,500 (2011/12), from within the funding available in those recurrent budgets as the first funding priority. For 2010/11, this is likely to utilise all available funds and would have a lesser impact on 2011/12.

For 2012/13 and beyond, with the MOAC constructed and fully operational, Council could consider applying for a Special Rate Variation increase to fund these costs or any other works or services.

Finally, Council is required to prepare a Capital Expenditure Review for this project and it must be submitted to the Department of Local Government for review. It should be noted that the Department's review only relates to the financial impact of the proposal and should not be considered as endorsement of the particular project. This information is planned to be submitted to the Department this month.

Other staff comments

Manager - Arts, Tourism and Leisure

The existing Lismore Regional Gallery operates from an inadequate building which will need major refurbishment in the near future, or relocation to a purpose built or existing building that can be modified for exhibition purposes. The planning and preparation for a new gallery as part of the Lismore Cultural Precinct has been underway for more than a decade. The advent of the RLCIP provides an ideal opportunity for Council to share the costs of developing what is considered by many to be essential community infrastructure for a regional city and hub. Further, the willingness of Southern Cross University (SCU) to become a partner in the project further defrays costs while enhancing the benefit to the gallery, SCU and the wider community. The support of Margaret Olley OAM, Australia's living legend, should not be underestimated, and the RLCIP provides an opportunity for construction to be completed within her lifetime, which is very desirable to her. Most importantly, 'The Olley' will provide an opportunity to revitalise the central business district (CBD) and promote a range of cultural activities that support the strategies resulting from the Lismore Alive campaign, which strongly recommended an investment of cultural activities, particularly on weekends, to boost and regenerate activity in the CBD.

Public consultation

Whilst there has been no formal consultation over this grant application, it has been publicly acknowledged for at least three years that the new Art Gallery can only proceed if there is a significant injection of capital from the Government. A recent media poll reported that 67% of respondents support Council building a new Regional Art Gallery.

Conclusion

Council has committed through the current management plan and budget to progress the design of the Margaret Olley Arts Centre to a point where it is ready for construction. The intention was to have the project sufficiently progressed to allow Council to apply for funding under the RLCIP. The project is a strong candidate for the competitive component of the current round of funding due to particular strengths which have been outlined in the report.

It is considered unlikely that other funding opportunities of the magnitude available under the RLCIP will arise in the foreseeable future for this project. Council should lodge an application accordingly.

The scope of the Margaret Olley Arts Centre project has been discussed in the report and the importance of the relationship between the building and the surrounding spaces cannot be underestimated. It is considered necessary for Council to commit to treatment of these areas as part of the project and adjust its funding model accordingly. As such the grant application should be for an amount of \$4.5 million.

Recommendation (IS78)

That Council nominate the Margaret Olley Arts Centre for funding of \$4.5 million under the Regional and Local Community Infrastructure Program.

Report

Subject	Uralba Street Paid Parking
File No	EF09/1574:ED09/18486
Prepared by	Compliance Coordinator
Reason	To introduce time limited paid parking in Uralba Street between Hunter and Dibbs Streets (Lismore Base Hospital)
Objective	To gain Council's endorsement to implement the proposal.
Strategic Plan Link	Improve Roads, Cycleways and Footpaths
Management Plan Project	Ranger Services – Parking Patrol

Overview of Report

Council in its 2009/10 budget deliberations committed to the introduction of paid parking at Lismore Base Hospital subject to a further report to an Ordinary Meeting of Council providing details as to consultation undertaken and proposed implementation strategy. It is proposed that the details provided below be considered by Council and that the proposal be implemented in February 2010.

Background

For many years Lismore City Council has experienced problems in relation to motor vehicle parking in the Lismore Base Hospital precinct. The area is the cause of ongoing complaint from hospital users who regularly identify the lack of short term parking within close proximity to the hospital.

While providing additional parking in this area would certainly help to alleviate the current situation the prospect of this happening in the near future is remote. The existing problem needs to be addressed and other long term strategies need to be considered in order to provide a solution to the problem.

The preferred strategy to alleviate the existing situation is the introduction of 'Paid Parking' to a specific area within the Lismore Base Hospital precinct. The regulated area identified would include the section of Uralba Street between Hunter Street and Dibbs Street (see attached map – Attachment 1).

The implementation of this proposal, supported by on-going compliance management, will provide a solution to the existing pressures by encouraging a regular turnover of parking spaces at a minimal cost to the public.

The existing regulated area of Uralba Street between Hunter Street and Dibbs Street is one hour time limited parking and is considered prime parking due to its close proximity to the hospital. A recent study of the area carried out by Lismore City Council Rangers indicated that on most days half of the available car parks within the time restricted area do not turn over hourly as indicated by the one hour parking signs. Vehicles parked in this area were found to have overstayed the one hour parking restriction by more than four hours and in some cases these vehicles appeared to be parked in the same space for up to eight hours. To date parking compliance activities within the hospital precinct have primarily focussed on the restricted areas of no stopping, bus and disabled parking zones. Compliance activities have not monitored compliance with existing time restricted parking due to the accepted difficulty in balancing the diversity in user demands for parking with the broader social and community expectations. It was

recognised that a 'parking strategy' is necessary to facilitate a more efficient use of short term on-street parking and guide a considered level of compliance supervision. It is considered that this report identifies the components of such a plan (short term on-street paid parking) for Council endorsement.

It is proposed that a fee of \$1.00 per hour be charged with a maximum two hour parking limit applicable to the area. The times of operation are proposed to be between the hours of 8.30am and 4.00pm Monday to Friday and 8.30am to 1.00pm Saturday. Parking outside the regulated time period will be unrestricted.

Paid Parking Technical Requirements

Implementation of the proposal will be guided by the Roads and Traffic Authority (RTA) Paid Parking Guidelines ensuring that:

- all necessary information regarding machine operation and method of payment is clearly visible on all ticket machines.
- parking signs will be erected in the regulated area ensuring all the relevant information regarding permitted parking time limits and hours that ticket parking will be operating.
- the regulated area will be clearly signposted with advance signs stating 'Ticket Parking Area Ahead' and end signs stating 'End Ticket Parking Area'.
- the type of ticket machine proposed is RTA approved, and
- all parking and other parking related signs will meet RTA guidelines.

The types of machines that are being considered for this proposal are the 'pay and display' style. This style requires motorists to purchase a ticket from a machine and then return to their vehicle and place the ticket on the dashboard of the vehicle (comparable units to those currently employed within the Rowing Club & Barney Shearman Car parks). This style of machine is favoured over other types of machines due to:

- ease of operation for the user,
- one machine services multiple parking spaces, and
- installation that does not require changes to the existing parking format and/or extensive line marking.

The Roads and Traffic Authority (RTA) Paid Parking Guidelines suggest that parking machines should be located in convenient locations that are no more than about 50 metres from any car parking space. To satisfy this recognised standard this proposal will require the installation of four (4) parking machines to service the area. It is proposed that two (2) parking machines will be located on opposite sides of Uralba Street in the vicinity of the existing pedestrian crossing. These machines will service the vehicles parking in the eastern section of Uralba Street between the pedestrian crossing and Dibbs Street. A further two (2) machines will be installed on both sides of Uralba Street between Hunter Street and the Hospital pedestrian crossing to service those vehicles that park in the western area of Uralba Street.

As a result of this proposal all existing disabled parking spaces, bus zones and emergency vehicle parking areas will remain. All legitimate vehicles using these parking areas will not be required to pay a parking fee.

As stated it is proposed that a fee of \$1.00 per hour be charged with a maximum two hour parking limit applicable to the area. The times of operation will be between the hours of 8.30am and 4.00pm Monday to Friday and 8.30am to 1.00pm Saturday. Parking outside the regulated period will be unrestricted.

In total these machines will service approximately 80 parking spaces in Uralba Street. The purchase/installation cost of the machines is approximately \$36,000 as funded within the 2009/10 Budget.

Other types of parking machines/arrangements such as 'meter' and 'coupon' have been considered for this proposal but are not favoured. In comparison meter parking schemes have a higher capital cost due to the purchase, installation and maintenance of multiple machines and road surface markings (individual parking spaces). Coupon parking was not considered as a viable option as this type of parking can be confusing to motorists who are required to pre purchase coupons from specific locations such as retail outlets or Council buildings, both of which are lacking in the proposal area.

Traffic Advisory Committee

The Paid Parking proposal has been submitted to the Traffic Advisory Committee (TAC) and the following comments have been provided:

- That the Committee support the introduction of paid parking in Uralba Street between Hunter and Dibbs Streets and that the areas that radiate away from the Hospital precinct be monitored to assess the need for additional measures as a result of any displaced vehicles which would normally have parked in Uralba Street.
- That further discussions be held with Lismore Base Hospital management in relation to the implementation and their longer term plans for providing additional parking.
- That all of the specific issues as outlined in the RTA paid parking guidelines be addressed as part of any further report to Council.
- That any implementation include a minimum one and maximum two hour time limit.

Lismore Base Hospital Transport

To support the paid parking proposal it is recommended that Council consider the introduction of a trial two hourly shuttle service to transport hospital users within a 1 kilometre radius to the Lismore Base Hospital. This service is intended to address the common complaint that parking close to the hospital is critical for patients/visitors with mobility difficulties as well as to service those users who regularly park in Uralba Street but are being displaced from this area as a result of this proposal.

The shuttle service is intended to support those existing transport services available to Hospital users who do not wish to use paid parking areas. Northern Rivers Buslines provide the following services:

- 11 daily services to and from Lennox Head past the Lismore Base Hospital.
- 18 daily services from various areas of Lismore past the Lismore Base Hospital.

Bus zones are currently located on both the northern and southern sides of Uralba Street in the immediate vicinity of the Hospital entrance. In addition the North Coast Area Health Service provides the "Transport for Health" program. This program provides transport for medical appointments only via taxis, community transport and vehicles.

It is recognised that the option of a shuttle service has an inherent logistical challenge in providing a service that will meet user needs (pick-up and drop-off points, alignment with existing service timetables, service frequency etc.). To address these issues further consultation is required with potential transport service providers to ensure that the shuttle service provided will be the most effective in delivering the anticipated service within the recognised financial constraints of the program. On adoption of a preferred service it is recommended that a six month trial be commenced to provide operational information to assist in service review and/or development.

Operational Costs/Revenue

The table is provided to provide an overview of the operational cost and revenues generated from the program.

Costs	Year 1	Year 2		Revenue	Year 1 (*)	Year 2 (*)
Parking Machines	\$36 000				\$67 200	\$158 800
Operational Costs	\$24 000	\$62 000				
Shuttle Service	#	#				
Total	\$60 000	\$62 000			\$67 200	\$158 800

To be determined

(*) Calculated on a 100% occupancy of spaces less GST

Operational costs include depreciation, signage, salaries, plant and incidentals.

Comments

Financial Services

The estimated cost to introduce paid parking from February 2010 for 2009/10 is \$60,000. The ongoing annual cost is estimated at \$62,000.

As to revenue, while current utilisation of this area is 100% it is not anticipated to be at this level once paid parking is introduced. Based on conservative utilisation estimates (80% Monday-Friday & 30% Weekends), the introduction of paid parking from February 2010 for 2009/10 is estimated to generate \$55,200. The ongoing annual revenue generated is estimated to be \$130,500.

While not the case in 2009/10, net proceeds from paid parking would be held in an On Street Parking reserve until its application is determined by Council.

Other staff comments

Other staff comments are incorporated into this report.

Consultation

Formal discussions have been held between the Mayor, General Manager and the Chief Executive of North Coast Area Health Service. A formal letter of response from NCAHS is provided as Attachment 2.

The submission states that 'The North Coast Area Health Service supports any strategies to improve parking around the Hospital' and puts forward the following propositions:

- That portion of the revenue raised be committed to the expansion of on-street parking within the hospital precinct,
- That the regulated area be altered to a one way traffic flow to allow expanded parking options, and
- That revenue raised be committed to a cancer patient and carer accommodation facility.

As identified by the Finance Manager, the net proceeds from paid parking would be held in an On Street Parking reserve until a purpose is determined by Council. It would be appropriate therefore that the propositions for deployment of funds be considered in conjunction with the 2010/11 Management Plan.

The second dot point has potentially significant implications for strategic traffic management with the immediate area impacting upon collector and local road networks. As such this is a matter that will require consideration as part of a broader future strategic planning exercise.

Implementation Phase

It is recognised that the introduction of time limited paid parking will have a significant impact upon the utilisation of on-street parking by hospital and associated business users. It is therefore important that as part of the implementation phase current users are provided with effective education/information to ensure that the paid parking proposal and user responsibilities are fully understood. To achieve this it is proposed that the following actions be incorporated into the implementation phase:

- That a letter drop be undertaken to business houses within the paid parking zone.
- That communications be held with North Coast Area Health Service to determine the most effective means to communicate to staff and other hospital users.
- That the first two (2) weeks of commencement of the paid parking zone be an education phase where Parking Officer(s) will provide operational assistance to users and warnings only to non compliant parking instances.

It is planned for on-ground commissioning works to be undertaken in February 2010 with operational commencement immediately thereafter.

On-going Management

As identified the objective of the proposal is to facilitate a more efficient use of short term on-street parking in Uralba Street by hospital and associated users. To ensure this objective is achieved an appropriate level of compliance supervision will be required. It is this visual presence/management that provides the appropriate incentive for users to comply with the displayed parking requirements or receive an enforcement response for non compliance. It is recognised that a part time Parking Officer is required to be focussed on management of the time limited zones to achieve the identified objective. This resource will be funded from the program revenue. The implementation of this proposal, supported by on-going compliance management, will provide a solution to the existing pressures by encouraging a regular turnover of parking spaces at a minimal cost to the public.

Conclusion

The issue of parking at Lismore Base Hospital requires resolution. The introduction of time limited paid parking is a solution to facilitate a more efficient use of short term on-street parking within the Lismore Base Hospital precinct by hospital and associated users.

The proposed implementation and on-going management requirements are recognised as critical components to ensure that the proposal objectives are effectively achieved.

Recommendation

That:

1. Council support the introduction of time limited paid parking in Uralba Street between Hunter Street and Dibbs Street, commencing February 2010.
2. The fee for parking be \$1.00 per hour or part thereof with a maximum of 2 hours per parking session.
3. Paid parking be applicable between the hours of 8.30am and 4.00pm Monday to Friday and 8.30am to 1.00pm Saturday.
4. Arrangements be made to introduce a six month trial shuttle transport service within a 1 kilometre radius to and from the Hospital entrance.
5. If the shuttle service is not viable linking with the North Coast Area Health Service program 'Transport for Health' be trialled.
6. A public education campaign be initiated to inform the hospital precinct visitors of these changes.
7. The net financial proceeds be retained for consideration as to purpose in conjunction with the 2010/11 Budget.

Attachment 1



1 June 2009

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

Dear Mr O'Sullivan

Re: proposed paid car parking at Lismore Base Hospital

I refer to our meeting on 11 May 2009 at which you indicated that the Council was considering the introduction of paid parking along Uralba Street and a small section of Bent Street near Lismore Base Hospital. A subsequent meeting was held with the Mayor on 1 June 2009.

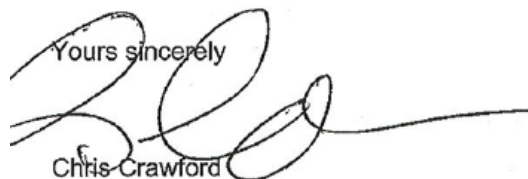
It is understood that the proposed pay parking is a strategy to better manage the short-term parking in this area close to the Hospital's main entrance and not specifically a revenue raising exercise. This proposal was briefly mentioned on page 42 of the "Lismore City Council Management Plan 2009/10 – 2012". The North Coast Area Health Service supports any strategies to improve car parking around the Hospital and would like to put forward the following propositions:

- The NCAHS is eager to improve parking in and around the Hospital and would encourage Council to use some of the money raised from the pay parking to expand the on-street parking in the streets surrounding the Hospital. Another suggestion that we understand has been previously considered, is to alter a section of Uralba Street to one way traffic flow. This would both discourage through traffic and allow for a better configuration of the road reserve for construction of additional parking.
- Another possibility for the use of the funds raised from the pay parking is as a contribution towards a cancer patient and carer accommodation facility. As you are aware we are currently constructing the new \$27 million Integrated Cancer Care unit (ICC) and a volunteer organisation (the Northern Rivers Community Cancer Foundation) has been set up to establish an accommodation facility close to the new ICC. We have similar ICC's recently completed at Coffs Harbour and Port Macquarie and in both these cases the local Council assisted with the establishment of the associated cancer patient accommodation. As the Lismore City Council does not own land in close proximity to Lismore Base Hospital this would be a good opportunity for Council to contribute towards this important project.

The NCAHS could not support the proposal for pay parking if this was implemented as a revenue raising exercise alone. The above proposals would clearly indicate to the community and the NCAHS that the Council is genuine in its concern to provide more efficient use of (and to expand) the carparking spaces around the Hospital precinct.

I would be happy to discuss these proposals in more detail at your convenience.

Yours sincerely



Chris Crawford
Chief Executive

North Coast Area Health Service
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ABN 37 940 606 983

Report

Subject	Lismore Memorial Baths - 6 month pass
File No	EF09/1851:ED09/18865
Prepared by	Manager Arts Tourism and Leisure
Reason	Council resolution
Objective	Report back to Council on community feedback regarding the proposed 6 month pass fee.
Strategic Plan Link	Develop and Support Art, Cultural, Sporting and Tourism Activities
Management Plan Project	Community Services

Overview of Report

This report provides feedback received regarding the proposed reintroduction of the 6 month pass at the Lismore Memorial Baths.

Background

At the November 9, 2009 Ordinary Meeting of Council, the following resolution was determined:

- 1 *That Council endorse in principle the reinstatement of the 6 month pool passes.*
- 2 *That the charges be:*
 - *Adult - \$162.00*
 - *Child, Student, Pensioner/Concession - \$162.00*
 - *Family - \$491.00*
 - *Off peak – Adult, Child, Student, Pensioner/Concession - \$122.00*
 - *Offpeak – Family - \$368.00*
- 3 *That the charges be effective from 1 October 2009.*
- 4 *That following advertisement of the proposed charge, community feedback be reported to the December Council meeting for determination.*
- 5 *That staff prepare a detailed report on the public usage of the Memorial Baths, including price categories related to patronage for the 2008/2009 and other relevant financial years and include price comparisons with similar facilities.*
- 6 *Staff prepare a marketing plan for Council's two main pools.*

The proposed set of fees was advertised in the Northern Rivers Echo on 5 November 2009. The exhibition period closes on 4 December 2009. At the time of writing this report, no written submissions regarding the reintroduction of the 6 month pass or its proposed fee structure were received. If any are received, Council will be advised. Lismore Memorial Baths management has not received any written or verbal feedback regarding the proposed pass and fee structure.

With reference to resolution No. 5, staff will undertake a comprehensive review of the existing fee structure as part of the 2010/11 budget process early in 2010, and will recommend a fee pricing structure based on this review.

With reference to resolution No. 6, a marketing plan for the Lismore Memorial Baths was completed in 2006 following the redevelopment of the Baths, and was further refined in 2008/2009. Staff are in the process of recruiting an Aquatics Team Leader, a position which will oversee aquatic operations at both the Lismore Memorial Baths and the Goonellabah Sports and Aquatic Centre. Following a suitable appointment, the Aquatics Team Leader will review the marketing plan for the Lismore Memorial Baths. The Goonellabah Sports and Aquatics Centre has its own marketing plan with strategies designed to promote all activity areas within the centre.

Comments

Financial Services

The reintroduction of a 6 month pass is unlikely to have a significant financial impact on the Lismore Memorial Baths and the charge level is consistent with the pool fees structure.

In regards to the comprehensive review of the existing fee structure and marketing plan, it is suggested that the objectives should include an increased visitation target and improved financial performance.

Other staff comments

Not required.

Public consultation

Invitations for public comment was advertised in the Northern Rivers Echo.

Conclusion

The lack of a 6 month pass has resulted in concern and complaints from members of the swimming community. A reinstatement of the pass should meet the needs of the community intending to swim regularly over the summer months. It is proposed that pass holders who have purchased a 3 month pass can extend their pass to a 6 month pass by paying the difference, rather than purchasing a separate 6 month pass.

Recommendation

That Council:

1. Note the lack of submissions regarding the proposed reinstatement of the 6 month pass and its schedule of fees.
2. Endorse the new fee structure, to be effective from October 1, 2009.
3. Endorse the ability of existing 3 month pass holders to extend to a 6 month pass by paying the difference for the new pass and extending the date of the pass accordingly.

Report

Subject	Draft Section 94 Contributions Plan for Neighbourhood Park in Cameron Road
File No	EF09/1957:EF09/829:ED09/10262
Prepared by	Acting Manager Integrated Planning
Reason	To fund community infrastructure required to service new rural residential development in McLeans Ridges.
Objective	Council resolution to exhibit the draft amendment to the Lismore Contributions Plan.
Strategic Plan Link	Develop cultural, sporting and tourism activities and Improve roads, cycleways and footpaths.
Management Plan Project	Review Section 94 Plan.

Overview of Report

Amendment No. 20 to the Lismore Local Environmental Plan 2000 was gazetted on December 24, 2008. This amendment will allow a development application to be made to subdivide land at Cameron Road, McLeans Ridges to create up to 62 rural residential lots, a public reserve and two (2) residue lots. The public reserve has an area of 1.25ha and is intended to become a neighbourhood park for McLeans Ridges residents. A section 94 contributions plan is required to distribute the cost of the land and embellishments equitably across anticipated future rural residential development in the McLeans Ridges rural housing strategy area. A draft section 94 plan is attached to this report and it is recommended that it is placed on public exhibition for a period of 28 days commencing in January 2010.

Background

At its meeting on July 8, 2008 Council resolved to adopt Amendment No 20 to the Lismore Local Environmental Plan 2000; the amendment was subsequently gazetted on December 24, 2008. The amendment will allow a development application to be made to subdivide the land shown as Attachment 1 to create up to 62 rural residential lots, a public reserve and two residue lots.

The public reserve is proposed to become a Neighbourhood Park for the McLeans Ridges area and was a requirement of the October 9, 2007 Council resolution that the (then) LEP amendment proposals in Cameron Road and Roseview Road achieve an integrated outcome for the location of approximately 6,000m² of open space and community facilities in a central location within the McLeans Ridges strategy area. The public reserve/community lot has a total area of 1.25ha on which a level area of 5,600m² will be prepared by the land owners as specified in the Planning Agreement.

At the July 8, 2008 meeting Council also resolved to *'prepare a draft Section 94 Contributions Plan for the proposed community lot that distributes the cost of land and embellishments equitably across anticipated future rural residential development in the McLeans Ridges strategy area.'* In accordance with the *Environmental Planning and Assessment Act 1979* (the Act), Council cannot levy a contribution unless it is of a kind allowed by, and is determined in accordance with, a contributions plan. Council adopted its current Lismore Contributions Plan in March 2004 with an amendment in October 2007. The site specific contributions plan for the Cameron Road Park will be incorporated into the Contributions Plan. The Plan has to be adopted prior to the development application being determined.

This report outlines and recommends that the attached draft site specific section 94 Contributions Plan is placed on public exhibition for a period of 28 days commencing in January 2010. Costings in Attachment 4 are based on current dollar values.

The Draft Section 94 Contributions Plan

The site specific contributions plan has been prepared on the basis that the cost of providing the park can be solely attributed to future rural residential development in the McLeans Ridges area, being defined by the area included in the Rural Housing Strategy (refer Attachment 2). The Plan derives a per lot contribution by dividing the total cost of providing the park, principally land acquisition and park facilities, by the number of lots or dwelling entitlements applicable. The per lot contribution is indexed at the time of payment to reflect the consumer price index.

Land Acquisition

The land nominated as the public reserve will be dedicated at the time the subdivision certificate is released. It is proposed that this should occur once at least 50% of the lots are released on the basis that sufficient demand for the park will exist. At the time of dedication Council will reimburse the land owner. The owner will be required to make an open space contribution, and this will be deducted off the amount reimbursed to the land owner. The amount paid to the land owner will be recouped through the contributions levied on any development consents.

Park Facilities

The report to the July 8, 2008 Council meeting listed the items below as typical park facilities placed in medium to large sized parks that the community may use without needing to drive to a Goonellabah or Lismore park. The prices below were provided by Council's Parks Coordinator in September 2009:

• BBQ Installed (including electricity supply)	\$9,600
• 2 Tables and Benches	\$6,200
• 1-2 Shelters to house BBQ and tables (includes concrete slab)	\$35,500
• 2 bench Seats	\$2,800
• Bollards at any entry area off the road - likely to be all of the boundary of Cameron's Road and Development Road	\$5,300
• Playground should contain 1 modular unit and 1 double swing set contained in one softfall area	\$65,000
• 15 Specimen trees (25L pot size) to be planted in grassed areas maintained to maturity	\$3,100
• 1 Bin and bin cover	\$2,100
• Tap / water supply	\$3,300

Total = \$132,900

To assist in determining whether these types of facilities are desirable in McLeans Ridges, 183 surveys were mailed to McLeans Ridges residents in March 2009. Residents were requested to answer questions related to their current use/non-use of Council parks, the importance of particular facilities to be included in a park at McLeans Ridges and general comments. 50 surveys were completed and returned. Statistically this is considered to be a good response rate. Attachment 3 to this report compiles the responses received.

In summary, respondents stated that the things that hinder their use of parks are lack of shade, distance from home and inadequate facilities. Respondents said they would like a park that meets a range of needs, not just those of children; they want a place to meet and they want safe access to the park – fears were expressed about inadequate space for pedestrians to walk to the park. This translates to the following facilities:

- Children's play equipment
- Fencing/landscaping to prevent balls running down the hill
- BBQ
- Shelter
- Seating
- Car parking
- Toilets
- Bins
- Water tank
- Trees and landscaping that includes rainforest plants to attract wildlife
- Footpath to the park
- Lighting
- Regular maintenance
- Other including football field, community hall, tennis court, skateboard ramp, bike path, table tennis.

It is noted that a 1.2 metre wide footpath is required to be provided adjacent to lots with frontage to a public road in accordance with the terms of the Planning Agreement.

A number of respondents stated that they do not want a park for the following reasons:

- Unnecessary in a rural residential environment
- A waste of resources
- Too small
- Too sloping
- Inaccessible due to traffic and poor pedestrian access.

With respect to toilets, lighting and larger items such as football field, tennis court and skateboard ramp, Council's Parks Coordinator has advised that:

- the visitation rate to this size park in a rural area would not require toilets;
- lighting in the park is not favoured as it encourages night time use and potential anti-social behaviour;
- most local parks in small communities do not have large playing fields. However, they may have large open areas that can be utilised for sporting activities.

The most desired facilities correlate with typical facilities included in a park of this size. However, Council could choose to provide fewer facilities.

Lot Yield – McLeans Ridges Strategy Area

An estimate has been made of the number of lots that could be created under the Rural Housing Strategy in the McLeans Ridges area. The estimated lot yield of 124 lots includes the possible 62 lots foreshadowed by LEP20, an indicative yield at 15 Roseview Road of 25 lots and 4 possible lots at 275 Cameron Road. It is acknowledged that the review of the Rural Housing Strategy may lead to some or all of the land that is not covered by LEP20 being removed.

Comments

Financial Services

A Section 94 Plan (Plan) creates community expectation and a legal obligation for Council. The proposed Plan assumes that over time, 124 new lots/ETs will be created within the catchment area. Based on rezoning to date, 62 lots are likely while there is some doubt based on recent Council decisions as to the remainder being realised. Logically, if such doubt exists, prudent management of the situation is required.

The prudent management of this situation is made difficult by the fact that Council has approved an amendment to the LEP that specifies the creation of a public reserve. The nomination of the land as a public reserve requires Council to acquire the land from the land owner and this is estimated to cost \$300,000. The Plan proposes payment to the land owner when 50% (31) of the lots are released.

From a cash flow perspective, Council will need to pay \$300,000 when approximately \$108,200 (31 lots) has been collected from developer contributions as a result of the Plan. The shortfall (\$191,800) will be funded by an internal loan from Section 94 Contributions and repaid as future developer contributions are received. It is estimated that not until lot 86 of 124 is released will developer contributions equal the cost of the land. It is envisaged that embellishment works will take place after all land costs have been repaid and only as developer contributions are received.

While it is acknowledged that the time frame for the receipt of developer contributions is uncertain at best and therefore it is not possible to estimate interest costs on the internal loan, the main issue relates to the impact of having to review the Plan to decrease the potential lot yield should the catchment need modification. This will result in a dramatic increase in the per lot contribution or Council having to make a contribution to meet community expectations or legal obligation at some time in the future.

Parks Coordinator

The Section 94 Contributions Plan for this development is supported on the basis that maintenance funds estimated at \$15,000 per annum are allocated to the Parks and Recreation budget during the budgeting process of Council.

Other staff comments

Council's Development Engineer has been consulted in the preparation of this report and the draft section 94 contributions plan.

Public consultation

Some consultation has occurred with the McLeans Ridges community regarding the types of facilities desirable in a neighbourhood park in Cameron Road. Clause 32 of the *Environmental Planning and Assessment Regulation 2000* provides that Council may amend a Contributions Plan by a subsequent Contributions Plan. It is proposed to amend Council's existing Contributions Plan through the preparation of a new draft citywide Contributions Plan that incorporates the Cameron Road local park contributions plan. Clause 26 of the Regulation provides that a draft Contributions Plan must be publicly exhibited for a period of at least 28 days.

It is necessary to prepare a draft plan for Council consideration prior to lodgement of a development application. However, to allow the community maximum opportunity to comment it is proposed to place the draft plan on exhibition in the second week of January 2010 for 28 days.

Conclusion

A neighbourhood park was a Council requirement for the (then) draft amendments to the Lismore Local Environmental Plan 2000 at Cameron Road and Roseview Road. LEP amendment 20 has since been gazetted and it is necessary to adopt a section 94 contributions plan that will allow the cost of the land and park embellishments to be distributed across all future rural residential development in the McLeans Ridges Rural Housing Strategy area. A draft section 94 plan for the park has been prepared and it is recommended that it is placed on public exhibition for 28 days commencing in January 2010.

Recommendation

That Council exhibit the draft Section 94 Contributions for the Local Park in Cameron Road, McLeans Ridges for a period of 28 days, commencing in late January 2010.



Reserve road proposed to be closed

REHABILITATION AREA
 NATURAL REGENERATION AREA

LARGE EFFLUENT ENVELOPE
 VARIABLE DIMENSIONS 1000m²
 EFFLUENT ENVELOPE
 20m*25m 500m²
 BUILDING ENVELOPE
 20m*25m 500m²

Client:
**VENESS, LAWSON, PRIEST,
 DUCKER, PAUL, DAVIS,
 FELLOWES PTY LTD &
 BALDOCK**

Newton Denny Chapelle
 Consulting Surveyors & Planners
 Email: office@newtondennychapelle.com.au

Lismore
 First Floor Malesworth House
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 Casino
 100 Barker St, Casino 2470
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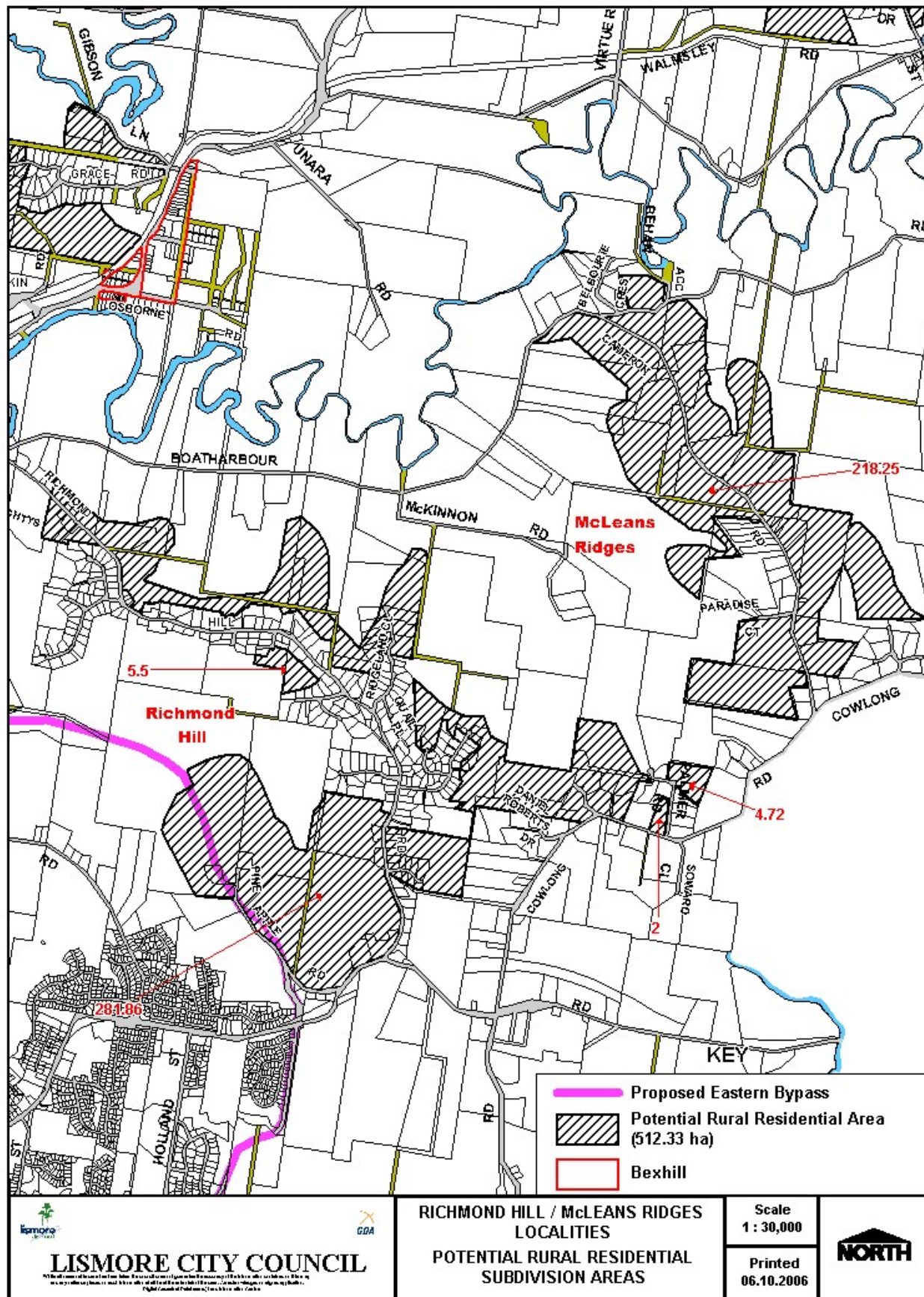
Amendments :

Date	Changes
B	
C	
D	
E	
F	

Project:
**FINAL LAYOUT
 CAMERONS ROAD REZONING**

Date: 23.06.08
 Scale: 1:5000 @ A3
 Ref No: D1 / 200X
 Rev G

Attachment 2 – Potential Rural Residential Subdivision Areas



Attachment 3 – Survey Responses

Compilation of responses to residents survey - Plan for Local Park in McLeans Ridges

183 surveys were sent out, 50 were completed and returned. The following are the survey questions followed by the responses.

1. Do you use any parks in the Lismore City Council area?

- 40 Yes
- 9 No
- 1 No response

2. If yes, what do you use parks for? (tick all that are applicable)

- 30 Children's playground
- 29 Get together with family/friends
- 27 Picnic/BBQ facilities
- 27 Walking
- 25 Activities eg kicking ball, basketball, cricket
- 25 Place to relax
- 21 Bike riding

3. What hinders your use of Council parks (please tick all applicable)

- 17 Lack of shade
- 13 Inadequate facilities
- 10 Fear of crime
- 9 Poorly maintained
- 28 Other (please briefly list other reasons) – see below

Other reasons given for what hinders the use of Council parks were:

- Distance of parks from home/McLeans Ridges (8)
- Nothing hinders use (3)
- Lack of need as live on a large block of land (2)
- Lack of toilets (3)
- Vandalism and drunks (2)
- Other i.e. lack of walking paths; uncertain about hours for times of use; mainly cater for young children; too old; any of the above would hinder me using a park; need for big trees for shade; none available in my area (McLeans Ridges).

4. Please rank the importance of each of the following facilities you think should be included in the Local Park in McLeans Ridges?

Note: The numbers below are the total of the choice that was ranked the most important. Where respondents simply ticked a number of boxed without ranking it has been taken that each of the ticks is the highest priority.

- 26 Children's Play Equipment
- If so, what would you like to see?
- 28 Swings
- 21 Slide
- 14 Basketball hoop
- 20 Climbing frame

- 15 Facilities for imaginative play eg bus, boat etc
 - 17 Pathways through the park
 - 21 BBQ/s and tables
 - 19 Shelters
 - 23 Seating
 - 21 Area to kick/throw balls, Frisbees etc
 - 8 Water fountain
- 10 Other (please list)
- Safe access to park (pedestrian crossing), safety from traffic on Cameron Road and Development Road and toilets as distant from Roseview etc.;
 - A car park, lighting;
 - Toilets;
 - Table tennis (would have to be inside and sufficient area)
 - No loud noise after reasonable time
 - Example forest restoration plot with named plants suitable for local projects
 - Trees
 - A park needs adequate space for at least a dozen cars to park, picnic area, BBQ, toilets, shelter, landscaping, play equipment. Where is an example of a similar site supporting a quality community facility?
 - Area for children with no dogs allowed.
 - If McLeans Ridges is to become the 2nd most populated area of Lismore then we most definitely need an oval for kids local sport, tennis courts etc.
 - Cycle tracks or shared pathway with walkers and cyclists.
 - No water tanks. Where are the toilet facilities? There's no facility for off-street parking. Tullera (with less people) has a tennis court. Why can't we?
 - If the park got to be used there need to be toilets or at least one toilet and a water tank and rubbish bins.
 - Mini football field with goals.
 - A community hall-sports building therefore housing for canteen, toilets, showers etc. Therefore shelter, seating etc provided.
 - Safe pedestrian/bike riding access to the park. All the mentioned facilities should be included to make this park useable – shade trees.
 - Safe walking, bike access to park from all of McLeans Ridges, shade trees, toilet facility with running water for washing, bins.
 - Toilet facilities, running water, tennis court, oval, off-street parking, community hall.
 - Bike track, skate board ramp so children do not use the road.

5. What else would be good to have in the Park?

- Shade trees/plants to attract native wildlife (4)
- Parking area (4)
- Water taps and water storage (4)
- Toilets (3)
- Community hall (3)
- Tennis courts (2)
- More useable land space (2)
- Lots of flat area (2)
- A cycle track through the park
- Activities for children/teenagers/area for skate boarding (2)
- Keep dogs out
- Water trough for horse riders to water horses and hitching rail

- No alcohol
- Two cows and a chicken coop. Let someone build a house there.
- A section of rainforest regeneration/bush food regeneration as a 'community project'.
- Walking and bike tracks leading to the park from local areas along Cameron and Cowlong Road.
- Footy field – all codes could be accommodated.

6. Do you have any other comment about the Park?

- Speed limit on Cameron Road – from Cowlong Road to Boatharbour Road must be lowered to 60kph Both these roads have three school bus services on them morning and afternoons; speed limit on Cowlong Road – from McLeans Ridges Road to Roseview Estate must be lowered to 60kph; potholes on Cameron Road must be repaired on a regular basis
- Need for large open flat areas for sports fields
- Could have been in a flatter area
- Obviously unsuitable sloped land for need of community that will develop. The importance for the community cannot be underestimated particularly the older children who cannot safely access by foot or bicycle either larger parks in Bexhill, Goonellabah and Lismore, 8-15kms away.
- Safety for young children on an intersection of a busy road must be considered. Access for older patrons, grandparents, safe parking.
- We don't need the park and we don't need the residential subdivision. We don't need suburbia. PS how many Councillors are getting a kick back from this development?
- The proposed park will be located a short distance from my home, however for us to utilise this facility will be required to drive –hence the need for a parking area. Cameron Rd is narrow, has much very fast traffic including trucks, tankers and earth moving equipment transportation (several businesses are based in this area). Cameron Rd does not have a footpath and in many areas no room for one. The future widening of the road will decrease pedestrian access further. On first inspection Cameron Rd appears a nice, quiet country road, however when you live here you realise just how potentially dangerous it is. A park would be lovely however, if no provision is made for pedestrians, I believe it will put residents, especially children at significant risk.
- The park is a poor substitute for the loss of what is a beautiful and serene outlook that will be completely ruined by the Council's unbelievable action in changing the zoning of the area based on a flawed application by developers.
- Make it safe for children with no dogs allowed or only leashes.
- I am totally opposed to the draft Lismore Local Environmental Plan for subdivision at Cameron Rd, including the paltry provision of a so-called Local Park.
- We think it is a good idea to help break up the visual effect of the redevelopment. However, we hope it will not become a burden on future residents.
- No water features as could be danger to young children – drowning.
- Items to overcome vandals.
- It is not conveniently placed for the majority of existing McLeans Ridges residents.
- I enjoy rainforest/bush tucker areas and I think many others in McLeans Ridges would be sympathetic to this concept.
- Did not want development in the first place.
- Increase size, place in an area suitable for native vegetation restoration

- I honestly think a park in a rural area is waste of time and resources. As a person who lives on a rural residential block I have plenty of room to get outside. The park will cost money to develop and maintain. Why not spend this money on something more important eg grading the sides of the road so the water runs down the drain and not down the road. You should maintain what you have rather than waste money on something that only the loud minority is asking for.
- All I can say is that all Lismore parks are the best in the whole area from Byron to Evans Head and as far west that I've gone. They are all enjoyed by my grandchildren and family and friends and the upkeep is excellent.
- A usable area (after expensive levelling and construction of retaining wall) of ½ of 1.25ha (0.625ha) may be inadequate particularly where there will need to be a parking area. The cost of the land and facilities has not been paid and depends on future rural residential development. This development is not an appropriate land use for McLeans Ridges. Can Council assure residents that they will actually get a useful park as part of development at McLeans Ridges.
- We are not sure of the wisdom of locating a park within a rural residential area with enough space within each lot for the children – perhaps Council should consider providing facilities elsewhere (perhaps enlarging the park at the end of Cameron Road).
- Regular maintenance is important.
- Don't leave it to the "community group" to look after the facilities. We've already seen the outcome of community areas and the non-maintenance of weeds (lantana, crofton weed, groundsell bush, camphors)
- The selected area is NOT at all suitable for a park. There is far too much of a slope on the land and would therefore request expensive and extensive earthworks. The fact of being along side a road is also a danger for children relaxing, no shady established trees for shade or shelter.
- The park proposed for McLeans Ridges in Cameron Road is quite unsuitable. The area is not adequate in size and would require extensive earthworks etc to level it.
- This park should be accessible and interesting i.e. plants, trees so that we could take senior citizens out for walks and BBQ. Not only child friendly. Age care facilities are always looking for somewhere to take them out for picnics.
- Whatever happened to the idea of a community hall to house functions, run craft groups and perhaps even operate as a child-care facility.
- McLeans Ridges need something for people to meet is there a place provided please do it so that it can be used. Anything half hearted will end up in wasted money and not be used. People and children have to travel to and from the park safely. Do it right or don't do it.
- Hopefully the Council will consider the fact that the increase in population that will arise from the subdivision does warrant adequate community facilities.
- This is so absurd it's ludicrous, a joke surely!? Why not put a park at Dunoon, Nimbin etc existing villages; how about Clunes (on 97.5 acres available now and paid for). A park without reticulated water and sewerage i.e. toilets ets is pointless. But hey how about disabled access in the middle of nowhere. I don't thank you for your time or this waste of public funds when a DA to subdivide has to date not been lodged.
- This park will not adequately house all the embellishments that would be required for the large community. There is very little useable space, so I believe that the proposed block needs to be relocated to a more acceptable size and location. There was mention of the moving of the existing McLeans Ridges Hall but was rightfully deemed not viable. Therefore a community hall with more land space should be seriously considered. If this development does go ahead the increase in the population is going to impact on the rest of the community, including our hall and the roads, dramatically.
- Area of the park is inadequate and too steep; how do our children safely access the park; developers should make this a useable park for the McLeans Ridges Community – not an empty overgrown block of land. Who pays if there are no more developments?

- If McLeans Ridges is to become urbanised it should have public space with facilities to suit. How will weeds be controlled? Will revegetation take place – most of the proposed block is too steep for grassing and mowing.
- The proposed site is far too small and steep to cater for proposed increase in population. How will other residents in McLeans Ridges safely access the park? I am very concerned that we could end up with a vacant lot and virtually no facilities/services.
- In this case the proposed park seems to be small, on steep land that is expensive to develop and funds to develop the park do not seem current. Can we realistically expect that an adequate park will be developed at McLeans Ridges – funded by developers not rate payers? Will there be car parking? There are no footpaths to walk on to safely get to the park, no bike tracks in the area, not even adequate roads.

Attachment 4 – Draft Section 94 Contributions Plan – Cameron Road Neighbourhood Park

Part C Section 1 Recreation and Community Facilities

Section 1.6 Specific Community Parks/Recreation Facilities

This part of the Lismore Contributions Plan applies to specific recreation areas/parks to be provided to meet the recreation demands/needs of future residents of that area.

1.6.1 Proposed Neighbourhood Park – Cameron Road, McLeans Ridges

What land and development does this section apply to?

This section applies to development on land within the nominated catchment area of McLeans Ridges indicated on the McLeans Ridges Rural Housing Catchment Map.

Causal Nexus

The need for a park in McLeans Ridges was identified in the proposals to amend the Lismore Local Environmental Plan 2000 to allow rural residential development in Cameron Road and Roseview Road. The resulting increased population in McLeans Ridges demonstrates a need for a park that is able to satisfy the needs of future residents. This demand is wholly attributable to new development as the existing density of rural residential development does not currently generate a need for the park.

Physical Nexus

The proposed new park is provided in a central location capable of servicing an expanded population within the McLeans Ridges strategy area as shown on the McLeans Ridges Rural Housing Catchment Map. The location has been determined having regard to the location of the increased demand and accessibility to the facility.

Temporal Nexus

Demand and use of the park will increase over time and Council will provide the facilities required as identified in the schedule after contributions received exceed land acquisition costs and are sufficient to allow a viable package of works to proceed. The preparation of the land, that is, earthworks, retaining walls, topdressing and grassing, shall be completed by the land owners prior to dedication of the land as a public reserve in accordance with the Cameron Road Planning Agreement dated 16 October 2008.

What is the formula for calculating contributions?

$$\text{Contribution (per ET)} = \frac{\{L + E + AL\}}{N} \times \text{CPI}$$

Where:

L = land acquisition costs

E = embellishment costs (value of works)

N = estimated number of new lots/ETs within the catchment

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

CPI = Consumer Price Index

What are the estimated land and embellishment costs of providing the facility?

The estimated costs of the land and the embellishments are shown in the table below:

Location	Description of works	Indicative Item Cost	Total Project Cost	Proportion attributable to new development	Amount Levied
Cameron Road McLeans Ridges	Land acquisition	\$300,000		100%	
	Park Facilities: <ul style="list-style-type: none"> • Shelters, tables, seating and BBQ • Bollards • Playground equipment • Trees • Bin and Water supply 	\$132,900	\$432,900	100%	\$432,900

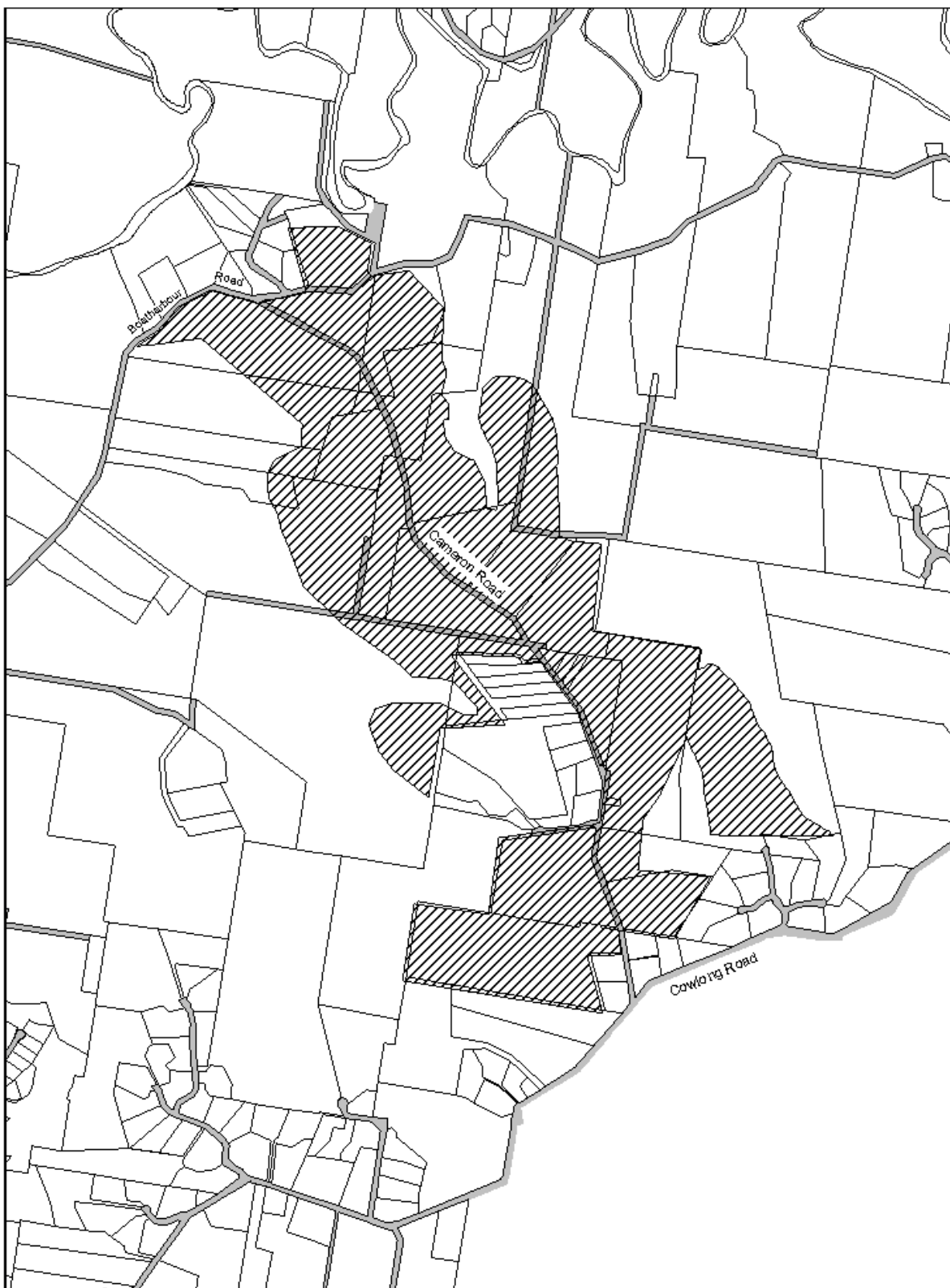
What is the contribution rate for the new Cameron Road park?

The catchment shown on the McLeans Ridges Rural Housing Catchment Map has an estimated lot yield of 124 Lots. The contribution for the catchment is:

$$\begin{aligned} \text{Contribution (per ET)} &= \$432,900 + 2.5\% \times \text{CPI} \\ &\quad 124 \\ &= \$3,491 + 2.5\% \times \text{CPI} \\ &= \$3,578 \times \text{CPI} \end{aligned}$$

Funding of the Land Acquisition and Facilities

The preparation of the land, that is, earthworks, retaining walls, topdressing and grassing, shall be completed by the land owners prior to dedication of the land as a public reserve in accordance with the Cameron Road Planning Agreement dated 16 October, 2008. No contributions for this work are to be levied against a development application for the subdivision of the land to which LEP20 applies. The owner of the land to be dedicated as park will be reimbursed for the land when 50% of the lots are released. As new development occurs within the McLeans Ridges catchment a contribution at the applicable rate shall be levied on each new ET. The park embellishments shall be provided by Council after contributions received exceed land acquisition costs and are sufficient to allow an economically viable package of works to proceed.



McLeans Ridges Rural Housing Catchment Map

	<p>LISMORE CITY COUNCIL</p>		<p>Scale 1 : 17,650 Printed: 19/11/2009</p>	
<p><small>While all reasonable care has been taken the council does not guarantee the accuracy of the information contained on this map and any reliance placed on such information shall be at the sole risk of the user. Accredited on signed application. Digital Cadastral Centre or (p) Land Information Centre</small></p>				

Report

Subject	2009/2010 Bitumen Seal Extension Program
File No.	EF09/1438:ED09/17485
Prepared by	Manager - Works
Reason	To inform Council of the proposed Bitumen Seal Extension program for 2009/2010 as recommended by the Infrastructure Assets Policy Advisory Group (IAPAG).
Objective	To obtain Council's approval for the 2009/2010 Bitumen Seal Extension Program.
Strategic Plan Link	Improve Roads, Cycleways and Footpaths
Management Plan Activity	Roads

Overview of Report

This report recommends a program for the Bitumen Seal Extension Program for the 2009/2010 financial year. The recommended program has been developed using Council's objective road evaluation points scoring system for bitumen seal extension of gravel roads.

Background

Council resolved at its meeting of June 9, 2009 to “*defer a decision on the possible re-allocation of the \$200,000 identified in the draft 2009/2010 budget for the bitumen sealing of gravel roads to unsealed roads maintenance, until Natural Disaster funding has been advised to Council following the recent floods*”.

Also, at the Budget Review Workshop held on 22 September 2009, Council requested staff examine whether sealing gravel roads is the most effective use of the funds. Council is in the process of a comprehensive review of the current budget. Every line item is being examined to review its importance and effectiveness in delivering Council's Strategic Plan. Therefore, the issue was referred back to the IAPAG to consider this program with respect to the economic factors in relation to the decision to extend the sealed road network.

Alternate Use of Funds and External Funding Sources

The \$200,000 currently allocated to sealing of gravel roads could be used for any number of worthwhile activities. Given the current condition of the overall road network, management staff believe the most effective treatments would include:

- extra gravel maintenance activities (including gravel re-sheeting, increased grading frequency and drainage maintenance works),
- heavy patching and rehabilitation of the sealed road network (ie, undertake the next sealed road capital works project on the priority list).

Another factor that should be included in this analysis is the source of any external funds.

Gravel Maintenance

Council currently has approval of flood restoration funds from the Roads & Traffic Authority, over the next two (2) financial years for approximately \$3.6 million towards the restoration of gravel pavements including drainage lines and structures. These funds will allow Council to clear blocked drainage lines and reinstate gravel pavement depths. This flood funding effectively frees up Council's normal gravel roads budget of \$1,006,000 to improve the level of service on the remainder of the gravel road network not affected by flood damage. Therefore the \$200,000 allocation can be more effectively used on other activities other than gravel road maintenance over the next two years.

Heavy Patching

Council has also been successful in obtaining additional funds for heavy patching on the sealed road network that have been damaged by the inundation of flood waters, amounting to \$910,000. This work will involve strengthening of the existing pavement by the provision of a 100mm overlay of road-base, followed by cement stabilisation to a depth of approximately 200mm or the installation of 100mm deep asphalt patching.

The above flood funding is additional to existing Heavy Patching budgets (Urban - \$250,000, Rural - \$292,000 and Regional - \$260,000). The effectiveness of another \$200,000 on top of the above funds needs to be weighed up against the benefit of sealing gravel roads.

Rehabilitation / Reconstruction

It has previously been reported that there is a backlog of rehabilitation/ reconstruction works totalling \$87million. Therefore, there is a huge demand for funding in this area. However, the question needs to be asked regarding the effectiveness of an additional \$200,000 in the face of such a large backlog of works, compared to the benefit of sealing gravel roads.

Sealing of Gravel Roads

Previous PAGs and Councils have supported the practice of progressively sealing gravel roads by allocating a token amount of \$200,000 per year. This can be justified on the grounds of reduced maintenance costs, reduced user costs, reduced dust impacts/complaints and increased ride quality.

Recent projects in this program have also completed missing links in the sealed network. Projects such as Tuntable Creek Road and Stony Chute Road are examples. Proposed projects such as Lillian Rock Road and Mountain Top Road also fall into this category of missing links. Gravel sections which form missing links in the sealed road network are expensive and difficult to maintain to a satisfactory level of service as there is an expectation from the community that over time they will logically be sealed to provide a continuous sealed route.

It also sends a strong message to the community and particularly gravel road users that Council is continuing, however slowly, to seal the road network and hence improve the level of service and meet a desire from the community.

Road Funding Available

General Road Funding

2009 / 2010

Revenue - General

\$200,000

Bitumen Sealing of Gravel Roads Priority Listing

In light of the above information, the Infrastructure Assets PAG recommended that the allocation of \$200,000 in the 2009/2010 budget towards the initial sealing of gravel roads be retained.

Listed below is the current prioritised listing for the bitumen sealing of gravel roads as reported to the Infrastructure Assets PAG.

Priority Rating	Road Name	Location	Length (km)	Cost (\$)	SCORE
1	Lillian Rock Road	Blue Knob	0.800	160,000	52
2	Mountain Top Road	Mountain Top	5.700	855,000	42
3	Sheehan Road	East Coraki	2.800	420,000	41
4	Terania Creek Road	Terania Creek	1.200	180,000	39
5	Fredericks Road	Caniaba	1.800	270,000	38
6	Borton Road	Tullera	1.900	285,000	38
8	Military Road	East Lismore	0.400	80,000	37
9	Boggumbil Road	Blakebrook	1.800	270,000	34
11	Bentley Road	Tullera	3.200	480,000	34
12	Emerson Road	Rosebank	3.900	585,000	30
13	Hayden Road	Koonorigan	0.700	105,000	28
14	Pinchin Road	Goolmangar	3.800	570,000	28
15	Caniaba Road	Caniaba	1.100	165,000	27
16	Missingham Road	Dunoon	2.750	412,500	25
17	Keerrong Road	Keerrong	5.600	840,000	24
18	Swan Bay Road	Coraki	5.400	810,000	24
19	Munro Road	Dunoon	2.000	300,000	24
20	Pelican Creek Road	Caniaba	3.100	465,000	23
21	Cross Road	Numulgi	3.800	570,000	23
22	Graham Road	Marom Creek	1.250	187,500	22
23	Ridgewood Road	Rosebank	2.300	345,000	21
24	Grennan Road	Tregeagle	1.400	210,000	20
25	Henson Road	Wyrallah	1.800	270,000	20
26	Mathieson Lane	Tucki Tucki	1.000	150,000	18
27	Riverview Park	Lismore	0.175	26,250	18
28	Booerie Creek Road	Booerie Creek	2.500	375,000	16
			Total:	\$9,386,250	

Accordingly the Infrastructure Assets PAG met on November 26, 2009 and recommended the following program for the bitumen seal extension of Council's gravel road network.

Proposed 2009/2010 Bitumen Seal Extension Program

2009/2010 Works Program (Recommended by Infrastructure Assets PAG)	Pts	(\$)
Gravel Roads	-	
Lillian Rock Road 0.5km	52	\$100,000
Mountain Top Road 0.5km	42	\$100,000
Total :		\$200,000

Comments

Financial Services

The 2009/10 Budget has \$200,000 'quarantined' in accordance with resolution 79/09 - 2 from the 9 June 2009 Council meeting. As such, funding is available to do the nominated works in accordance with the Infrastructure Assets PAG recommendation.

Other staff comments

Not required.

Public consultation

The proposed 2009/2010 Bitumen Sealing of Gravel Roads Program has been discussed and is recommended by the Infrastructure Assets PAG which met on 26 November 2009.

Conclusion

In light of the additional funding received for the restoration of gravel and sealed road pavements through the Natural Disaster Funding Scheme, it is recommended that Council reinstate its bitumen sealing program for gravel roads. The nominated projects have been evaluated in accordance with Council's gravel road sealing point scoring system.

These projects will ensure Council's road infrastructure network remains viable and efficient for the community's benefit.

Recommendation (IS66)

That Council approve the 2009/2010 Bitumen Seal Extension Program which allocates \$100,000 each to Lillian Rock Road and Mountain Top Road.

Report

Subject	Resilient Regional Communities
File No	EF09/2449:ED09/18729
Prepared by	Manager Information Services
Reason	To inform Council about the Federal Governments implementation plans for the National Broadband Network (NBN) and the opportunity to present our region as a priority for the NBN rollout.
Objective	To seek Council's support for this Regional initiative.
Strategic Plan Link	Enhance Lismore as a Regional Centre
Management Plan Project	Business Development/Investment Attraction

Overview of Report

The Federal Government has announced it will establish a new Company to invest up to \$43 billion to build and deploy a high speed broadband network to homes and workplaces across Australia. An opportunity has arisen for Council to be a part of a regional submission being coordinated by Southern Cross University to put forward Northern NSW as an early target for deployment of this network.

Background

National Broadband Network

The Federal Government has announced it will establish a new company that will invest up to \$43 billion over eight years to build and operate a National Broadband Network (NBN) delivering superfast broadband to Australian homes and workplaces.

The NBN will mean people living away from major cities will have:

- less need to travel to obtain specialist services, saving people time and money;
- convenient access to city services;
- opportunities for communities to connect with one another using real time, high-definition video conferencing; and
- better access to information sources and tools that are typically located in major urban centres.

Some parts of the National Broadband Network initiative will take time to deliver – rolling out a new network across the country is a major and complex engineering task.

Tasmania was selected as the first region for the NBN rollout for several reasons:

- lowest level of broadband penetration of any state in Australia at 32% of households
- The Tasmanian Government submitted a proposal as part of the National Broadband Network tender process.
- Tasmania was well advanced in its planning and was ready to start work.

Opportunity for North Coast NSW

An opportunity exists to position North Coast NSW as the next regional area for the NBN rollout. There are a number of factors which make this submission possible and provide support for its success:

- The combined population of the Mid North Coast and Northern Rivers regions is comparable to Tasmania but covering only half the area.
- Southern Cross University's expertise in Information Technology and commitment to supporting the regions take up and application of business and community broadband technologies.
- Regional support from Local Government and other agencies.

The NBN Submission

In his recent visit to Grafton, the Minister for Broadband, Communications and the Digital Economy, Stephen Conroy invited the region to provide a submission that outlines a compelling business case for our region to be the first on the mainland for the rollout of the National Broadband Network.

Southern Cross University has taken the lead and committed resources to ensuring the region is in the best possible position to present our case. This submission will be coordinated through Professor Peter Croll, Professor of Information Technology & Information Systems at Southern Cross University. Coffs Harbour City Council is also committing resources through the Economic Development Unit to coordinate Councils' input.

The objective of the submission will be to attract the early deployment of the NBN to enable Professor Croll's concept of Resilient Regional Communities in the North Coast Region of NSW through the use of innovative digital enablement technology.

A regional community could be more resilient:

- to natural disasters and catastrophes through improved communication and access to services (particularly disaster response and health information);
- to the impacts natural disasters have on the business community by allowing continuity of operations in times of crisis;
- to increased pressures on our health system by providing alternative methods of accessing consultation and diagnostic services;
- by being able to direct more targeted emergency responses through improved local feedback;
- through reduced need to relocate health care professionals;
- to the "brain drain" from our communities of highly skilled workers by being able to maintain access to high quality teaching and learning experiences.

Our regional communities will be more connected:

- by increasing the ability of communities to communicate with each other during disaster management; and
- to the diagnostic and teaching skills of healthcare specialists by remote access.

The benefits include:

- Addressing gaps in current emergency response solutions such as SMS messaging;
- Strengthened sense of community through connectivity;
- Increased business confidence in relocating to our region due to measures to address continuity of service;
- Increased individual confidence that access to health professionals will continue after relocation to the area;
- Reduced exodus of youth to larger centres for further education opportunities;

- Business opportunities include higher productivity for employees when working remotely, improved overall work quality when telecommuting, improved quality of life and increased employee retention rate due to flexibility;
- Connection of patients in regional NSW to specialists in Sydney;
- Reduced duplication and better management of government assets.

The submission has to be presented to Department of Broadband, Communications and the Digital Economy (DBCDE) by 21st December 2009.

A report to the November 2009 meeting of NOROC received their endorsement of this initiative.

Comments

Financial Services

Not required.

Other staff comments

Not required.

Public consultation

Not required.

Conclusion

The submission if successful, will place North Coast NSW on the forefront of this major technology investment by the Federal Government. It will open up significant opportunities for the region to flourish in business, services to the community, arts and creative industries as well as enhancing essential service activities during emergency events.

Recommendation

That Council endorse and participate in the North Coast NSW submission to the Department of Broadband, Communications and the Digital Economy being coordinated by Southern Cross University.

Report

Subject	Lismore Festival of Cricket, Post Event Report
File No	EF09/2430:ED09/18648
Prepared by	Events Co-ordinator
Reason	Submit Independent event report compiled by DSA Consulting Services and respond to Council's July 14, 2009 resolution that "a post event report be compiled"
Objective	Provide information to Council.
Strategic Plan Link	Develop and support art, cultural, sporting and tourism activities
Management Plan Project	Economic Development

Overview of Report

This report provides a summary of the findings of the post festival survey relevant to Lismore Festival of Cricket together with comments from an event management perspective. *Note: The DSA Consulting Services Report will also be submitted to Events NSW as per sponsorship agreement.*

Background

From September 22, 2009 to September 29, 2009, Lismore City Council played host to a high profile Cricket Festival which served as a precursor to a major international event held in India (India Champions League) in October 2009. The local decision making process which culminated in the festival coming to Lismore was as follows:

- January 10 Concept (NSW and Victoria) presented to management by Complete Sports Marketing (CSM)
- March 20 09/10 Management Plan/budget submission from Events Co-ordinator - \$153,300
- April 3 Enhanced document from CSM re the proposed events (NSW, Victoria and Tasmania) and its requirements
- May 14 09/10 Management Plan on exhibition
- May 21 Meeting between CSM, General Manager and Events staff to firm up proposal
- June 1 Event launch at Oakes Oval – Mayor, media and key stakeholders
- June 18 09/10 Management Plan approved
- July 7 Presentation to Council Workshop
- July 14 Council resolves that a post event report be compiled.

Council's interest in such events stems from its strategy to "assert Lismore's position as the regions premier location for quality festivals and events". The Cricket Festival project was devised by Consultants Complete Sports Marketing (CSM) and involved elite state and national level teams from NSW, Victoria and Tasmania. The project, though ambitious, was well received by management, staff and sponsors alike.

As reported in the Council's Quarterly Financial Review (10 November 2009), and despite lots of positive feedback, the event suffered a \$168,000 loss for the Council. This report will identify the contributing factors to that loss, addressing both positive and negative outcomes.

Budget

Contributing factors resulting in the net loss include:

- Significant over-estimation of crowd numbers. 800 – 1000 spectators in addition to the actual daily attendances were anticipated.
- An average shortfall of 900 patrons multiplied by gate entry fees of \$15 x 8 games, resulted in a deficit of approximately \$108,000.
- In addition approximately \$60,000 was spent on bringing in supplementary lighting (hire, crane hire, transport from Brisbane) for night games in order to increase attendances numbers.

Lack of Attendance Numbers

The DSA Consulting Services Report outlines a number of contributing factors which may in isolation, or in combination have resulted in lower than anticipated attendance figures:

- Crowded calendar of events during September i.e. Masters Games, Lismore Race Day
- Dust Storm on two days (particularly Saturday, September 26 when a large crowd was anticipated)
- Clash with Southern Cross University Study Week (most students out of town)
- Clash with High School Certificate (no "take up" from local high schools)
- Clash with Football Far North Coast Grand Finals.

Positives Outcomes

The DSA Consulting Services Report identifies many positives associated with the event. They are highlighted on pages 16, 17, 21 and 22 of the report. In summary, visiting teams, spectators and stakeholders on the whole were extremely satisfied with:

- the venue
- the quality of the games
- the management of the event and
- all activities associated with the event.

All teams involved expressed a desire to return, though should this idea be entertained a review of the funding and management model would be imperative.

Negative Outcomes

There were no perceived negative outcomes apart from the financial loss incurred.

Economic Benefits

Whilst acknowledging Council suffered a financial loss on the event many local businesses experienced very positive flow on effects from activities generated by the event and its participants. The economics associated with the event are detailed on pages 13 and 14.

Comments

Financial Services

The financial result for the Cricket Festival of a loss of \$168,000 was reported to Council in November 2009 as part of the September 2009 Quarterly Budget Review report. As indicated, the anticipated result and actual result were significantly different.

If Council proposes to be the 'promoter' of future events, greater scrutiny and expert advice on likely costs and target market participation is required to best ensure the financial objective is achieved.

Other staff comments

Tourism Services Co-ordinator

The value of events, particularly sporting events is huge for the City of Lismore. From a tourism perspective we don't have a beach or a "big" icon. Our strengths lie in our current sporting infrastructure and our ability to host local, state, national and international sporting tournaments from a variety of codes. Events bring people to the City of Lismore, contributing millions of dollars to the economy each year.

Lismore is fast becoming acknowledged as one of the leading destinations for sport outside capital cities. The Lismore Festival of Cricket was a high quality event, with the only negative element being the small crowds, which in turn has resulted in a budget deficit for Lismore City Council. The success of the events team to attract high quality events over the past 3 years has resulted in parts of the local community taking for granted these high quality events on a doorstep. I believe this event will make the community realise that if you do not support these events through attending, these events will not happen in the City in the future.

A dedicated events strategy should be developed to ensure Lismore continues to host events and festivals into the future. A strategy will set out the parameters for hosting events, to ensure a financial burden is not placed on council into the future.

Lismore Tourism and Events teams are looking at a variety of strategies to help/assist with the hosting of events that are held in our city. Some of these strategies include local businesses and tourism operators contributing to some of the costs of hosting these events, as they are the key beneficiaries of events that are hosted in Lismore.

Manager Arts, Tourism and Leisure

The Lismore Festival of Cricket was a high quality event featuring elite interstate teams, training and competing as a lead up to an international tournament, eventually won by New South Wales. Feedback from the players and officials has been overwhelmingly positive regarding the playing and support venues and the event organisation. Unfortunately the event suffered a significant financial loss resulting from lower than anticipated spectator numbers primarily due to a very crowded calendar in that week, and indeed for the entire month of September. The date of the festival was non-negotiable due to the impending international event. Notwithstanding the financial loss, the event generated some significant spin offs for local business and further reinforced Lismore's capacity to host major sporting events. However, upon review of the event some significant changes to such an event's research, planning and preparation are to be undertaken should Council wish to embark on a similar event in future. Together with the development of an overarching Events Strategy which is currently being prepared.

Executive Director Sustainable Development

There is no doubt as pointed out these high level events greatly help promote the branding of Lismore as a key regional sporting event location. Certainly these high level events provide this branding value that the second tier events such as the NSW under 14 year old baseball tournament can't. This objective is also very in line with the City's very significant investment in regional sporting facilities and the newly adopted Community Strategic Plan priorities.

However, there are a number of things we should do differently in the future to reduce the financial risk. In this respect the following points are relevant:

1. The second paragraph of the conclusion to the DSA Consulting report on page 27 provides an insight into one thing that we should do differently i.e. deeper research into the market conditions may have seen crowd predictions significantly reduced. As a first step the outdated Events Strategy (1998) will be reviewed and this review will be underpinned by market research on what major sporting events locals might attend. This will inform the Strategy and provide a context for deciding which events we should focus on i.e. the more popular ones. For the less popular major events Council would know up front that there is a much greater risk associated with holding or promoting it.
2. Secondly the high risk events are where Council is the 'promoter' of the event as opposed to a sponsor or partner for the likes of Cricketfest or the Masters Games. Council as the promoter takes on a lot of risk. This point is highlighted on page 25 of the DSA Consulting report under the heading of 'contract negotiations'. It is recommended that Council develop an 'events sponsorship/promoter policy' to ensure there is a robust framework for considering such proposals. This should be in place before Council takes on 'promoter' status for any future major sporting events including the next Masters Games.
3. Both actions (1) and (2) should be reviewed by the relevant PAG.
4. The organisational restructure is designed to better cost control on such events with a Manager focused on major recreational activities/events and a marketing.

Public consultation

Feedback letters/emails are attached.

Conclusion

The Cricket Festival has resulted in an unfavourable financial result for Council primarily due to poor attendance/ticket sales. Despite this, the event generated numerous positive outcomes, as detailed in the DSA Consulting Services Report. There needs to be a much stronger events strategy and policy framework in place to reduce future financial risks especially for events where the Council is the promoter.

Recommendation

1. That Council note the findings contained within the DSA Consulting Services report.
2. That the current Events Strategy be comprehensively reviewed and underpinned by market research.
3. That subsequent to (2) above that an Events Sponsorship/Promoter Policy be developed.
4. That this reviewed Strategy and Policy as referred to in (2) and (3) above be presented to EDPAG and the SRPAG prior to Council consideration and adoption.

Report

Subject	Public Access to Objections/Complaints
File No	EF09/1776:ED09/18491
Prepared by	Corporate Compliance Coordinator
Reason	Request by the NSW Ombudsman
Objective	To determine Council's action
Strategic Plan Link	Engage with the Community
Management Plan Project	Corporate Services

Overview of Report

This report canvasses the option of changing Council's policy in respect to access to objections. This review has been prompted by a request by the NSW Ombudsman. The recommendation is to adopt a position consistent with that recommended by the NSW Ombudsman.

Background

The current policy (copy enclosed) was established in 1997. The NSW Ombudsman has raised concerns over part of this policy which refers to the identity of those who lodge objections to Development Applications (Part 2a).

The view of the NSW Ombudsman is that:

'Objection lodged with Council's about DA's should be available on request and include all details of the objection, including the identity of the objector'.

In support of this review, the Ombudsman has provided the following advice:

Ombudsman's Guidance – Objections to Development Applications (DAs)

In relation to objections lodged with Councils to DAs, copies should generally be released by Councils on request, without resort to the Freedom of Information (FOI) Act. Both the substance of the objection and the identity of an objector to DAs should generally be disclosed (in this regard see the judgment in Gilling v General Manager, Hawkesbury Shire Council [1999] NSW ADT 94). This unrestricted 'open access' policy is based on the belief that it is in the public interest that submissions on DAs should be made in good faith and be based only on the merits of the proposal. Such a policy of 'open access' would discourage objectors from lodging submissions in bad faith or which contain undesirable malicious, gratuitous or personally spiteful comments about the building or development applicant.

The rationale behind this view is that, provided Councils adequately inform residents that confidentiality will not be available, there is seldom any good reason to restrict access to such documents. It is relevant to note that the names and addresses of objectors, and details of their objections must be included in reports to decision-makers if those objections are to be properly assessed by Councils, committees, or Council staff under delegated authority. Where applications are determined by Councils themselves, the business papers for the meeting, as well as the minutes, are required to be publicly available under Section 10 of Local Government Act 1993. Where such assessments are carried out by staff under delegated authority, the reports that form the basis for such decisions would be available under the FOI Act. There are no grounds that would justify a different approach being adopted in relation to the name, address and details of objections lodged, depending on whether applications are to be determined by the governing body of a Council or by a committee or member of staff acting under delegated authority.

*This issue was considered by the ADT in *Gilling v General Manager, Hawkesbury Shire Council* [1999] NSW ADT 94. The Tribunal took the view that an applicant should be able to find out what information was taken into account by a local Council in determining an application (which would include by staff acting under delegation) so that the decision is transparent and the Council is accountable. The Tribunal also stated that Councils should take all opportunities to inform residents that confidentiality will generally not be available for objections to DAs.*

Another factor this is relevant is the sheer volume of objections received by many Councils each year. Added to this is the amount of work involved in processing FOI applications for access to such objections, including notifying persons who have made objections under Section 31 of the FOI Act, the assessment of their responses, and the preparation of notices of determination.

The advice from the NSW Ombudsman is only advice and Council is under no obligation to comply with the request.

The issues raised by the Ombudsman as to the advantages to the community and the applicant of knowing where the submissions come from (both for and against) are supported. There is also no doubt that such a policy change would reduce administrative costs in dealing with requests for such information.

Controversial planning issues, be they rezonings or development applications attract many submissions. Pro and anti groups form and lobby Council over such issues. Inevitably issues of probity arise in respect to staff and Councillors. To be as open as possible by releasing such details, removes one possible source of doubt in the community's mind.

The counter argument is that the loss of anonymity will reduce the number of submissions as people have concerns surrounding the public release of their names/addresses. Access to such information can be achieved via the FOI process, even if Council says 'no' at the initial stage.

There is no evidence available to support such concerns.

Should Council amend its policy, changes would be made to the notification procedures to ensure the public is aware of the public nature of any submission they may make.

There is also no doubt that such a policy change would reduce administrative costs in dealing with requests for such applications. These are labour intensive, time consuming and regrettable not all costs are recoverable.

Surrounding Councils

To see if any regional consistency could be achieved, contact was made with the Ballina, Byron, Kyogle and Richmond Valley Councils to determine their approach.

Ballina Shire Council

Submissions are made available in full to the public. Confidentiality can be requested which will be considered on its merits (a subjective and potentially messy process). Access to such confidential material would be via an FOI application.

Byron Shire Council

Byron Shire Council's position is very similar to the current position adopted by Council.

Kyogle Council

As a matter of course, Kyogle Council does not release names and addresses. Access is via an FOI application.

Richmond Valley Council

The process adopted is similar to Ballina Shire Council.

The requirement for a half yearly report is considered unnecessary. Such information by law must be included in Council's annual report. This requirement in the policy is duplication.

Comments

Financial Services

Not requested.

Other Staff Comments

Acting Manager Integrated Planning

The recommendation of the Ombudsman with respect to the release of names and addresses is not supported for the following reasons:

- Experience from other Councils shows that objectors have been intimidated by unscrupulous developers into withdrawing or altering their objections.
- During controversial and emotive development or rezoning application processes, there could be intimidation experienced by opponents or supporters.
- The importance of objections lies in the issues raised, not the name of the person who makes the objection.
- While it is true that names and addresses of submitters are available following an FOI process, it does not then follow that these details should be given out automatically. The FOI process will deter many people from requesting these details.
- Anecdotal evidence suggests that some people will be deterred from making an objection if their personal details are automatically released.

Public Consultation

None undertaken.

Conclusion

This Council is committed to open and transparent decision making. The full release of submissions to DA's will increase the community's confidence in its decision making process and more than offset any 'cost' associated with reduced submissions.

The approach adopted by Ballina Shire Council and Richmond Valley Council does meet the 'requirements' of the Ombudsman but introduces a level of complexity and subjectivity into the process, confidential versus non-confidential submission, plus the continued use of the FOI process. In the interest of making Lismore's process open and less complicated the Ombudsman's approach is a proven, preferred outcome.

Recommendation

That Council Policy number 1.4.4 be amended by deleting Clause 2a and 3.



POLICY MANUAL

<u>OLD POLICY</u> POLICY NO: 1.4.4	PUBLIC ACCESS TO OBJECTIONS/ COMPLAINTS LODGED WITH COUNCIL
OBJECTIVE:	To give guidance to staff on the public's right of access to objections lodged with respect to development and building applications to third party complaints.
STRATEGIC PLAN LINK:	Leadership by Innovation
PROGRAM	Corporate Services
AUTHORISED: 11/3/97	REVIEWED: 14/7/98, 20/6/06

- 1 Copies of objections/submissions to DAs and complaints under Section 12 of the Local Government Act be provided upon written request, ~~but minus any information which would allow the author to be identified.~~
- 2 Requests for the identity of authors be subject to an FOI application with Council's policy being:-
 - a) ~~in respect to objections to DAs, such information be released, subject to normal considerations under the FOI Act;~~
 - b) in respect of complaints "made in good faith", the names of complainants not be released, subject to normal considerations under the FOI Act.
- 3 ~~Staff report to Council half-yearly advising the number of FOI requests/refusals and detail the grounds for refusal.~~



POLICY MANUAL

NEW POLICY POLICY NO: 1.4.4	PUBLIC ACCESS TO OBJECTIONS/ COMPLAINTS LODGED WITH COUNCIL
OBJECTIVE:	To give guidance to staff on the public's right of access to objections lodged with respect to development and building applications to third party complaints.
STRATEGIC PLAN LINK:	Engage with the Community
PROGRAM	Corporate Services
AUTHORISED: 11/03/97	REVIEWED: 14/07/98, 20/06/06, 08/12/09

- 1 Copies of objections/submissions to DAs and complaints under Section 12 of the Local Government Act be provided upon written request.
- 2 Requests for the identity of authors be subject to an FOI application with Council's policy being in respect of complaints "made in good faith", the names of complainants not be released, subject to normal considerations under the FOI Act.

Report

Subject	Extension of Contract T2009-15 – Sewer Rising Main No. 3
File No.	T09/15:ED09/18905
Prepared by	Capital Works Engineer – Water & Wastewater
Reason	Council approval for extension of works within contact T2009-15.
Objective	It is sought that no tenders be called for the next stage of the construction of Sewer Rising Main No. 3 but instead that these works be undertaken as an extension of works within Contract T2009-15 by Coe-Drilling.
Strategic Plan Link	Integrated Water Cycle Management
Management Plan Activity	Wastewater Services

Overview of Report

This report outlines the potential cost savings to Council by approving an extension of works within the current Contract T2009-15 to facilitate the completion of both Stages 1 and 2 of the replacement for Sewer Rising Main No. 3 at this time ahead of the scheduled completion date of 2013 as proposed in the Strategic Business Plan.

Background

Council awarded Contract T2009-15 to Coe-Drilling to undertake the works for the replacement of Sewer Rising Main No. 3 Stage 1 at the Council meeting held on 12 May 2009. The contract sum to undertake these works was to the value of \$4,010,270 plus GST.

The scope of the works for Stage 1 required the under boring of approximately 1,900m of 500ømm polyethylene main from the Dawson Street pump station to the western side of the Wilsons River, where it would connect to the existing main.

As noted in previous reports to Council the subject main was constructed in 1977 and has failed frequently since, but due to the recent increase in main failures along the section of main not being scheduled for replacement until 2013 (being Stage 2), it is envisaged that to defer these works until that time as approved in the Strategic Business Plan for Wastewater Services could potentially cost Council up to \$800,000 in maintenance repairs. This estimate is based upon the costs incurred over the past three months where this section of main has broken on five separate occasions, costing Council \$90,000 in repairs.

In total \$790,000 has been spent in repairs over the past two years on Sewer Rising Main No. 3 so based upon these figures and the recent increase of breaks, it is conservatively estimated that repairs could come to \$800,000 by 2013 before Stage 2 works are completed.

In view of the recent failures of the section of Sewer Rising Main No. 3 scheduled for replacement in 2013, and the significant risk of ongoing failures of the main, approval is sought from Council to bring forward the works to the current financial year.

Council may not call tenders for Stage 2 of the works in accordance with Clause 55(3) of the Local Government Act, which states;

"3) This section does not apply to the following contracts:
...a contract where, because of extenuating circumstances, remoteness of locality or the unavailability of competitive or reliable tenderers, a council decides by resolution (which states the reasons for the decision) that a satisfactory result would not be achieved by inviting tenders....."

Therefore it is recommended that Council not call tenders for the proposed Stage 2 works due to extenuating circumstances in that:

- A. The section of sewer main to be replaced as Stage 2 of the works has recently failed on several occasions and there is a significant risk of ongoing failures which would result in significant expenditure for Council and potential disruption of services to the public.
- B. Council has only recently awarded a contract for Stage 1 of the works, having conducted a competitive tender process, and the works required for Stage 2 is of the same nature, requiring the same resources and materials to complete.
- C. By undertaking the work for Stage 2 in conjunction with Stage 1, Council can make considerable savings in the form of eliminating site establishment costs and reducing costs associated with repairs to breaks in the sewer main that would otherwise be likely to occur in the timeframe for tenders to be called and awarded for the work.

In view of the extenuating circumstances it is considered that a satisfactory result will not be achieved by calling tenders for the work.

Hence it would be in Council's best interest to negotiate directly with Coe-Drilling, as the successful tenderer for the Stage 1 works, to carry out the second stage of construction for Sewer Rising Main No. 3 in conjunction with Stage 1.

This would involve extending the under boring of the Wilsons River crossing as proposed in Stage 1 so as to run along the entire length of Elliott Road (approximately 1,240m), from the Ballina Road Bridge to the western side of Caniaba Street. The main would then be laid by means of open cut trenching from that point along the western side of Caniaba Street heading south (approximately 320m), where it would then reconnect to the existing main as indicated on the enclosed plan (refer Appendix A attached to this report). The section of main from this point to the treatment works at South Lismore has not recorded any breaks to date.

The cost to undertake Stage 2 of this work has been quoted by Coe-Drilling Pty Ltd in accordance with its current schedule of rates being \$2,073,924.80. To proceed with these works within this current project will also save Council at least \$284,500 in associated establishment costs which would be incurred if Stage 2 was to be undertaken at a later date.

Council approval is being sought to redirect the balance of funding left in the 2009/10 Wastewater Capital Works Budget being approximately \$1,000,000, together with \$1,500,000 from the 2010/11 Wastewater Capital Works Budget to proceed with these works which will be undertaken into the 2010/11 financial year. This is in effect deferring the replacement of gravity sewer mains for the next two years while Sewer Rising Main No. 3 is given priority due to its poor condition.

Approval is also sought to redirect the \$4,012,000 approved within the Wastewater Strategic Business Plan for Sewer Rising Main No. 3, Stage 2, towards the Sewer Mains Capital Works Budget for 2012/13 to cover the deferred works at this time.

Comments

Financial Services

This proposal is worthy of consideration as it could potentially save approximately \$1,000,000 in maintenance and establishment costs.

The Strategic Business Plan for Wastewater Services (SBP) includes programmed capital works for renewals of \$1,586,000 in 2009/10; \$1,781,000 in 2010/11 and \$1,381,000 in 2011/12. It also includes \$4,012,000 for Sewer Rising Main No. 3 – Stage 2 in 2012/13. Funding for the capital works program is conditional upon user charges increasing as follows: 2009/10 - \$545; 2010/11 - \$595 (plus CPI) and 2011/12 - \$645 (plus CPI).

From a cash flow perspective, the SBP has been developed on the basis that, in the short term, all costs (operating and capital) are required to be funded from new revenues and loans with there being minimal demand on Wastewater reserves. As such, for this proposal to proceed it requires a forward commitment to increasing future user charges in accordance with the SBP.

Provided the user charges are increased in 2010/11 in accordance with the SBP, the proposal as detailed within this report is supported on the basis:

- It will save establishment costs associated with future works.
- It will reduce potential future maintenance costs associated with Sewer Rising Main No. 3.
- It can be accommodated within current funding for the capital works program as detailed within the SBP with no additional funding being required.
- It is not expected to increase maintenance costs in future years beyond that which Sewer Rising Main No. 3 – Stage 2 would incur between now and 2012/13.

Other staff comments

Manager - Works

The proposal to bring forward the next stage of the replacement for Sewer Rising Main No. 3 is strongly recommended as it has the potential to save Council considerable funds in the future. The subject rising main has reached the end of its serviceable life and is posing a real maintenance problem for operational staff required to repair breaks in the line.

Since awarding the contract for Stage 1 of the works to Coe-Drilling Pty Ltd, there have been several breaks and fractures in the section scheduled to be replaced in Stage 2. It is therefore now recommended to continue with the proposed trenchless technology to complete this next stage of work as a priority. This can be achieved within the existing sewer budget allocations by deferring the replacement of sewer gravity mains for the 2009/10 and 2010/11 financial years. Then, in accordance with the Wastewater Strategic Business Plan, redirect the funds for Stage 2 of the replacement of Sewer Rising Main No. 3 in 2013 towards the replacement of sewer gravity mains to make up for the deferred capital renewals.

Conclusion

In view of the current poor condition of Sewer Rising Main No. 3 scheduled to be replaced in 2013, it is recommended that Council approve the re-allocation of funding as outlined for the construction of Stage 2 within Contract T2009-15 as an extension of works at a cost of \$2,073,924.80. To carry out these works at this time could save Council at least \$1,000,000 in establishment cost savings and future maintenance repairs.

Recommendation (IS80)

That:

1. In view of the recent failures of the section of Sewer Rising Main No. 3 scheduled for replacement in 2013, and the significant risk of ongoing failures of the main, Council bring forward the works.
2. In accordance with Clause 55(3) of the Local Government Act, Council not call tenders for the proposed Stage 2 works due to extenuating circumstances in that:
 - A. The section of sewer main to be replaced as Stage 2 of the works has recently failed on several occasions and there is a significant risk of ongoing failures which would result in significant expenditure for Council and potential disruption of services to the public.
 - B. Council has only recently awarded a contract for Stage 1 of the works, having conducted a competitive tender process, and the works required for Stage 2 is of the same nature requiring the same resources and materials to complete.
 - C. By undertaking the work for Stage 2 in conjunction with Stage 1, Council can make considerable savings in the form of eliminating site establishment costs and reducing costs associated with repairs to breaks in the sewer main that would otherwise be likely to occur in the timeframe for tenders to be called and awarded for the work.
3. In view of the extenuating circumstances it is considered that a satisfactory result will not be achieved by calling tenders for the work.
4. Council negotiate directly with Coe-Drilling Pty Ltd, as the successful tenderer for the Stage 1 works to replace Sewer Rising Main No. 3, to undertake the Stage 2 works in conjunction with Stage 1.
5. Council note the funding of this contract is predicated on wastewater user charging increasing in accordance with the Strategic Business Plan.
6. Council approve the re-allocation of the remaining funds being \$1,000,000 from the 2009/10 Waste Water Capital Works Budget together with \$1,500,000 from the respective 2010/11 Budget towards the construction of Stage 2 for Sewer Rising Main No.3 as an extension of works within Contract T2009-15 to be undertaken by Coe-Drilling Pty Ltd.
7. Council approve the re-allocation of the \$4,012,000 approved within the Wastewater Strategic Business Plan for Sewer Rising Main No. 3, Stage 2, towards the Sewer Mains Capital Works Budget for 2012/13 to cover the deferred works at this time.
8. The Mayor and General Manager be authorised to execute the necessary documentation under seal of Council.

Current / Proposed Route of Sewer Rising Main No. 3, Stage 2



Report

Subject	Tender Nos. T2010-08, T2010-09, T2010-10: 1. Street Sweeping Truck 2. Side-loading Waste Collection Trucks x 2 3. 25 Tonne (approx.) Hydraulic Excavator
File No	T10/8;T10/9;T10/10:ED09/18992
Prepared by	Fleet Services Coordinator
Reason	To seek approval from Council to purchase four major plant items.
Objective	To provide information to Council relevant to the selection of suitable replacement plant so an informed decision can be made.
Strategic Plan Link	Best-Practice Corporate Governance
Management Plan Project	Fleet Operations

Overview of Report

Council's 2009/10 Management Plan includes budget allowance for replacement of:

- a road sweeper,
- two side-loading waste collection trucks, and
- an hydraulic excavator.

Specifications were prepared in consultation with relevant staff and quotations were invited through Local Government Procurement Panel contractors for supply of these items. Quotations were duly received. This report with attachments presents the interpretation by staff of the information received, assessment of the machines offered and the results of comparison of the machines using Council's procurement procedures. This report includes recommendations by staff of those machines considered most appropriate for Council's operations.

Background

Tender Process

The Local Government and Shires Associations of New South Wales (LGSA) formed "Local Government Procurement" (LGP) to create a procurement operation to save councils money through bulk supply arrangements. The tendering requirements of the Local Government Act have been met and issues of due diligence are covered through this process.

Local Government Procurement has, through advertised tenders, established a number of panel contracts including:

LGP1608 - *Trucks, Garbage Collection/Compaction and Vehicle Mounted Street Sweeping Systems*, which covers the street sweeper and the waste collection trucks; and

LGP707 - *Heavy Plant and Equipment*, which covers excavators.

Quotations were invited from the suppliers registered on these contracts.

Tender T2010-08

Road Sweeper

There are two methodologies employed in trucks for street sweeping. One is to use a high pressure full width 'curtain' of air blasted at the ground immediately in front of a suction head. The powerful suction lifts the material and drops it into the hopper and the filtered air is again directed onto the road and is thus continuously circulated. This is called a regenerative-air (regen-air) sweeper. These machines are equipped with two motors; the propulsion motor for normal driving of the truck, and a similar auxiliary motor to power the sweeping and suction functions.

The other and more common methodology employed for road sweeping is the use of a cylindrical broom to scrub the road surface. The swept material is directed into a suction box then dropped into the hopper. This is the wide sweep broom/vacuum (wide sweep) method. Wide sweep machines are available in two configurations: single engined or twin engined. The twin engined machine, like the regen-air sweeper, has a propulsion motor for normal driving of the truck, and an auxiliary motor to power the sweeping and suction functions. The single engined machine uses one engine to power all functions. This configuration has been widely employed in Europe for many years, but has only quite recently come to Australia.

Amongst the trucks upon which the sweepers are mounted are a number of makes and models. The sweeper manufacturers select the truck that they feel best suits their application.

Quotations were received from three sweeper companies, offering in all six different options, as summarised in this table:

Quoted by:	MacDonald Johnston	MacDonald Johnston	Rosmech	Rosmech	Rosmech	Schwarze
Sweeper Make:	MacDonald Johnston	MacDonald Johnston	Scarab	Scarab	Scarab	Schwarze
Sweeper Model:	VS500	VT605	Merlin	Mistral	Mistral	A6500XL
Truck Make / Model:	DAF FA LF45-220	Hino Model 500-1527(FG)	Nissan UD Mark 6	Nissan UD Mark 6	HINO 500 FG 1527	Isuzu FSR850
Methodology:	wide sweep	wide sweep	wide sweep	wide sweep	wide sweep	regen-air
Configuration:	single engine	twin engine	single engine	twin engine	twin engine	twin engine

Demonstrations were organised and all machines assessed.

There are enormous environmental advantages to a single engined sweeper, and only one small operational disadvantage. The advantages are reduced noise, reduced fuel usage and reduced exhaust emissions. The operational disadvantage relates to the type of transmission that is used in the single engined sweepers and requires operators to stop the truck when they wish to switch from sweeping mode to travel mode or vice-versa. The advantages so strongly outweigh this disadvantage that the focus of comparisons was between the two single engined machines, which are also the two least expensive options.

The single engine technology has been proven, however Council staff who have contributed to this report wish to make note of one reservation. If the work previously done by two engines is to be done by one, then logic suggests that the life of the machine may be shortened. It is recommended that if a single engine sweeper is purchased, that its condition be closely monitored and recommendations from mechanical staff be taken into account when reviewing replacement times. However manufacturers of the single engine sweepers report that the machines have not experienced shorter lives than their twin engined counterparts. It would be difficult given the available information to justify the purchase of a twin engined sweeper for Council's application.

A summary of the comparisons is presented in Attachment A enclosed separately. The preferred option is a single engined MacDonald-Johnston Model VS500 sweeper mounted on a DAF truck. Some of the major points of differentiation between this and the single engined Scarab Merlin sweeper mounted on a UD truck are:

- The VS500 has full hydraulic disc brakes, versus air over hydraulic drum brakes on the Merlin. This is a safety advantage for the VS500.
- The VS500 has duplicate gear sticks; the Merlin has one central gear stick. This is an ergonomic advantage for the VS500.
- Visibility for the VS500 is better than on the Merlin. The control panel for the sweeping equipment on the Merlin is large and is mounted high and vertically. It cannot be lowered because of the single gear lever.
- The hydrostatic transmission allows travel speed of 30 kph on the Merlin, but 43 kph on the VS500. This means the VS500 will cause less disruption to traffic flow between sweeping jobs.
- There is fine control of the gutter broom on the VS500 sweeper; the gutter broom is either 'in' or 'out' on the Scarab Merlin.
- The foil for directing the exhaust air from the hopper on the roof of the VS500 is steel; the foil on the roof of the Merlin is fibreglass and more susceptible to damage from overhanging trees.
- The suction trolley on the VS500 can be adjusted easily with a spanner in a couple of minutes; on the Merlin it is a longer and more complex task.
- The side viewing doors on the VS500 are higher than on the Merlin. This is an advantage for the VS500 because the doors can be utilised with more material in the hopper.

Council currently owns a MacDonald-Johnston twin engined sweeper (Plant No. 173), that was purchased in 2001 and has 12,100 sweeping hours on it. The auxiliary engine is tired and blowing fumes, which means that particulate emissions are excessive and unacceptable. The sweeping components are severely worn and have been patched and repaired, but need to soon be replaced and are expensive. The water tank is cracking from fatigue. The camera system componentry has deteriorated and vision is poor and getting worse.

Comparison of fuel usage figures of modern twin engined sweepers with modern single engined sweepers suggests a fuel saving of around 30%. Comparison of our old sweeper with modern Euro IV engines reinforces the need for replacement of this machine.

Tender T2010-09

Waste Collection Trucks

Submissions were received in response to Council's request for quotations for "Single person operated refuse trucks, with side loader and rear tipping discharge". Quotations for both 23m³ and 29m³ bodies were requested. Australia's two major manufacturers of these products each supplied a variety of quotes, covering both body sizes requested, and offering a range of makes of truck. With the various permutations of trucks and bodies, there are 14 alternatives to be considered, shown on Attachment B enclosed separately.

The two leading manufacturers of waste compactors in Australia are both represented on the Local Government Procurement Panel contract. They are MacDonald-Johnston and Superior Pak. MacDonald-Johnston has had the lion's share of the market for many years and Superior Pak was a small company trying to break into the market. Superior Pak was bought by a large company and has been able to develop their products, and now have a significant share of the market.

MacDonald-Johnston and Superior Pak waste compactors have the same function and purpose, but slightly different methodology. Both use a robotic arm mounted on the truck just behind the driver, to pick up a wheelie bin and empty it into a receiving hopper which is at the front of the body. The material is then pushed into the body and lightly compacted. The MacDonald-Johnston machine uses a 'paddle' pivoting on a vertical axis alternating from side-to-side to compact the material; Superior Pak use a 'pendulum' compacting arm for the same purpose. These bodies are mounted on a truck with an automatic transmission, and truck selection is important.

Waste collection is arguably the most arduous operation for a truck to undertake. They must stop and start every few metres in town and they must be able to do this up hill and down and loaded and unloaded. It is very demanding on the truck engine, particularly up hill and laden; and very demanding on the brakes, particularly down hill and laden. In our hot humid summers the trucks require efficient and effective cooling systems.

Council's fleet of six side-loading trucks are used to collect general waste, kerbside organics, and co-mingled recyclables. A 29m³ body was being considered because of the extra payload it could carry of co-mingled recyclables and would not need to empty so often. However, besides costing more to purchase, they would also need to be fitted with expensive weighing systems, the purpose of which would be to stop the trucks being overloaded when they were used for collecting general waste or kerbside organics, each of which is more dense than co-mingled recyclables. It would be easy for operators to inadvertently overload, and it was decided not to seek purchase of 29m³ trucks.

Demonstrations were sought of MacDonald-Johnston's 22m³ and Superior Pak's 23m³ bodies, on various trucks. Not all combinations were available for inspection but staff were able to inspect and operate an example of both bodies and drive an example of each truck.

A summary of the comparisons is presented in Attachment B enclosed separately. The preferred option is Superior Pak's 23m³ body on an Isuzu FVZ 1400. This is also, by a very small margin, the least expensive option offered.

The major considerations leading to this are:

- The simplicity and robustness of the Superior Pak bin lifter, compared to the complexity and greater number of moving parts of the MacDonald-Johnston.
- The Superior Pak pendulum compactor uses gravity to assist its operation, and seals the body in its resting state thus preventing loss of material whilst driving. The MacDonald-Johnston paddle is not assisted by gravity, and does not seal the body in its resting state.
- Both Superior Pak and MacDonald-Johnston have recommended that the choice of an Isuzu or Iveco truck would be more suitable for the application than a Hino. Volvo quoted with a MacDonald-Johnston body and was priced competitively, but Volvo was not forthcoming with follow-up information and a demonstration.
- The cooling system on the Isuzu is more effective than that on the Iveco, due in part to clearer airflow.
- The six rod suspension on the Isuzu FVZ 1400 is more suitable for this operation than the airbag suspension on the Iveco or the other Isuzu model due to the high centre of gravity of the trucks.
- The Isuzu has cleaner exhaust emissions than the Iveco and lower noise emissions.

Council staff inspected and drove an example of each truck. Council-owned Isuzu trucks have proven to be very reliable; the local Rural Fire Service favours Isuzu; and Country Energy is buying Isuzu trucks. There is a dealer in Lismore providing good service. Staff preference is for the Isuzu truck with six rod suspension.

Council has a fleet of six side-loading waste collection trucks. The preferred replacement period for trucks undertaking this arduous work is five years. The two trucks being proposed for replacement now are Plant No. 170 and 191.

Plant No. 170 is a MacDonald-Johnston compactor on a Freightliner FL80 truck, purchased in October 2000. This truck is providing daily challenges for our mechanical staff. Insulation on the wiring harness has deteriorated and electrical short circuiting is one of the major problems with it. A blow-by test (tappet-cover breather gas analysis / the equivalent of a compression test), shows that manufacturer's engine specifications are no longer met, and the motor needs reconditioning or replacing. The transmission overheats and has difficulty engaging reverse. Council's mechanics believe that failure of the transmission is imminent.

Plant No. 191 is also a MacDonald-Johnston compactor on a Freightliner FL80 truck and it was purchased in March 2003. It consistently has electrical problems, which may be the same deterioration of the wiring harness, at an earlier phase. It also has transmission overheating problems. The floor in the compactor is worn very thin and has been patched, but soon needs complete re-sheeting.

Both these trucks are unreliable and demand frequent and significant repairs. While these trucks have been nursed along and are still partially fulfilling their role, the waste collection operation is suffering with regular unavailability resulting in double shifting and increased overtime payments.

During investigation of waste collection trucks, staff became aware of a device that offers economical endurance braking, known as a 'retarder'. It is fitted to the drive shaft of the truck and uses vanes in hydraulic oil to brake the truck. The anticipated cost of one fitted is \$25,000 including GST. At the time of writing this report, further investigations still need to be undertaken to confirm the pay-back time of this investment but it is suggested that the brakes last around five times longer. The savings in costs of brakes would not be the only factor; improved braking, improved safety and reduced vehicle downtime could also be anticipated.

Tender T2010-10

Hydraulic Excavator

Quotations were received from all four suppliers on the Local Government Procurement Panel Contract, as summarised on the following table. The specification was for an "hydraulic excavator of 25 to 29 tonnes operating weight".

Tendered by:	Conplant Pty Ltd	WesTrac	WesTrac	Komatsu Australia Pty Ltd	Hitachi Construction Machinery	Hitachi Construction Machinery
Make/ Model:	CASE CX240B	Caterpillar 324DL	Caterpillar 329DL	Komatsu PC270LC-8	Hitachi ZX240LC-3	Hitachi ZX270LC-3

WesTrac offered a choice of two brands of attachments for each of their two quoted machines; Hitachi offered a choice of two warranty options for each of their two quoted machines; Conplant and Komatsu each offered one machine with no specific priced options. This provides a choice of 10 quotations from which to select the preferred option for Council, and these are presented in Attachment C enclosed separately.

The waste facility purchased Plant No. 241 as a used machine in June 2006 as part of a trial into the management of organic waste. The trial has been a success, but Plant No. 241 needs replacing. It is a 1999 Caterpillar 320B excavator with 8,550 hours showing. The undercarriage of the excavator is exhausted and due for replacement; the hydraulics are slow and fatigued; it was not designed for work in high ambient temperatures, and suffers constant overheating.

Over the past several months, different excavators have been trialled in this waste management role, and we now know that a newer excavator with 'hi-flow' hydraulics can do the work more quickly than Plant No. 241. It has also been determined that there is no need for one of the heavier quoted machines so the selection was made between the lighter machines.

Comments

Financial Services

The replacement of four (4) existing plant items is consistent with the plant replacement program adopted as part of the 2009/10-12 Management Plan. Based on the information provided, these plant items are well past their optimum replacement date which means they are less efficient (more costly) and less effective (reduced productivity).

Total replacement costs for these four (4) plant items are approximately \$1,168,000. These funds are available from the Plant Fund. The Plant Fund is designed to recover all plant operating and replacement costs via a plant hiring system. This system charges a hire charge to the job a plant item is working on. The surplus between the operating costs and hire charges is held in the Plant Reserve for when the plant item is replaced. As at 30 June 2009 the Plant Reserve for General Fund totalled \$3.927 million.

The recommendations to replace these plant items are supported.

In regards to the Plant Reserve, the 2009/10 Budget approximately provides for the following:

Opening Balance 1/7/09	\$3,927,000
<i>Less:</i> Operating Costs	(\$3,900,000)
Plant Purchases	(\$3,400,000)
<i>Plus:</i> Hire Charges	\$6,000,000
Plant Sales/Trades	\$ 500,000
Closing Balance 30/6/10	\$3,127,000

The overall reduction of \$800,000 in the Plant Reserve during 2009/10 is manageable from a cash flow perspective.

Other staff comments

Manager - Works

Road Sweeper - The replacement of this plant item has been delayed over the last couple of years. The existing street sweeper truck is now eight (8) years old and in need of replacement to ensure current service levels are maintained. The advantages of a single engine machine will provide increased fuel efficiencies and in turn reduce the operational impact of the machine on the environment. The existing street sweeper is a McDonald-Johnston and has served Council well with minimal downtime. Hence the Roads Section strongly supports the purchase of a single engine McDonald-Johnston machine based on the information provided in the body of this report.

Manager - Commercial Services

Waste Collection Trucks - The replacement of these trucks has been delayed due to a number of issues including the backlog of fleet replacements in general and the purchase of second hand hook and rear load waste trucks to enable the expansion of waste activities but which required the accumulation of additional funds before truck replacement could be realigned. The 2000 model truck is well beyond its use by date and the 2003 model truck is at about the maximum recommended replacement timeframe.

On previous purchasing occasions Superior Pak bodies were anything but superior, however, since the purchase of the business by Transpacific and the establishment of new factories, the quality has improved significantly. Isuzu introduced its larger range of trucks around three years ago and has gained significant market share in the short haul arena since that time. Evidence suggests they are leaders in fuel economy and environmental performance in this size of truck. I support the recommendation to purchase Superior Pak Isuzu combination waste trucks.

Excavator – Waste Operations - The existing excavator was purchased to assess methods of shredding and composting with a view to replacement after a few years if proven successful. This has proven to be the case and the types of buckets and attachments required to do the job are now understood. A new machine will allow much quicker processing and result in reduced labour costs in the mulching processes. All of the excavators priced are good quality, reliable and well supported machines; therefore price is the prime determinant in the selection. I support the recommendation to purchase the Hitachi machine.

Public consultation

Not required.

Conclusions

Road Sweeper, Tender T2010-08

'Wide-sweep' road sweepers are more effective than 'regen-air' sweepers on rough and uneven surfaces. Regen-air sweepers are ideal for airports and similar applications. The advantages of single engined sweepers over twin engined sweepers include price and environmental factors. Of the two single engined sweepers available, the MacDonald-Johnston VS500 is preferred by staff. A summary of the comparisons is presented in Attachment A enclosed separately to this report.

Waste Collection Trucks, Tender T2010-09

Both MacDonald-Johnston and Superior Pak have a market proven waste compactor. Council staff have inspected and tested both. Some operators prefer one product, and some the other, but all agree that either will do the job. Much of the maintenance and repair on side-loaders is to the bin-lifters and Council's mechanics recommend the Superior Pak body for simplicity and robustness of the bin-lifter.

The preferred option is therefore Superior Pak's 23m³ body on an Isuzu FVZ 1400. This is also, by a very small margin, the least expensive option offered. A summary of the comparisons is presented in Attachment B enclosed separately to this report.

Further investigation into 'retarders' is needed. Initial indications are that they would be a worthwhile investment.

Hydraulic Excavator, Tender T2010-10

Consultation with owners and operators of the CASE CX240B, Caterpillar 324DL and Hitachi ZX240LC-3 indicate high levels of satisfaction with these machines. Performance figures indicate that any one of them would perform well in the role. Pricing favours the Hitachi machine; and the extended warranty quoted is worthwhile insurance for this machine.

The preferred option is therefore an Hitachi ZX240LC-3 with extended warranty, which (other than the Hitachi without the extended warranty), is the least expensive option offered. A summary of the comparisons is presented in Attachment C enclosed separately to this report.

Recommendation (IS81)

That

1. Council purchase a MacDonald-Johnston VS500 single engined road sweeper mounted on a DAF FA LF45-220 truck at a cost of \$278,565.45 plus GST.
2. Council sell by auction Plant No. 173 MacDonald-Johnston twin engined sweeper.
3. Council purchase two Superior Pak 23m³ bodies on Isuzu FVZ 1400 trucks at a cost of \$310,758.00 plus GST each (total \$621,516.00 plus GST).
4. Council sell by auction Plant No. 171 and Plant No. 190, both MacDonald-Johnston compactors on Freightliner FL80 trucks.
5. Subject to further investigation with positive indications, Council fit to each of these two trucks a 'retarder' to support braking and preserve brake components.
6. Council purchase an Hitachi ZX240LC-3 hydraulic excavator from Hitachi Construction Machinery at a cost of \$263,700.00 plus GST.
7. Council purchase an extended warranty of an additional two years/four thousand hours at a cost of \$4,240.00 plus GST.
8. Council sell by auction Plant No. 241, being a 1999 Caterpillar 320B excavator.

Report

Subject	Tender T2010-19 – Pre-assembled Timber Bollards
File No.	T10/19:ED09/18785:ED09/18782
Prepared by	Urban Works Engineer – Roads
Reason	To inform Council of the tenders received for the supply of pre-assembled timber bollards for Woodlark Street within the Lismore CBD.
Objective	To obtain Council approval to award the Contract.
Strategic Plan Link	Improve Roads, Cycleways and Footpaths.
Management Plan Activity	Roads

Overview of Report

This report outlines the recommendation to award the tender for the supply of pre-assembled timber bollards for the Woodlark Street upgrade within the Lismore CBD.

Background

The second stage of work required for the upgrade of Woodlark Street involves the reconstruction and beautification of the road and drainage systems. Part of the beautification involves replacement of the existing kerb and gutter with a box gutter and bollard arrangement.

The consultation process has already commenced for the upgrade of Woodlark Street, which included two stages of consultation with all affected business owners within the subject section of Woodlark Street. Consultation included door-to-door information sessions, public meetings and media releases.

The major roadworks are scheduled to commence during January 2010, which will involve a complete road closure for approximately four (4) weeks, weather permitting. This period is seen as the only available construction window during the year as it is traditionally the quietest period of time within the Lismore CBD.

Council recently called a tender for the supply of pre-assembled timber bollards for Woodlark Street within the Lismore CBD. The total number of bollards required is 260 standard heights and 70 signpost height.

The request for tender was advertised in the '*Weekend Star*', the '*Courier Mail*' and the '*Sydney Morning Herald*', as well as "Tenderlink" through Lismore City Council's web page.

Twelve (12) tenders were received by the closing time of 2.00pm on 12 November 2009.

Tender Examination

A summary of the tenders received is given below –

Tenderer	Tender Price (\$)
PD Godford	83,900.00
Scully & Associates	103,609.00
Willoughby Enterprises	142,140.00
Flanagan & Sproule Steel Fabrication	164,426.00
Riko Enterprises Pty Ltd	174,845.00
Civil Construction Pty Ltd	199,320.00
McGeary Bros Engineering	210,100.00
Adshel Streetfurniture Pty Ltd	214,905.24
Landmark Products Ltd	227,198.50
Street & Garden Furniture Company Pty Ltd	240,420.62
Moodie Outdoor Products Pty Ltd	300,014.00
Archetype International Pty Ltd	379,720.00

Prices shown are **inclusive of GST**.

The tender is a lump sum tender for two components. The “tender price” is the total of the two components.

An evaluation committee comprising of Dean Baldwin (Urban Works Engineer), Darren Patch (Manager-Works) and Ross Davies (Contracts Administration Officer), undertook the assessment of tenders.

The tender documents (Clause B7) defined five (5) areas by which each tender would be assessed:

1. Total Price
2. Capability and Past Experience
3. OH&S, Risk Management and Quality
4. Environment and Community
5. Local Content.

Attachment ‘A’ enclosed separately to this report shows the evaluation.

Capability & Experience

Range in the tenders varied from companies with vast experience in steel fabrication to those whose sole business is production of street furniture and bollards. All have reflected an ability to turn out the materials in the required timeframe.

Quality & Safety

Tenderers demonstrated either no quality and safety systems or fully documented systems with Australian Standard compliance.

Environment & Community

Again there was a wide spread in this area of assessment. Some companies have complete environmental management systems and others demonstrate no capability in this area. Tenders also showed some consideration for sustainability by offering alternate suggestions in material and design.

Local Content

With the primary intention of the funding for Woodlark Street being for economic stimulus of the local community, the determination of this category was focused heavily on tenders in and close around Lismore. Some tenders received minor points for purchase of materials locally but still manufacturing away from the local area.

The bollards have been designed in a manner that requires relatively simple manufacturing techniques and materials, which are available locally. The intention was to allow the bollards to be supplied locally.

Even with a 10% local content weighting, a local supplier was not able to demonstrate the best outcome when all criteria was considered. The two best ranked submissions were received from Scully & Associates and a local supplier, Flanagan & Sproule Steel Fabrication. Scully's price was over \$60,000 cheaper and they also demonstrated better responses to 'Quality and Safety' and 'Environment and Community' in their tender submissions.

Referee Check

Lismore City Council has not previously purchased bollards from Scully & Associates. However, they have tendered previously with supply of bollards to Keen and Molesworth Streets and checked out at that time. Scully & Associates have a good reputation for delivering a quality product within the timeframe specified.

Comments

Financial Services

The total project budget for the Main Street Revitalisation Project – Woodlark Street is \$4.5 million with funding from the Commonwealth (RLCIP – Strategic Projects \$2.75M) and Council (\$1.75M). This tender is funded from within the total project budget.

Other staff comments

Manager - Works

The selection of Scully & Associates as the preferred contractor to undertake the supply of pre-assembled timber bollards for Woodlark Street within the Lismore CBD, is supported due to their proven track record in the delivery of bollards and other street furniture. Scully & Associates have also demonstrated that they are capable of delivering a quality product within the timeframe specified.

Conclusion

While the rate tendered by PD Godford resulted in the lowest costs for supply, considering the remaining evaluation criteria specified in the tender (Capability & Experience, Quality & Safety, Environment & Community and Local Content), Scully & Associates are the highest ranked tenderer, refer Attachment A.

Scully & Associates are considered to have the ability to supply the product satisfactorily within the timeframe specified. It is recommended that the contract for the supply of pre-assembled timber bollards be awarded to Scully & Associates at the rates submitted.

That:

1. The contract for the supply of pre-assembled timber bollards for Woodlark Street within the Lismore CBD, be awarded to Scully & Associates with the price of works being \$103,609.00 plus GST, based on the clarified rates submitted.
2. The Mayor and General Manager be authorised to execute the contracts on Council's behalf and attach the Common Seal of the Council.

Report

Subject	Tender T2009-17 - Health Services
File No	T09/17:ED09/18997
Prepared by	Injury Management Coordinator
Reason	To update Council regarding the progress of the tender process.
Objective	To seek Council's endorsement for the appointment of recommended service providers for the provision of health services to Council and to obtain approval to enter into a selective tender process for those health services areas where the response has been inadequate.
Strategic Plan Link	Best-Practice Corporate Governance
Management Plan Project	Human Resources and Organisational Development

Overview of Report

The report outlines the progress that has occurred since the report to Council's April 14, 2009 meeting including the outcome of the selective tender process and recommendations by the tender panel for providers of Consultant Medical Doctor Services; Audiometric Testing Services, Physiotherapy Services, Rehabilitation and Psychologist Services.

Additionally, Council's endorsement is also sought to mitigate risk and add a second supplier of Psychologist and Rehabilitation Services.

Background

It was previously reported to Council's April 14, 2009 meeting and approved, that Human Resources staff could take the necessary steps to finalise the services for the provision of:

- Osteopathic & Chiropractic Services;
- First Aid Kit Services;
- Rehabilitation Services; and
- Psychologist (Employee Assistance Program or EAP) Services.

At the April 14 2009 meeting, Council also approved a selective tender process for the provision of the following services due to a limited response to the Request for Tender (RFT):

- Consultant Medical Doctor Services;
- Audiometric Testing Services; and
- Physiotherapy Services.

During August-September 2009, the tender panel, comprising Human Resources staff, interviewed applicants for the provision of the three outstanding services listed above. The Contracts Administration Officer has been involved at each stage of the process to ensure probity is applied.

Selective Tender Assessment

Consultant Medical Doctor Services

Dr Charles Hew from Doctors' Johnson, Hew & Kerr, and Dr Sukhdeep Bains from The Lismore Clinic were interviewed regarding the provision of Consultant Medical Doctor Services to Council. After reviewing the information provided at the interviews and from the tender submissions, the tender panel determined, by means of the selection criteria in the RFT document, that Dr Bains from The Lismore Clinic is the preferred provider.

In particular, Dr Bains was able to demonstrate that The Lismore Clinic is able to consistently provide the level of service required in relation to pre-placement medical assessments, by providing a back-up service from within the practice, using one of nine member doctors, during periods of leave or the unavailability of Dr Bains.

In the past, with Dr Hew's medical practice, Council has experienced problems where pre-placement medical assessment processes have been delayed due to unavailability of a Doctor. The consistency in the service provision presented by The Lismore Clinic was a deciding factor in the tender panel's determination.

The tender panel recommend listing a panel of providers in the following order, for Consultant Medical Doctor Services to Council:

1. Dr Sukhdeep Bains, The Lismore Clinic
2. Dr Charles Hew, Doctors Johnson, Hew & Kerr

Audiometric Testing

The tender panel reviewed the tender documentation provided by Advanced Hearing and The Lismore Clinic for the provision of Audiometric Testing Services to Council. Additional information was provided by Council's Recruitment Officer regarding quality of service provision which was also considered in this review.

The tender panel determined, by means of the selection criteria in the RFT document and service provision review, that The Lismore Clinic is the preferred provider for the provision of Audiometric Testing Services to Council.

In particular, The Lismore Clinic was able to offer a 24 hours turn-around time, much faster than Advanced Hearing, who could only offer a turn-around time of in excess of a week.

The tender panel recommend listing a panel of providers in the following order, for Audiometric Testing Services to Council:

- 1 The Lismore Clinic
2. Advanced Hearing

Physiotherapy Services

Only one provider of Physiotherapy Services, PhysioPlus, was invited to make a submission and subsequently provided a comprehensive response to the tender documentation. PhysioPlus has supported Council's Health and Wellbeing programs for a number of years and, as determined by the tender panel, by means of the selection criteria in the RFT document, can meet Council's requirements for the provision of Physiotherapy Services to Council.

Council's key contact points over a number of years - Director, Ross Baines and Exercise Physiologist, Tim Boyd, remain in the practice. The tender panel determined that PhysioPlus with its strong leadership and capable team members will successfully deliver Physiotherapy Services to Council.

The tender panel recommend listing one provider for Physiotherapy Services to Council:

1. PhysioPlus

Rehabilitation and Psychologist Services (Employee Assistance Program or EAP)

In a previous report to Council for the April 14, 2009 meeting, Council staff recommended Interact Injury Management as the preferred and single provider for Rehabilitation and Psychologist Services to Council. The tender panel's recommendation was based on the expertise of those Interact Injury Management staff as nominated in their tender submission, their knowledge of Council requirements and the ongoing involvement of these key staff within the business.

However, since the tender panel's original recommendation, Interact Injury Management's manager and other key staff have left the practice and due to this significant change in the make-up of the business and because Interact Injury Management was the only recommended - single supplier of these services, the tender panel interviewed Ms Marita Alexander and Ms Cate McHugh from Interact Injury Management regarding the on-going provision of Rehabilitation and Psychologist Services to Council.

As a consequence of information provided at the interview and in the tender submission, the tender panel determined, by means of the selection criteria in the RFT document, during the selective process, that there is a risk with Interact Injury Management's ability to provide these services to Council and maintain the necessary and satisfactory level of service required under the contract as a single provider of these services.

Accordingly Human Resource staff interviewed Ms Kylie Betts from Recovre, and as a consequence of information provided at the interview and from the tender submission, the tender panel determined, by means of the selection criteria, that Recovre should be added to the provider list as a joint provider of Rehabilitation and Psychologist Services to Council.

The tender panel is now recommending listing a panel of providers for Rehabilitation Services and Psychologist (Employee Assistance Program or EAP) Services to Council:

1. Interact Injury Management
2. Recovre

Referee Checks

Council has previously received services from all of the companies listed within this report. All have provided Council with a reliable, cost effective service.

Comments

Financial Services

Not required

Other staff comments

Contracts Administration Officer

The tender process undertaken for the proposed services will result in the best overall supply arrangements for Council. The use of a priority listing system provides Council with a great deal of flexibility when procuring health services for Council, I support the recommendations.

Public consultation

Not applicable

Conclusion

The supply of various Health Services has been assessed and ranked according to the evaluation criteria as set out in the tender document. As a result, these recommendations enable Council to use a service provider from the priority list of suitable providers to supply the service. It is common procurement practice to mitigate supply chain risk by adopting panel contracts or multiple suppliers for critical services. This report and recommendations finalises the tender process and the selection of a panel of suppliers for Health Services to Council

Recommendation

That:

1. Council accepts the tender proposals from Health Services providers as follows:

Consultant Medical Doctor Services	<ol style="list-style-type: none"> 1. Dr Sukhdeep Bains, The Lismore Clinic 2. Dr Charles Hew, Doctors Johnson, Hew & Kerr
Audiometric Testing services	<ol style="list-style-type: none"> 1. The Lismore Clinic 2. Advanced Hearing
Physiotherapy Services	PhysioPlus
Psychologist	Interact Injury Management and Recovre joint supply
Rehabilitation Services or Employee Assistance Program (EAP) Services	Interact Injury Management and Recovre joint supply

2. The General Manager be authorised to execute the contracts and associated documents to formalise these services.

Report

Subject	Integrated Planning and Reporting Framework
File No	EF09/1929:ED09/18810
Prepared by	Manager Corporate Services
Reason	Requirement of the Department of Local Government.
Objective	To gain a resolution for the Councils nomination of a Group for the implementation of the Integrated Planning and Reporting Framework
Strategic Plan Link	Whole of Council Corporate Planning
Management Plan Project	Introduction of Integrated Corporate Planning Framework

Overview of Report

This report considers the requirement from the DLG for councils to nominate a schedule for the implementation of the new Integrated Planning and Reporting Framework. The report recommends that Lismore City Council nominate as a Group 1 Council which means that Lismore's Community Strategic Plan and Delivery Plan will be adopted by Council by 30 June 2010.

Background

The Department of Local Government has introduced amendments to the Local Government Act which govern New South Wales Council's corporate planning and reporting requirements. The framework is designed to ensure that councils consider a long term horizon when planning the future needs of the community.

The Amendment Act includes transitional provisions to enable Councils to select when they will commence under the new Integrated Planning and Reporting framework. To facilitate this, Lismore City Council has been asked by the Department to advise in writing its choice of Group for the implementation of the new requirements. This nomination needs to be determined by a Council resolution.

Nominations for Group 1 will be formally Gazetted by Ministerial Order, with these Councils required to meet the timeframes that are set out in Schedule 8 of the Amendment Act.

The timeframes are as follows:

- Group 1: Community Strategic Plan and Delivery Program adopted by 30 June 2010.
- Group 2: Community Strategic Plan and Delivery Program adopted by 30 June 2011.
- Group 3: Community Strategic Plan and Delivery Program adopted by 30 June 2012.

Lismore City Council is very much at the leading edge of the implementation of this reform having already adopted a Community Strategic Plan and significantly progressed the development of a Delivery Plan. This means that Council is very well placed to meet the timeframes for Group 1.

Comments

Financial Services

NA

Other staff comments

NA

Public consultation

NA

Conclusion

Lismore City Council is very well placed to nominate as a Group 1 Council.

Recommendation

That Council nominate Group 1 for the implementation of the Department of Local Government's Integrated Planning and Reporting Framework.

Report

Subject	Delegate to the Richmond River Historical Society
File No	EF09/1315:ED09/18360
Prepared by	Corporate Compliance Coordinator
Reason	Resignation of delegate
Objective	To appoint a new delegate
Strategic Plan Link	Enhance Lismore as a Regional Centre
Management Plan Project	Corporate Services

Background

Council's delegate, Councillor Graham Meineke has advised that he is no longer able to be Council's delegate to the Richmond River Historical Society Inc (RRHS).

The RRHS is a voluntary group, dedicated to preserving the social history and artefacts of the Lismore and greater Richmond River area. RRHS are accommodated rent free in the former Council Chambers at 165 Molesworth Street, Lismore.

Council, as a corporate member of the society is entitled to send a delegate to its monthly meeting and annual general meeting. Traditionally this has been a Councillor.

Comments

Financial Services

Not requested.

Public consultation

Not requested.

Recommendation

That Council determine its delegate to the Richmond River Historical Society.

Report

Subject	Investments – November 2009
File No	EF09/2209:ED09/18951
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 Councils Investments
Strategic Plan Link	Best-Practice Corporate Governance
Management Plan Project	Financial Services

Overview of Report

Council investments as at 30 November 2009 are estimated to be \$27,877,246 subject to final market valuations typically provided after month end.

The interest rate reported for November 2009 is estimated to be 2.93% and is below the Bank Bill Swap Rate for the same period of 3.94%. The final interest return may vary due to actual returns achieved on investments advised after month end.

CIT Group, a US Based lender entered Chapter 11 Bankruptcy on 1 November, 2009. Council is exposed to the CIT Group through some of its CDO holdings. This exposure was anticipated and is reflected in the written down market value of these CDO's.

Background

The Local Government Act 1993 (Section 625), Local Government (General) Regulations 2005 (Regulation 212) and Council's Investment policy requires a monthly report be provided to Council on investments. The report is to include the source and amount of funds invested, terms of performance of the investment portfolio over the preceding period and a statement of compliance in relation to the requirements of the Local Government Act 1993.

Report on Investments

- | | |
|--|--------------|
| • <i>Confirmation of Investments – at Market Value – 31 October 2009</i> | \$26,996,475 |
| • <i>Estimated Investments – at Market Value – 30 November 2009</i> | \$27,877,246 |

The current rate of return on investments for November 2009 is estimated to be 2.93% and is below the Bank Bill Swap Rate for the same period of 3.94%. 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.

The return on investment is lower than the Bank Bill swap rate due to a number of investments not paying coupons. These include investments in Blackrock Care & Maintenance, ASPRIT III Trust, Longreach – Series 25 and five Lehman Brothers related investments that are terminating. These

investments are shown on the 'Estimated Interest' attachment with an estimated interest rate and weighted interest for the period of zero.

In regards to the Blackrock Care & Maintenance Fund, as this fund is being independently managed with a view to its ultimate termination, the payment of a coupon is dependent on funds available net of costs. While payments for the investment capital are being received, coupon payments will only be recognised as return on investment in the month they are actually received.

CIT Group Chapter 11 Bankruptcy

CIT Group, a US based lender to small and medium size corporates, entered Chapter 11 Bankruptcy on 1 November, 2009. Council is exposed to CIT Group through its holdings in Glenelg, Kakadu, Quartz, and Torquay. AMBAC, a US monoline insurer has also announced the possibility of entering bankruptcy protection following large losses on derivative contracts. Council is exposed to AMBAC through its holdings in Quartz, Scarborough, Torquay, Henley and Kakadu. The CDOs at most risk of default include Scarborough and Torquay which can support approximately 1.51 and 1.22 defaults respectively until principal is impacted. The other CDOs exposed to CIT Group or AMBAC do not have their principal immediately compromised at this time.

Quarterly Investment Report

Each quarter Council's independent Investment Advisors prepare a Quarterly Investment Report on the investment holdings compared to the Target Credit Quality, Counterparty Exposure, Target Asset Allocation and Target Maturity Profile. The report for the September Quarter has recently been received and Brett Westbrook, Director of CPG Research and Advisory will be meeting with staff early in December to discuss this report. Council will be provided with further information regarding the September Quarterly report after the meeting with council's Independent advisors.

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

Notification of CIT Group and possibly AMBAC entering Chapter 11 Bankruptcy protection is not unexpected. The likelihood of this event was anticipated and the negative impact on affected CDO's has been factored into their market value.

For the last two financial years, the market value of these CDO's has been progressively written down from a face value of \$2.13m to \$386,000. In regards to the CDO's at most risk (Scarborough and Torquay), the face value of \$700,000 has been reduced to \$61,600. If a worse case scenario did eventuate and all the principal was lost, Council would need to recognise only a further loss of \$61,600.

Other staff comments

Not Required.

Public consultation

Not Required.

Conclusion

A report on investments is required to be submitted to Council monthly. This report meets that requirement. For November 30, 2009, investments total \$27,877,246 and the annualised rate of return was 2.93%.

CIT Group, an underlying name in 5 CDOs held by Council, has entered Chapter 11 Bankruptcy. AMBAC have also announced the possibility of entering bankruptcy protection. CPG Research and Advisory have advised that Scarborough and Torquay are most at risk with little subordination left before principal will be impacted.

The investments held by Council with various financial institutions, have been made in accordance with the Local Government Act 1993, Local Government (General) Regulation 2005 and Council's investment policy.

Recommendation

That the report be received and noted.

**Capital Value Movements
Summary of Investments held as at
30 November, 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									
Blackrock Care & Maintenance Fund	Managed Fund	A	High	15/10/2008	N/A	23/11/2009	\$ 2,563,519	\$ 2,563,519	Note 3
CBA Business On Line Banking A/c	Cash Management Account	Cash	High		N/A	23/11/2009	\$ 6,088,000	\$ 6,088,000	Note 1
Macquarie Cash Management Trust	Cash Management Account	Not Rated (Note 7)	High	1/9/2008	N/A	23/11/2009	\$ 249,182	\$ 249,182	Note 1
ANZ High Yield Cash Account	Cash Management Account	AA	High		N/A	23/11/2009	\$ 937,194	\$ 937,194	Note 1
IMB Banking & Financial Services	Term Deposit	A2	High	2/11/2009	2/12/2009	2/11/2009	\$ 2,000,000	\$ 2,000,000	Note 1
Newcastle Permanent	Term Deposit	A2	High	2/11/2009	2/12/2009	2/11/2009	\$ 2,000,000	\$ 2,000,000	Note 1
Suncorp	Term Deposit	A-1	High	21/10/2009	21/12/109	21/10/2009	\$ 2,000,000	\$ 2,000,000	Note 1
Credit Union Australia (CUA)	Term Deposit	Not Rated (Note 7)	High	21/10/2009	21/12/2009	21/10/2009	\$ 2,000,000	\$ 2,000,000	Note 1
Westpac Banking Corporation	Term Deposit	AA	High	9/11/2009	9/11/2010	9/11/2009	\$ 2,000,000	\$ 2,000,000	Note 1
Summerland Credit Union	Term Deposit	Not Rated (Note 7)	High	19/10/2009	17/11/2009	17/10/2009	\$ 1,000,000	\$ 1,000,000	Note 1
Merrill Q A/A FRN / CBA	Floating Rate Note	A+	High	22/3/2005	8/9/2010	30/10/2009	\$ 1,000,000	\$ 1,000,000	Note 1
Bishopsgate (Wentworth)	Floating Rate CDO	AA	High	1/9/2008	20/9/2010	30/08/2009	\$ 500,000	\$ 435,100	Note 1.5
Herald Limited (Quartz)	Floating Rate CDO	B+	Low	1/9/2008	20/12/2010	30/08/2009	\$ 30,000	\$ 13,572	Note 1.5
Cypress (Lawson)	Floating Rate CDO	BBB+	Low	1/9/2008	30/12/2010	30/08/2009	\$ 500,000	\$ 379,500	Note 1.5
Deutsche Bank CG Yield Curve Note	Euro Bond	Not Rated (Note 7)	High	1/9/2008	18/10/2011	30/08/2009	\$ 250,000	\$ 247,500	Note 1.5
BELO (Kalgoorlie)	Commodity Backed Security	AA+	High	1/9/2008	27/2/2012	30/08/2009	\$ 700,000	\$ 560,440	Note 1.5
Magnolia (Flinders)	Floating Rate CDO	BB+	Low	1/9/2008	20/3/2012	30/08/2009	\$ 300,000	\$ 210,000	Note 1.5
Omega (Henley)	Floating Rate CDO	CCC	Low	1/9/2008	22/9/2012	30/08/2009	\$ 400,000	\$ 128,200	Note 1.5
Beryl (Esperance 2)	Floating Rate CDO	BB+	Low	1/9/2008	20/3/2013	30/08/2009	\$ 400,000	\$ -	Note 1.5
Corsair (Torquay)	Floating Rate CDO	CCC-	Low	1/9/2008	20/9/2013	30/08/2009	\$ 500,000	\$ 59,400	Note 1.5
Ziroon (Merimbula)	Floating Rate Note	C	Low	1/9/2008	20/9/2013	30/08/2009	\$ 300,000	\$ -	Note 1.5
ASPRIT III Trust	Equity Linked Investment	AA	High	13/7/2007	13/7/2013	30/08/2009	\$ 2,000,000	\$ 1,690,000	Note 1.2
Corsair (Kakadu)	Floating Rate CDO	CCC	Low	1/9/2008	20/3/2014	30/08/2009	\$ 500,000	\$ 124,550	Note 1.5
Longreach - Series 25	Equity Linked Investment	AA-	High	24/2007	4/4/2014	30/08/2009	\$ 1,000,000	\$ 666,140	Note 1.2
Helium (Scarborough)	Floating Rate CDO	CCC-	Low	1/9/2008	23/9/2014	30/08/2009	\$ 200,000	\$ 2,200	Note 1.5
Beryl (Global Bank Note)	Floating Rate Note	C	Low	1/9/2008	20/9/2014	30/08/2009	\$ 150,000	\$ -	Note 1.5
Ziroon (Coolangatta)	Floating Rate CDO	C	Low	1/9/2008	20/9/2014	30/08/2009	\$ 500,000	\$ -	Note 1.5
Aphex (Glenelg)	Floating Rate CDO	CCC+	Low	1/9/2008	22/12/2014	30/08/2009	\$ 500,000	\$ 60,900	Note 1.5
Bendigo Bank FR Sub Debt	Subordinate Debt	Not Rated (Note 7)	Medium	1/9/2008	14/12/2015	31/10/2009	\$ 500,000	\$ 486,750	Note 1.5
Elders Rural Bank Sub Debt	Subordinate Debt	Not Rated (Note 7)	Medium	1/9/2008	16/3/2016	31/10/2009	\$ 1,000,000	\$ 967,100	Note 1.5
Ziroon (Miami)	Floating Rate CDO	C	Low	1/9/2008	20/3/2017	30/08/2009	\$ 50,000	\$ -	Note 1.5
Investment on Hand							\$ 32,117,894	\$ 27,877,246	

Investments Redeemed during period (Note 6)

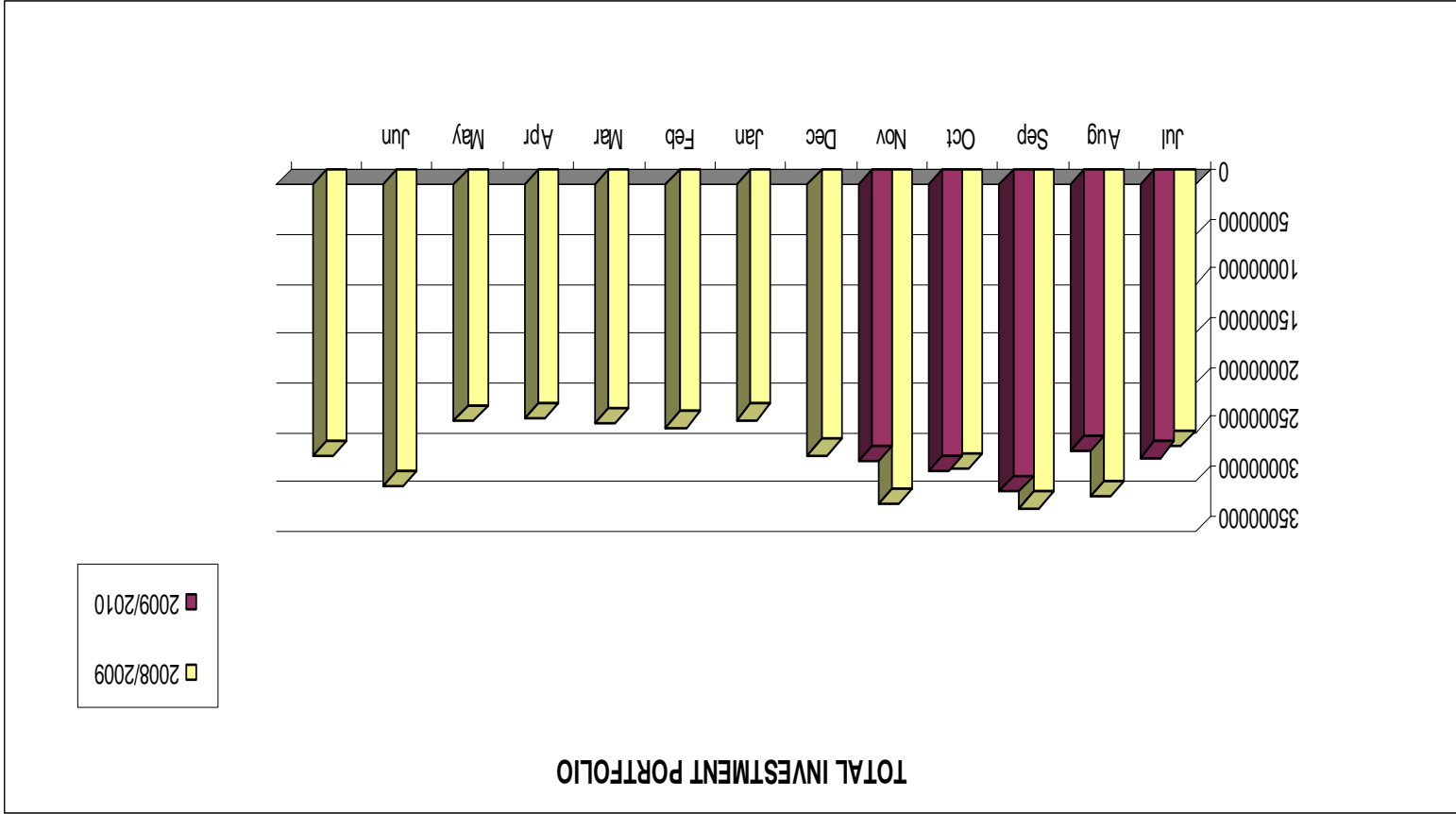
Westpac Banking Corporation	Term Deposit	AA	High	3/9/2009	2/11/2009	3/09/2009	\$ 2,000,000	\$ 2,000,000
IMB Banking & Financial Services	Term Deposit	A2	High	3/9/2009	2/11/2009	3/09/2009	\$ 2,000,000	\$ 2,000,000
Bank of Queensland	Term Deposit	A2	High	6/10/2009	5/11/2009	6/10/2009	\$ 2,000,000	\$ 2,000,000
Southern Cross Credit Union	Term Deposit	Not Rated (Note 7)	High	9/9/2009	9/11/2009	9/09/2009	\$ 2,000,000	\$ 2,000,000
Newcastle Permanent	Term Deposit	A2	High	3/9/2009	2/11/2009	3/09/2009	\$ 2,000,000	\$ 2,000,000

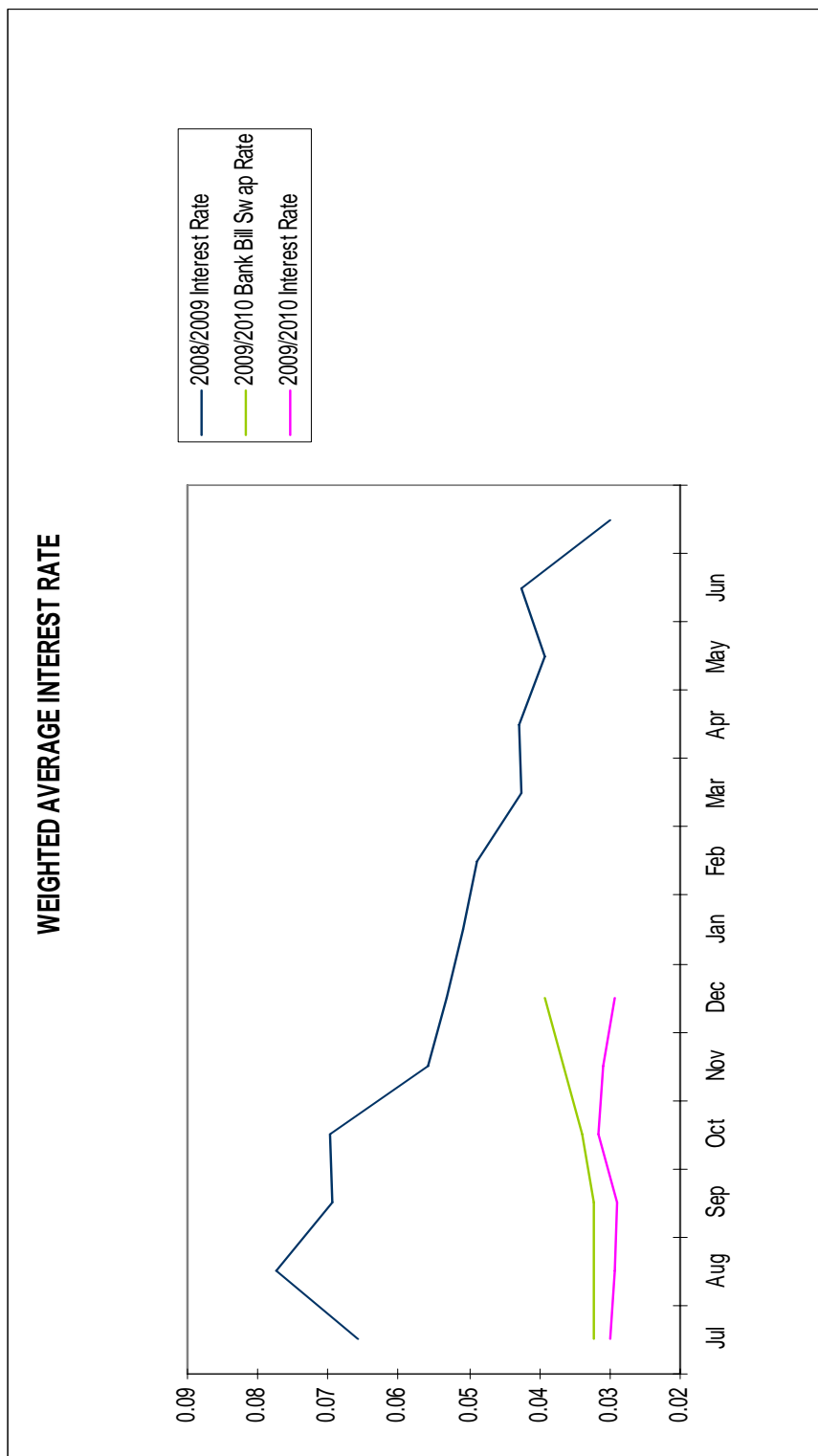
\$ 42,117,894 \$ 37,877,246

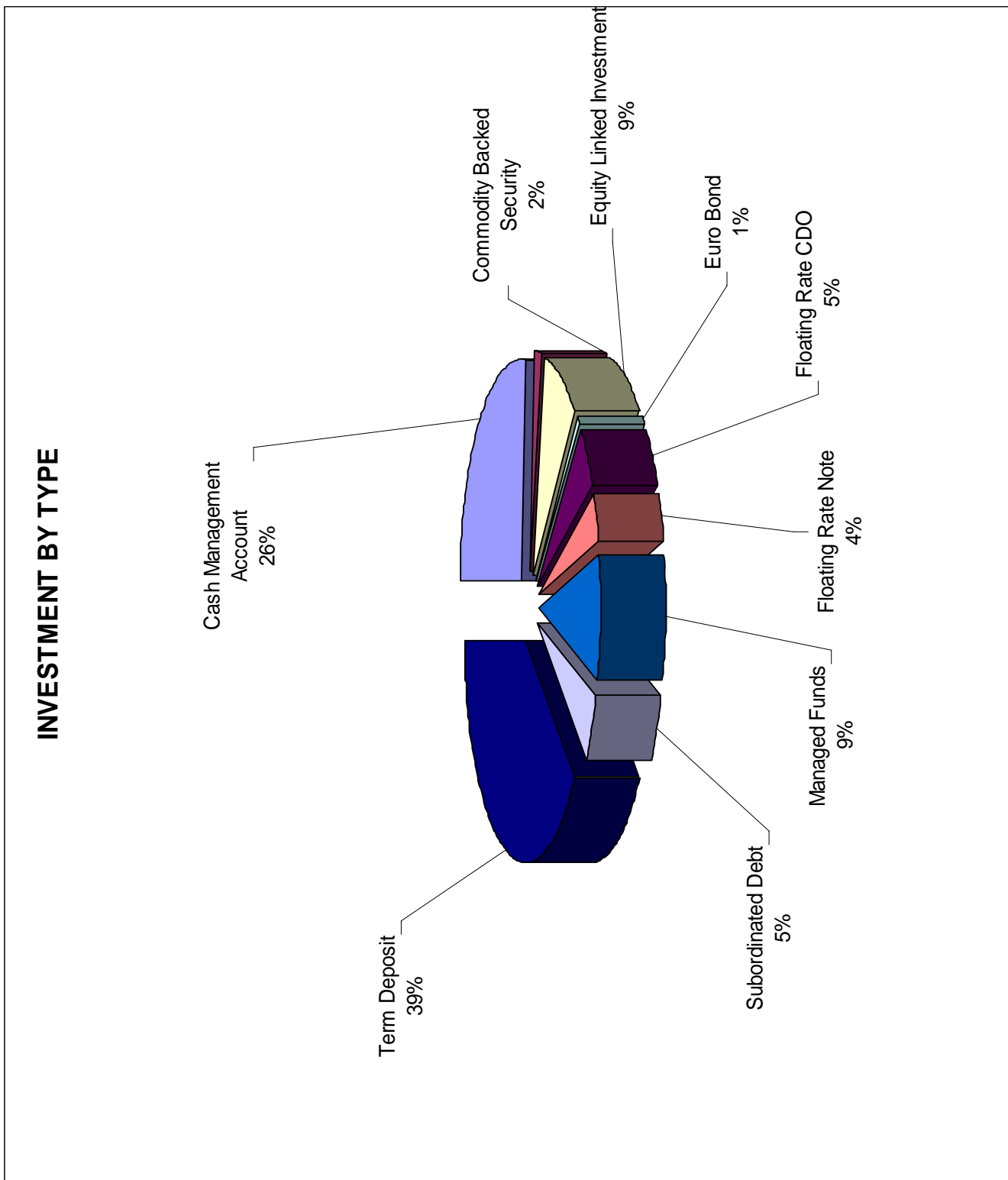
Note 1: Base Capital Value is the face value of the investment
 Note 2: Capital Guaranteed note if held to maturity
 Note 3: The Base Capital Value is the Market Value as at 30/6/09 plus additions less redemptions during the year.
 Note 4: Latest estimates based on information provided by investment 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 Investments Held.
 Note 7: These Counterparties & Products are authorised under the Minister Order and require no minimum Credit Rating.

"Indicative" Source of Funds

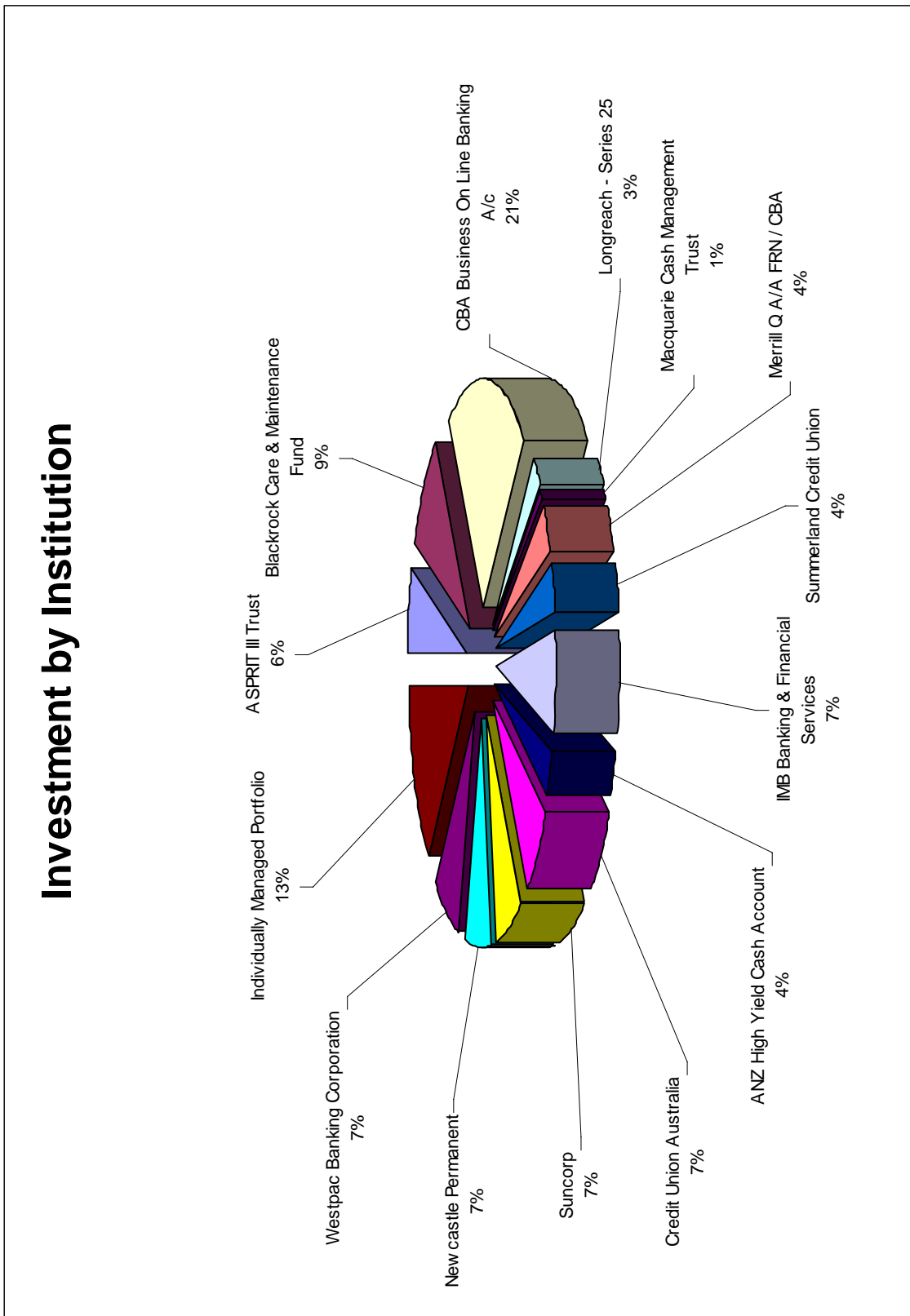
Externally Restricted	22,075,991
Internally Restricted	5,801,255
	<u>\$ 27,877,246</u>







Investment by Institution



MINUTES OF THE TRAFFIC ADVISORY COMMITTEE MEETING HELD ON 18 NOVEMBER 2009 AT 10.00 AM

(EF09/1963:ED09/18936)

	Present	Councillor Jenny Dowell (<i>Chairperson</i>), Frank Smallman (<i>RTA</i>), Snr Const Rob Clarke (<i>Lismore Police</i>).
	In Attendance	Garry Hemsworth (<i>Executive Director-Infrastructure Services</i>) and Bill MacDonald (<i>Traffic & Emergency Services Coordinator</i>).
TAC45/09	Apologies	An apology for non-attendance on behalf of Thomas George MP was received and accepted.
TAC46/09	Minutes	The Committee was advised that the minutes of the Traffic Advisory Committee meeting held on September 16, 2009 were confirmed by Council on October 13, 2009.

Disclosure of Interest

The Mayor requested that it be noted that she had been involved in previous Council decisions indirectly related to items B09-11.1 & B09-11.2

Part 'A' – Committee Recommendations

Sherilee Matthews – Lismore Christmas Carnival

Forwarding a Special Event Transport Management Plan template and Traffic Management Plan for the proposed Christmas Carnival in Magellan Street on Saturday December 12, 2009.

This event and the carols by candlelight are a highlight of the Lismore Christmas Shopping Bonanza which will run from mid November to Christmas Eve. The attached TMP shows Magellan Street being closed at its intersections with Molesworth and Keen Streets and Carrington Street being closed between Shire Lane and County Lane on Saturday, December 12, 2009 between the hours of 6am and 4pm. As with past events the one way traffic movement in Larkin Lane will revert to two way traffic with motorists being able to enter the lane system via Keen Street. The City Centre Manager will be distributing information on the closures to all affected businesses prior to the event.

TAC47/09 Recommendation: That approval be granted for the proposed road closures as outlined.
(EF09/1881:R7319)

Nimbin Police – No Stopping Zone in Cullen Street

Requesting consideration of extending the existing No Stopping zone on the western side of Cullen Street to include the full frontage of 36 Cullen Street.

The area in question has a relatively steep grass shoulder that offers little room for parking of vehicles, particularly in wet weather. This encourages motorists to park further out on the road making it dangerous for both through traffic and traffic turning right from Cecil Street.

TAC48/09 Recommendation: That the existing No Stopping zone on the western side of Cullen Street be extended further south to include the full frontage of 36 Cullen Street. (R1701)

St Vincent de Paul Society – No Stopping Zone in Centenary Drive

Outlining problems being experienced with delivery vehicles gaining access to the loading dock and requesting consideration of restricting parking opposite their driveway.

It would appear that when vehicles are parked opposite the driveway problems are created by limiting the amount of turning area when heavy vehicles are accessing the loading dock. A 'No Stopping' zone of 20m in length would ensure this area was kept clear and make it safer generally for traffic movements. An on site meeting was held and the proposal was also put to the neighbouring business which had no objection.

TAC49/09 Recommendation: That a 'No Stopping' zone be created on the western side of Centenary Drive for a distance of 20m south of Carson Street. (CI09/22731:R6427)

Part 'B' – Determined by Committee

Margaret & Rex Flack and Others– Excessive speed – Hazlemount and Mathieson Lanes, Tucki Tucki

Drawing attention to the excessive speed some vehicles travel on these two lanes, expressing the view 100kph limit is dangerous and requesting speed limit signs be erected along these lanes as a matter of safety.

Mathieson Lane is of gravel formation proceeding from Wyrallah Road to the intersection of Hazlemount Lane 1km further east. Hazlemount Lane is sealed for 1 km with an additional 400m of gravel formation to the end of the road. There is currently no signposted speed limit on these roads which means the default rural speed limit applies. However, bearing in mind the condition and alignment, installing speed limit signs of say 80kph would have little impact as there is little likelihood that existing speeds would generally be in excess of this in any case. A speed survey carried out earlier this year indicated that the 85th percentile speed on Hazlemount Lane was 68.9kph. It is felt that a suitable warning sign 'Caution Gravel Road, Drive to Conditions' erected at the start of Mathieson Lane would have more impact on achieving safer travel patterns generally. As traffic travelling on these roads would be predominately local, if there were repeated incidents of unsafe driving by individuals then details could be forwarded to Police for follow up.

B09-11.1 It was agreed: That a suitable warning sign 'Caution Gravel Road, Drive to Conditions' sign be erected near the start of Mathieson Lane. (CI09/20898:R5402:R5406)

Marilyn Gordon – Speed Limit on Cowlong and Cameron Roads

Expressing concerns over the state of the roads and requesting consideration of reducing the speed limit on these roads to 80kph due to the many near misses at the intersections of Cowlong Road and Cameron Road and Cowlong Road and McLeans Ridges Road.

Accident statistics do not support any significant history at either of these intersections with Cowlong Road with two accidents since 2000 at the intersection of Cowlong Road and McLeans Ridges Road and four accidents since 2003 at the intersection of Cowlong Road and Cameron Road. There was only one reported accident at the intersection of Cameron Road and Boatharbour Road in 2005. It would appear that a significant portion of Cowlong Road and in particular the two intersections nominated fall within Ballina Shire. Any treatments or enhancements would be a matter for Ballina Shire to determine. Cowlong Road is approx. 7.5km long with 2.7km of this within Ballina Shire. There are 11 intersections along the total length of Cowlong Road and road condition and alignment is not of a high standard. Cameron Road is of a higher standard and subsequently may result in higher speeds. There are a significant number of dwellings along its length. It is suggested that the Committee support any referral to the RTA for assessment of the appropriate speed limit for both Cowlong Road and Cameron Road.

- B09-11.2 It was agreed:** That the issue of appropriate speed limits for Cowlong Road and Cameron Road be referred to the RTA for assessment and further that the concerns relating to the intersections of Cowlong Road and McLean Ridges Road and Cowlong Road and Cameron Road be referred to Ballina Shire Council for their attention. (R4501:R8491)

Roads & Traffic Authority – Proposed Underpass at Ballina Road in front of Goonellabah Primary School

Responding to Council's letter regarding concerns for safety of school children crossing Ballina Road.

The Authority has inspected the site and noted maintenance work already carried out by Council to address sight distance issues and is also investigating other options to increase safety. The Authority has advised that works such as the proposed underpass are prioritised on a needs basis and the implementation of this proposal would be subject to the availability of funds. It would appear that funding for the construction of an underpass would not be forthcoming in the foreseeable future.

- B09-11.3 It was agreed:** That the advice from the RTA be noted. (CI09/19994:R6408)

June Crawford – Speed Limit on Koonorigan Road

Querying the existence of lower speed limits in other villages and roads nearby and not on Koonorigan Road

Koonorigan Road is approx. 9.5km in length and connects The Channon with Nimbin Road. The majority of the road is 3.5m to 4m wide and winding in nature. There are a significant number of residences along the road and it is suggested that a lower speed limit may be more appropriate. It is likely that there would be a reasonable level of non local traffic using this link as well.

- B09-11.4 It was agreed:** That this matter be referred to the RTA for assessment to determine the most appropriate speed limit. (R3101)

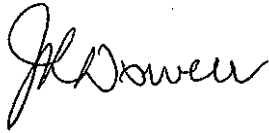
DA 09/332 – Subdivision to Create one Additional Lot and Construction of 34 Storage Sheds

This matter was referred to the Committee as a result of concerns relating to the proposed access to the new lot being via a right of way off the Bruxner Highway
Whilst the new lot would have frontage to Holland Street, general topography of existing road and the land in question where it meets Holland Street would make it more difficult and costly to gain suitable access and further develop the land. Whilst the majority of the Committee supported the proposal in principle to have access off the Bruxner Highway via the existing r.o.w. the RTA representative suggested that it would be appropriate to forward the application to the RTA Grafton office for comment, given the potential exposure of the Bruxner Highway to additional traffic movements.

- B09-11.5 It was agreed:** That the application for approval for the proposed new lot to have access from the Bruxner Highway be referred to the RTA Grafton office for comment / approval as required.

Closure

This concluded the business and the meeting terminated at 10.45 am.



Chairperson



**Traffic and Emergency
Services Coordinator**

Financial Assistance - Section 356

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

Budget:\$2,700

Spent to date:\$1,045.40

Mr Darcy Goodwin from the 5 Loaves Mobile Soup Kitchen is requesting financial assistance with a charity dinner held in October 2009 (CI09/23907).

\$100

Mr Matty McInnes from Lismore has been selected in the NSW Country Schools Rugby Union Team to play in South Africa and Malaysia in April 2010 and is seeking assistance with travel expenses (CI09/23184).

\$50

Recommendation

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

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE CITY OF LISMORE HELD IN THE COUNCIL CHAMBER, GOONELLABAH ON TUESDAY 10 NOVEMBER 2009, AT 6.00PM.

Present Mayor, Councillor Dowell, Councillors Battista, Chant, Clough, Graham, Houston, Marks, Meineke and Yarnall, together with the General Manager, Executive Director Infrastructure Services, Executive Director Sustainable Development, Manager Finance, Acting Manager Integrated Planning, Communications Coordinator, Corporate Compliance Coordinator, and Personal Assistant to the General Manager.

**Apologies/
Leave of
Absence** An apology for non-attendance on behalf of Councillor Smith was received and accepted and a leave of absence granted by Council at its meeting held on 13 October 2009.

198/09

RESOLVED that:

1. An apology be received and accepted on behalf of Councillor Ekins and leave of absence granted.
2. A leave of absence be granted for:

Councillor Houston from 12-13 November 2009.
Councillor Meineke from 18-25 November 2009.

(Councillors Graham/Chant)

199/09

Minutes

The minutes of the Ordinary Meeting held on 13 October 2009, were confirmed.

(Councillors Clough/Marks)

200/09

The minutes of the Extra Ordinary Meeting held on 20 October 2009, were confirmed.

(Councillors Graham/Clough)

Disclosure of Interest

S451

Councillor Dowell declared a non-significant conflict of interest in the following item:
Report – Proposed Addition to Large Lot Residential Zone in the Draft Local Environmental Plan – 275 Cameron Road, McLeans Ridges

Nature of Interest: Opponents of this and other rezonings in McLeans Ridges assisted with my election campaign.

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

Report – Proposed Addition to Large Lot Residential Zone in the Draft Local Environmental Plan – 275 Cameron Road, McLeans Ridges

Nature of Interest: Opponents of this and other rezonings in McLeans Ridges assisted with my election campaign. I intend to stay in the Chamber for discussions.

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

Report – Tender 2010-17 Gravel Roads flood Restoration Works

Nature of Interest: A tenderer is a recent client of mine. That tenderer is not the recommended tender and I will not be questioning the recommendation. I do not act for the client on roads issues or roads related issues.

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

Report – Proposed Addition to Large Lot Residential Zone in the Draft Local Environmental Plan – 275 Cameron Road, McLeans Ridges

Nature of Interest: Members of McLeans Ridges community donated to my campaign (less than \$1000).

Councillor Yarnall declared a pecuniary conflict of interest in the following item:

Report – Tender 2010–6 Various Materials Supply

Nature of Interest: One of the tenderers for the tree-logging service contributed to my campaign.

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

Documents for Signing and Sealing – Lease to Lismore Workers Club Inc – 180 High Street, Lismore Heights

Nature of Interest: Member of the Lismore Workers Club.

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:

Paul Albertini – Report – Request for Financial Assistance – Lismore Thistles Soccer Club Inc.

Mr Albertini detailed the need for the grant to match grant funds for irrigation work. He outlined details of the clubs functions, size and economic capacity. He stressed the wide community use of the playing fields.

Glen Maxwell – Report – Lismore Memorial Baths Passes Entry Fee

Mr Maxwell disputed a number of factors in the report. He focussed on what he considered the excessive cost of attending the pool compared to surrounding areas. He claimed a decrease in the cost of pool passes would increase overall revenue.

Diana Roberts – Report – Regional and Local Community Infrastructure Program

Ms Roberts spoke on behalf of the Nimbin Community Centre Inc. She spoke to the report, raising issues of car parking, amenities block, ownership and land classification. She advised the Nimbin Community Centre had no funds to rehabilitate the site. She urged Council to build a facility that the community would use.

Damian Chapelle – Report – Proposed Addition to Large Lot Residential Zone Draft LEP - 275 Cameron Rd, McLeans Ridges & 357 Dunoon Rd, Tullera

With respect to 357 Dunoon Rd, Tullera, Mr Chapelle stressed the development met all planning requirements. He detailed the relationship with adjoining developments. He raised the issue of direct access to Dunoon Rd.

With respect to the development at 275 Cameron Rd, McLeans Ridges, Mr Chapelle also advised it met planning requirements and had been amended to meet concerns expressed about other developments in the area. He urged inclusion of the proposal in the Draft LEP.

Special Presentation

Darran Singh (Thomas Noble & Russell – Report – 2008/09 Financial Reports

Mr Singh spoke to the 2008/09 Financial Report.

Condolence

Family of the Late Colin Johnston

Colin Johnston was a well-known and highly respected member of the Clunes community.

Col was born in Alstonville in 1927, attended Clunes Primary School and with his wife Valmai, opened the Clunes Service Station in 1947. The garage is now owned and operated by his son Garry. Col's daughter Robyn also works there.

Col founded what was then called the bush fire brigade in 1968 as its captain and group officer of 5 local brigades.

He also founded the Northern Rivers Vintage and Veteran Car Club and was active in the tennis club, progress association and many other community organisations.

Col attended the first public meeting in 25 November 1999 in the Clunes Hall as Council staff outlined plans to address the village's sewerage needs. At the end of that meeting Col and his brother Noel submitted their names to be on the Clunes Wastewater Committee (CWC).

The CWC met for the first time in February 2000. Each member was described in the minutes of the first meeting. I quote 'Col Johnston has been a resident of Clunes for 50 years. Col belongs to the Clunes bush fire brigade and has a direct interest in the values and health of the environment'.

The CWC met 25 times until March 2007 with Col at most of the meetings.

Col Johnston died on 19 October aged 82. Many in Clunes and beyond will miss him.

- 201/09 The Mayor moved that Council's expressions of sympathy be conveyed to Valmai, his wife of 55 years, son Garry, daughter Robyn, his 8 grandchildren, 3 great grand children, brother Noel and other members of the Johnston family and the motion was approved with members standing and observing the customary moment's silence.

Notice of Motions

Review of Infrastructure Services

- 202/09 **RESOLVED** that a report be prepared on the most effective manner in which to carry out a review of Council's Infrastructure Services section. The review will examine value for money and environmental issues concentrating on, but not be limited to:
- a. the maintenance workshop and fleet;
 - b. the appropriateness of Council's plant and equipment for the work required;
 - c. work practices;
 - d. the role of outsourcing; and
 - e. the techniques and technology applied to road construction and maintenance.

(Councillor Clough/Yarnall)

Voting against: Councillors Meineke, Chant, Graham and Marks.

(EF09/1921:ED09/17584)

Altering Order of Business

- 203/09 **RESOLVED** that the order of business be altered to debate the following matter raised during Public Access:

2008/09 Financial Reports

Request for Financial Assistance – Lismore Thistles Soccer Club Inc

Lismore Memorial Baths Passes Entry Fees

Regional and Local Community Infrastructure Program

Report on Proposed Addition to Large Lot Residential Zone in the Draft Local Environmental Plan – 275 Cameron Road, McLeans Ridges

Report on Proposed Addition to Large Lot Residential Zone in the Draft Local Environmental Plan – 375 Dunoon Road, Tullera

(Councillors Graham/Clough)

Reports

2008/09 Financial Reports

- 204/09 **RESOLVED** that Council acknowledge the presentation of the audited 2008/09 Financial Reports to the public.
(Councillors Marks/Meineke) (EF09/581:ED09/17583)

Request for Financial Assistance – Lismore Thistles Soccer Club Inc.

- 205/09 **RESOLVED** that:
1. Council provide in principle support to the request from Thistles Soccer Club Inc. to provide a loan of \$12,000 to be repaid over three years by equal annual payments of \$4,300.
 2. Council advertise for 28 days seeking public submissions.
 3. A report on submissions received and final recommendations be submitted to the February 2009 Council meeting.
- (Councillors Clough/Graham) (EF09/723:ED09/17585)

Lismore Memorial Baths Passes Entry Fees

A MOTION was MOVED that Council review all seasonal pass prices for family and individuals with a report due for consideration at the December meeting.

(Councillor Marks/Meineke)

An AMENDMENT was MOVED that Council adopt a pricing policy similar to that of Alstonville pool for the Memorial Baths with a maximum differential of 10%.

(Councillor Battista/Houston)

On submission to the meeting the AMENDMENT was DEFEATED.

Voting against: Councillors Dowell, Meineke, Clough, Chant, Graham, Yarnall and Marks.

A FORESHADOWED AMENDMENT was MOVED that:

1. That Council endorse in principle the reinstatement of the 6 month pool passes.
2. That the charges be:
 - Adult - \$162.00
 - Child, Student, Pensioner/Concession - \$162.00
 - Family - \$491.00
 - Offpeak – Adult, Child, Student, Pensioner/Concession - \$122.00
 - Offpeak – Family - \$368.00
3. That the charges be effective from 1 October 2009.

4. That following advertisement of the proposed charge, community feedback be reported to the December Council meeting for determination.
5. That staff prepare a detailed report on the public usage of the Memorial Baths, including price categories related to patronage for the 2008/09 and other relevant financial years and include price comparisons with similar facilities.
6. That staff prepare a marketing plan for Council's two main pools.

(Councillor Yarnall/Clough)

On submission to the meeting the FORESHADOWED AMENDMENT was DEFEATED.

Voting against: Councillors Houston, Battista, Meineke, Chant, Graham and Marks.

A FORESHADOWED AMENDMENT was MOVED that Council revert back to the 2008/09 season fees for all passes.

(Councillor Chant/Graham)

On submission to the meeting the FORESHADOWED AMENDMENT was DEFEATED.

Voting against: Councillors Dowell, Houston, Battista, Clough and Yarnall.

An AMENDMENT was MOVED that:

1. That Council endorse in principle the reinstatement of the 6 month pool passes.
2. That the charges be:
 - Adult - \$162.00
 - Child, Student, Pensioner/Concession - \$162.00
 - Family - \$491.00
 - Offpeak – Adult, Child, Student, Pensioner/Concession - \$122.00
 - Offpeak – Family - \$368.00
3. That the charges be effective from 1 October 2009.
4. That following advertisement of the proposed charge, community feedback be reported to the December Council meeting for determination.

(Councillors Graham/Meineke)

On submission to the meeting the AMENDMENT was DEFEATED.

Voting against: Councillors Houston, Battista, Meineke, Chant and Marks.

A FORESHADOWED AMENDMENT was MOVED that the 3 month and 12 month passes remain the same with the 6 month pass being the Alstonville fee plus 10%.

(Councillor Battista)

The FORSHADOWED AMENDMENT lapsed for want of a seconder.

A FORESHADOWED AMENDMENT was MOVED that:

1. That Council endorse in principle the reinstatement of the 6 month pool passes.
2. That the charges be:
 - Adult - \$162.00
 - Child, Student, Pensioner/Concession - \$162.00
 - Family - \$491.00
 - Offpeak – Adult, Child, Student, Pensioner/Concession - \$122.00
 - Offpeak – Family - \$368.00
3. That the charges be effective from 1 October 2009.
4. That following advertisement of the proposed charge, community feedback be reported to the December Council meeting for determination.
5. That staff prepare a detailed report on the public usage of the Memorial Baths, including price categories related to patronage for the 2008/09 and other relevant financial years and include price comparisons with similar facilities.
6. Staff prepare a marketing plan for Council's two main pools.

(Councillor Yarnall/Clough)

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

Voting against: Councillor Battista.

206/09 **RESOLVED** that:

1. That Council endorse in principle the reinstatement of the 6 month pool passes.
2. That the charges be:
 - Adult - \$162.00
 - Child, Student, Pensioner/Concession - \$162.00
 - Family - \$491.00
 - Offpeak – Adult, Child, Student, Pensioner/Concession - \$122.00
 - Offpeak – Family - \$368.00
3. That the charges be effective from 1 October 2009.
4. That following advertisement of the proposed charge, community feedback be reported to the December Council meeting for determination.
5. That staff prepare a detailed report on the public usage of the Memorial Baths, including price categories related to patronage for the 2008/09 and other relevant financial years and include price comparisons with similar facilities.
6. Staff prepare a marketing plan for Council's two main pools.

(Councillor Yarnall/Clough)

Voting against: Councillor Battista.

(EF09/1851:ED09/17420)

Regional and Local Community Infrastructure Program

207/09

RESOLVED that:

1. Council confirm its nomination of the Nimbin Skate Park to be funded from its guaranteed \$449,000 allocation under the Regional and Community Infrastructure Program, subject to resolving issues with the Nimbin Community Centre Incorporated as outlined in the report.
2. Council note that the funding of \$449,000 available under the Regional and Community Infrastructure Program is considered sufficient to meet bare minimum costs for construction of such a facility and should additional costs arise as outlined in the report, Council will be liable to provide additional funding in the 2010/2011 budget process.
3. Council further note the projected ongoing operational costs of \$24,000/annum and \$6,000/ annum of Peace Park and the proposed skate park respectively which will require consideration of the 2010/11 budget process.
4. Negotiations continue with the Nimbin Community Centre Incorporated to resolve those issues outlined in the report and that the Mayor be the delegated authority to determine the Council's position.
5. In the event that those matters outlined in the report cannot be resolved with the Nimbin Community Centre Incorporated prior to the deadline of 20 November 2009 for nominations, Council nominate the following projects as alternatives:
 - Goonellabah Sports and Aquatic Centre – Solar Water Heating Expansion - \$55,000
 - Nesbitt Park (Walking Track, Carpark, Half Basketball Court) - \$394,000

(Councillors Clough/Graham) (EF09/712:ED09/17568)

Proposed Addition to Large Lot Residential Zone Draft Local Environmental Plan – 275 Cameron Road, McLeans Ridges

A MOTION was MOVED that Council resolve to include the area of land shown as Lots 1 to 4 on the attached subdivision plan for Lot 5 DP827282, 275 Cameron Road, McLeans Ridges in the R5 Large Lot Residential zone in the new comprehensive Local Environmental Plan consistent with the Standard Instrument, subject to the land owners signing a draft Planning Agreement that includes the matters detailed in this report and the Planning Agreement require the southern boundary of Lot 4 to be moved sufficiently far south to enable a 30m buffer planting to be included in the lot between the building envelope and the adjacent macadamias.

(Councillors Meineke/Graham)

On submission to the meeting the MOTION was DEFEATED.

Section 375A Voting Record

Voting for: Councillors Meineke, Chant, Graham and Marks.

Voting against: Councillors Houston, Battista, Clough, Yarnall and Dowell.

A FORESHADOWED MOTION was MOVED that Council resolve not to include the land at 275 Cameron's Road, McLeans Ridges in the R5 Large Lot Residential Zone in the new comprehensive local Environment Plan until after the review of the Rural Housing Strategy.

(Councillor Yarnall/Houston)

208/09 **RESOLVED** that Council resolve not to include the land at 275 Cameron's Road, McLeans Ridges in the R5 Large Lot Residential Zone in the new comprehensive local Environment Plan until after the review of the Rural Housing Strategy.

(Councillor Yarnall/Houston)

Section 375A Voting Record

Voting for: Councillors Dowell, Battista, Clough, Yarnall and Houston.

Voting against: Councillors Meineke, Chant, Graham and Marks.

(EF09/821:ED09/17499)

Proposed Addition to Large Lot Residential Zone in the Draft Local Environmental Plan – 375 Dunoon Road, Tullera

209/09 **RESOLVED** that:

1. That Council resolve to include the area of land shown as Lots 1 to 5 on the attached subdivision plan for Lot 21 DP1031582, 357 Dunoon Road, Tullera in the R5 Large Lot Residential zone in the new comprehensive Local Environmental Plan consistent with the Standard Instrument, subject to the land owners signing a draft Planning Agreement that includes the matters detailed in this report.
2. Staff ensure that appropriate stakeholders be notified of the inclusion of the above in the Draft LEP so as appropriate community consultation can occur in accordance with the community consultation strategy as part of the Draft LEP process.

(Councillor Yarnall/Battista)

Section 375A Voting Record

Voting for: Councillors Dowell, Battista, Clough, Yarnall, Houston, Meineke, Chant, Graham and Marks.

Voting against: Nil.

(EF09/821:ED09/17531)

Nimbin Caravan Park and Pool

A MOTION was MOVED that:

1. The report be received and noted.
2. Council proceed with an expression of interest process, through a local real estate agent, for sale of the Nimbin Caravan Park facility.
3. Council retain ownership of the Nimbin pool facility and utilise part of the proceeds of any sale of the caravan park, to fund reconfiguration of the pool plant room to address operational and OH&S issues and construction of a new amenities block for pool patrons.

(Councillors Graham/Marks)

An AMENDMENT was MOVED that:

1. The report be received and noted.
2. Council proceed with an expression of interest process, through a local real estate agent, for sale or lease of the Nimbin Caravan Park facility.
3. Council retain ownership of the Nimbin pool facility and utilise part of the proceeds of any sale of the caravan park, to fund reconfiguration of the pool plant room to address operational and OH&S issues and construction of a new amenities block for pool patrons.

(Councillors Clough/Yarnall)

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

Voting against: Councillors Meineke, Chant, Graham and Marks.

210/09 **RESOLVED** that:

1. The report be received and noted.
2. Council proceed with an expression of interest process, through a local real estate agent, for sale or lease of the Nimbin Caravan Park facility.
3. Council retain ownership of the Nimbin pool facility and utilise part of the proceeds of any sale of the caravan park, to fund reconfiguration of the pool plant room to address operational and OH&S issues and construction of a new amenities block for pool patrons.

(Councillors Clough/Yarnall)

Voting against: Councillors Meineke, Chant, Graham and Marks.

(EF09/198:ED09/17371)

At this juncture Councillor Yarnall left the meeting.

Tender T2010-03 – Margaret Olley Arts Centre

211/09

RESOLVED that:

1. In accordance with Clause 178(1)(b) of the Local Government (General) Regulation, Council decline to accept any tenders for the design of the Margaret Olley Arts Centre.
2. In accordance with Clause 178(3)(e) of the Local Government (General) Regulation, Council resolve to enter into negotiations with Tonkin Zulaikha Greer to undertake the design of the Margaret Olley Arts Centre.

(Councillors Battista/Houston)

Voting against: Councillors Meineke, Chant, Graham and Marks.

The voting being tied the Mayor declared the MOTION APPROVED on her casting vote.

(T10/3 :ED09/17615)

At this juncture Councillor Yarnall returned to the meeting.

Additional Inclusion in the Rural Residential Zone – 13 High Street, Nimbin

212/09

RESOLVED that:

1. Council resolve to include the land at 13 High Street, Nimbin in the R5 Large Lot Residential zone in the new comprehensive Local Environmental Plan consistent with the Standard Instrument, subject to the land owner signing a draft Planning Agreement that includes the matters detailed in this report.
2. Staff ensure that appropriate stakeholder be notified of the inclusion of the above in the Draft LEP so as appropriate community consultation can occur in accordance with the community consultation strategy as part of the Draft LEP process.

(Councillors Meineke/Marks)

Section 375A Voting Record

Voting for: Councillors Dowell, Battista, Clough, Yarnall, Houston, Meineke, Chant, Graham and Marks.

Voting against: Nil.

(EF09/821:ED09/17529)

Comprehensive State of the Environment Report (SoE) 2008 - 2009

213/09

RESOLVED that Council:

1. Note the comprehensive State of the Environment Report 2008-2009 and its distribution to the Department of Local Government.
2. Thank in writing the Friends of the Koalas and WIRES Northern Rivers for their valued input into the State of the Environment Report 2008/2009.

(Councillors Clough/Battista) (EF09/1707:ED09/17239)

Tender T2010-02 – Mowing of Parks and Recreation Areas

A MOTION was MOVED that:

Council seek further local expressions of interest.

(Councillor Graham/Marks)

An AMENDMENT was MOVED that:

1. The Contract for Mowing – Parks and Recreation Areas (T2010-02) is awarded to Grounds & Gardens for the amount of \$105,828.91 per annum (excluding GST).
2. The Mayor and General Manager be authorised to execute the Contracts on Council's behalf and attach the common seal.
3. The contractor be requested to source materials and labour from local suppliers.

(Councillors Battista/Yarnall)

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

Voting against: Councillor Graham.

214/09

RESOLVED that:

1. The Contract for Mowing – Parks and Recreation Areas (T2010-02) is awarded to Grounds & Gardens for the amount of \$105,828.91 per annum (excluding GST).
2. The Mayor and General Manager be authorised to execute the Contracts on Council's behalf and attach the common seal.
3. The contractor be requested to source materials and labour from local suppliers.

(Councillors Battista/Yarnall)

(T10/2:ED09/15900)

Tender 2010-17 – Gravel Roads Flood Restoration Works

215/09

RESOLVED that:

1. The contract for the provision of a Gravel Roads Maintenance Crew for flood restoration works be awarded to Smith Plant with a scheduled rate of \$14,354.00 per week (inclusive of GST), for an initial period of three (3) months with the option of an extension of a further three months (3) subject to available funds.
2. The General Manager and Mayor be authorised to sign and affix the Council Seal to contracts or any other documents deemed necessary to complete this resolution.

(Councillors Chant/Clough) (T10/17:ED09/17388)

At this juncture Councillor Yarnall left the meeting.

Tender 2010-6 – Various Materials Supply

216/09

RESOLVED that Council adopts the order of priority for the provision of various materials as per the following recommendations:

Supply of soil, sand and metal dust:

1. Richmond Sand and Gravel
2. Rhodes Landscaping Supplies
3. Clovass Quarry
4. S & L Sand & Gravel

Supply of ready mixed concrete:

1. Hanson
2. Cemex

Supply of traffic control personnel and traffic management solutions:

1. Workforce International
2. JHA Recruitment & Staff @ Work

Material testing:

Coffey Information Pty Ltd

Supply of vegetation services:

1. Lismore Tree Services
2. East Coast Lopping
3. Byron Bay Tree Services

Supply of turf:

1. Richmond Sand & Gravel and Landscaping
2. River Oak Turf

Provision of kerb & gutter extrusion:

Tweed Summerland Kerbing

Banner Erection and Dismantling

No tender documents were received for this service.

Supply of various chemicals the following priority order:

Liquid Caustic Soda 50%

1. Omega Chemicals
2. Elite Chemicals
3. Redox Pty Ltd

Liquid Aluminium Sulphate TIF (Filtration Grade)

1. Omega Chemicals

Sodium Hypochlorite 13%

1. Elite Chemicals.

(Councillors Chant/Graham) (T10/6:ED09/17511)

At this juncture Councillor Yarnall returned to the meeting.

Council Meetings and Public Forums for 2010

217/09 **RESOLVED** that:

1. The first ordinary meeting of Council be held on 9 February 2010.

2. The Rural Contact Forums be held at:

Coffee Camp Public Hall 15 March 2010

Eltham Public Hall 21 June 2010

Rosebank Public Hall 6 August 2010

With the Nimbin Community Meeting at:

Nimbin School of Arts 15 November 2010

3. The City Contact Forums be held at:

Goonellabah Workers Sports Club 19 April 2010

Lismore City Hall 19 July 2010

(Councillors Graham/Houston)

(EF09/632:ED09/17552)

Executive Council Responsibilities – Richmond Tweed Regional Library

218/09

RESOLVED that Council:

1. Write to member Councils requesting their approval to amend the current agreements to ensure they comply with s377 (1) and cater for s380 of the Local Government Act 1993.
2. Request member Councils to revoke their existing delegations to RTRL and agree to replace them with complying delegations.
3. Write to Richmond Tweed Regional Library advising that in accordance with the agreements and LGA requirements, Lismore City Council as the Executive Council is required to implement changes in current work practices such as for delegations and financial management to achieve best compliance.

(Councillors Clough/Houston) (EF09/2497:ED09/17570)

September 2009 Quarterly Management Plan Review

219/09

RESOLVED that the report be received and noted.

(Councillors Clough/Houston) (EF09/1726:ED09/17554)

September 2009 Quarterly Budget Review Statement

220/09

RESOLVED that:

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

(Councillors Meineke/Chant) (EF09/2198:ED09/17662)

Investments – October 2009

221/09

RESOLVED that the report be received and noted.

(Councillors Meineke/Marks) (EF09/2209:ED/17567)

Financial Assistance – Section 356

222/09

RESOLVED that in accordance with Section 356 (1) of the Local Government Act 1993, the assistant to persons as listed below is hereby approved:

(Councillors Graham/Chant)

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

Budget Approved: \$15,200 Spent to Date: \$14,598.10

Volunteering Northern Rivers, auspiced by the Lismore Neighbourhood Centre Inc. is requesting Council waive the hire charges (\$572) for the 3rd Annual Volunteers Expo 2009 held on 14 May 2009. An entrance fee is not to be charged (CI09/19450).

Recommendation: In accordance with Clause 5 of the policy, a donation of 25% of the hire fee applies.

\$143.00

The Northern Rivers Prostrate Cancer Awareness Committee is requesting Council discount the hire charges (\$220) for the hire of the Fountain Room and Kitchen on 19 September 2009 to hold a forum. An entrance fee is not to be charged (CI09/19448).

Recommendation: In accordance with Clause 5 of the policy, a donation of 25% of the hire fee applies.

\$55.00

Arts Northern Rivers is requesting Council contribute to the hire charges (\$311) for the hire of the Fountain Room on 24 November and 1 December for the Northern Rivers region Youth Arts Network Forum and Northern Rivers region ArtStart Showcase. An entrance fee is not to be charged (CI09/20028).

Recommendation: In accordance with Clause 5 of the policy, a donation of 25% of the hire fee applies.

\$77.75

In accordance with policy.

a) Banners – Policy 1.4.14 (GL390.50.15)

Budget: \$700 Spent to date: \$0

Westpac Life Saver Rescue Helicopter is requesting the cost of the hire fee to display their banner on Uralba Street, between 24-30 August 2009.

\$165.00

In accordance with policy.

b) Council Contributions to Charitable Organisations

Waste Facility – Policy 5.6.1 (GL390.965.15)

Budget: \$11,000 Spent to date: \$4,945.86

SEPTEMBER 2009

Animal Rights & Rescue \$0.00

Challenge Foundation \$162.36

Five Loaves \$101.82

Friends of the Koala \$24.36

LifeLine \$280.00

Salvation Army \$41.64

Westpac Life Saver Rescue Helicopter \$27.27

Lismore Soup Kitchen \$25.45

St Vincent De Paul \$5.09

Soup Kitchen \$840.00 (March - June 2009)

Total

\$1,507.99

OCTOBER 2009

Animal Rights & Rescue \$13.64

Challenge Foundation \$127.45

Five Loaves \$113.45

Friends of the Koala \$26.91

LifeLine \$280.00

Soup Kitchen (Jul-Sept) \$791.82

Total

\$1,353.27

1st Lismore Scout Group is requesting Council provide assistance with waste disposal costs at the Wyrallah Road Waste Facility. Proof of charity registration has been provided (CI09/12044).

Recommendation: In accordance with the policy, assistance with waste disposal to the value of two (2) tonne per month be applied to the 1st Lismore Scout Group.

In accordance with policy.

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

Budget: \$2,700 Spent to date: \$750

Madison Fiedler a student of Modanville Primary School is seeking financial assistance with travel expenses to compete in the State Athletics in Sydney (CI09/19344).

\$50

Wilson Park Public is seeking a donation from the Tourism Office to be used as prizes for their Trivia night which will be held as a fundraising event to benefit children with intellectual and physical disabilities (CI09/19078).

\$50 (Prize Donation)

Kelly Wilson of Modanville Primary School will be competing in the national Senior Tournament of the Minds in Brisbane and is seeking assistance with travel expenses (CI09/20820).

\$50

Organisers of the Nimbin Dreaming Festival are seeking a donation to this festival held on 30 October – 1 November 2009 (CI09/21028).

\$100

Lismore High School is seeking a donation for book prizes for their Personal Interest Project (CI09/21027).

\$50

(EF09/1921:ED09/18126)

Documents for Signing and Sealing

223/09 **RESOLVED** that the following documents be executed under the Common Seal of the Council.

Plan of Subdivision and Section 88B Instrument – 50 Oliver Avenue, Goonellabah (P30259)

A plan of subdivision has been prepared for Lot 73 DP1137726 creating three lots and a Section 88B Instrument creating and releasing easements.

The subdivision of the land incorporates one lot for the Goonellabah Sports and Aquatic Centre (6(a) Recreation zone), one lot is intended to be sold (3(a) Business zone), and one lot is intended for the purpose of a joint venture between Rekindling the Spirit and Council (6(a) Recreation zone).

Prior to the sale/transfer of the subdivided lots a further report will be presented to Council.

Plan of Subdivision and Section 88B Instrument – 18/40 Three Chain Road, South Lismore - (Lismore Airport purchase from Aspect North (P25804/7)

A plan of subdivision is to be prepared for Lot 201 DP1076367 creating three lots and a Section 88B Instrument creating and releasing easements.

The subdivision of the land incorporates two lots for proposed sale and one lot to be retained by Council for access.

Prior to the sale of any of the subdivided lots a further report will be presented to Council. (Council's purchase of this land is expected to settle on November 19, 2009.)

Lease to Lismore Workers Club Inc – 180 High Street, Lismore Heights

Renewal of existing lease to the Lismore Workers Club Inc for car parking spaces located on the road reserve to be used in conjunction with the operation of the Lismore Heights Workers Bowling Club for a term of five (5) years.

Loan Agreement and Mortgage - Lismore Soup Kitchen Inc.

Council resolved at its 8 September 2009 meeting in part that:

Resolution 156/09

3. An agreement be prepared between Lismore Soup Kitchen Incorporated and Council where the Council's funds are to be returned if the premises are sold or if the Homeless Shelter is discontinued within five years.
4. The agreement in 3. is to be secured by bank guarantee, mortgage or personal guarantee.

The Loan Agreement and Mortgage in accordance with Council's resolution has been prepared and signed by representatives of the Lismore Soup Kitchen Inc. Council's contribution (\$100,000) and the Department of Families, Housing, Community Services and Indigenous Affairs grant (\$200,000) were forwarded to Lismore Soup Kitchen Inc. on Friday, October 30, 2009.

(Councillor Marks/Clough)

(EF09/1921:ED09/18126)

Confidential Matters – Closed Council Meeting

224/09 **RESOLVED** that the Council exclude members of the press and public from the meeting and move into Closed Council Meeting to consider the following matters:

Item	Section 339 Report – Senior Staff
Grounds for Closure Public Interest	Section 10A(2) (a): Discussion of this matter in an open meeting would on balance be contrary to the public interest because this report contains personal matters concerning the two Executive Directors.

(Councillors Marks/Clough)

Resumption of Open Council

Council having met in Closed Council to consider the following reports entitled:

Section 339 Report – Senior Staff

Recommends that Council adopt the following recommendation.

Section 339 Report – Senior Staff

That Council note the contents of this report and acknowledge compliance with the requirements of Section 339 of the Local Government Act.

225/09 **RESOLVED** that Council note the contents of this report and acknowledge compliance with the requirements of Section 339 of the Local Government Act.

(Councillors Graham/Marks)

(EF09/2344:ED09/17766)

Closure

This concluded the business and the meeting terminated at 10:02pm.

CONFIRMED this 8 December 2009 at which meeting the signature herein was subscribed.

MAYOR