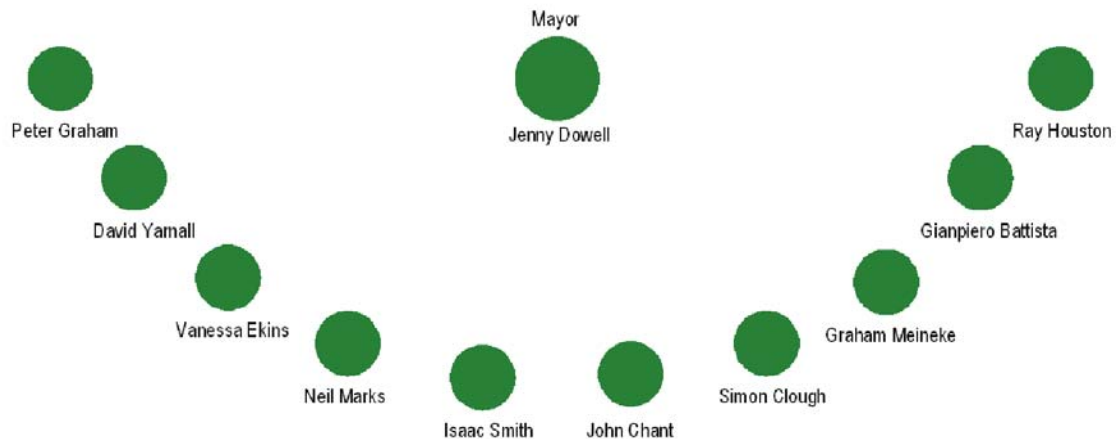


# Notice of Council Meeting



## Ordinary Meeting

An ORDINARY MEETING of LISMORE CITY COUNCIL will be held at the COUNCIL CHAMBERS, 43 Oliver Avenue, GOONELLABAH on **Tuesday, 8 June 2010 at 6.00pm** and members of Council are requested to attend.

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

1 June 2010



# Agenda

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Opening of Meeting and Prayer (Mayor)

Apologies and Leave of Absence

Leave of Absence requested by Councillor Ray Houston

Confirmation of Minutes

Ordinary Meeting held on 11 May 2010

Disclosure of Interest

Public Access Session

Connor Anderson – Report – Nimbin Skate Park

Public Question Time

Condolences

Eric Flynn, Town Clerk - Lismore Town Council in Ireland – Our Sister City

Mayoral Minutes

Notice of Rescission Motions

Notice of Motions

Councillor Simon Clough – Infrastructure Zoning for Transport Corridors

Councillor David Yarnall – Local ABC Radio

Councillor David Yarnall – NSW Police Force Communication Tower

Councillor Simon Clough – Climate Change Briefing

Councillor Vanessa Ekins – Review of Light Vehicle Usage

Councillor David Yarnall – Structural Reform – Three County Councils

Councillor Simon Clough – Infrastructure Services Review

Altering Order of Business

(Consideration of altering 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.

## Notice of Motion

**Cr Simon Clough** has given notice of his intention to move:

That Council takes the following actions regarding the direction from the Department of Planning that the new Local Environment Plan (LEP) change the zoning on road and rail corridors from infrastructure to the same zoning as adjoining land by:

1. Writing to the Minister for Planning, the Minister for Transport and the equivalent shadow opposition ministers expressing its deep concern over the proposed changes, highlighting Council's concerns about the future sale of the rail corridor which is made easier by the zoning change and calling on the Minister for Planning to retain the infrastructure zoning for all transport corridors.
2. Writing to NOROC seeking support from the member Councils for the above action.
3. Writing to the Local Government and Shire's Association seeking support for the retention of the infrastructure zoning in all the new LEPs across NSW.

### Councillor Comment

The closing and sale of a rail corridor requires an act of parliament. The zoning change will allow the land to be sold without the necessity of a spot zoning change and consequent community consultation. Essentially it attacks the long term integrity of rail corridors across the state. It is worth noting that the Roads and Traffic Authority has requested that its road corridors be included in the infrastructure zone.

Protection of the rail corridor from Casino to Murwillumbah is essential for this region if it is ever to have a public transport system. Without a public transport system many people are denied mobility and many more are dependent on carbon emitting private transport.

### Staff Comment

#### **Strategic Planning Coordinator**

Rail corridors are included in the Special Uses Zone in the current Lismore LEP 2000. Roads are not currently zoned. The Department of Planning issued a Practice Note on 7 March 2008 titled 'Zoning for infrastructure in LEPs'. The practice note provides advice on zoning public infrastructure land to complement the provisions of the Infrastructure State Environmental Planning Policy (SEPP). The infrastructure SEPP is intended to *facilitate the delivery of infrastructure across NSW* and identifies several types of infrastructure activities that are permissible in all LEP zones irrespective of the LEP zoning. This includes roads and railway lines. The Practice Note provides that a special use zone is not required to permit infrastructure that is already permitted on all land. Therefore, land currently zoned 'special use' for infrastructure such as railways should be zoned the same as adjacent land on the basis that the Infrastructure SEPP allows it to occur anyway.

## Notice of Motion

The Practice Note states that, applying the adjacent zone type to public infrastructure land follows a basic planning principle of aligning land uses. It is established practice to refer to the zoning of adjoining land when seeking to establish an appropriate zoning for land. In many cases the infrastructure land would have been zoned the same as the adjoining land if it had not been used instead for an infrastructure purpose. This approach avoids the need for spot rezonings when the infrastructure use ceases or is downsized in the future. It is preferable that the land use zone be the same as the adjacent zoning, so that future uses are compatible with existing surrounding uses.

The Practice Note further states that, for complex infrastructure sites covering large areas, or sites of strategic importance, it may be preferable to maintain a special purpose zoning. Examples include major port or airport land covering large precincts. The note distinguishes these from rail corridors for some reason.

It is appropriate to zone road and rail corridors as infrastructure as the community has an interest in seeing just where these corridors are on a zoning map that marks them out as distinct from the adjoining land use zones. If the government is seeking to 'downsize' then the 'spot rezoning' process allows greater transparency and provides for community input on the appropriate future use of the land. Rail corridors are a special use so why not zone them as such.

The Practice Note also states that *'the new zoning approach advocated here provides greater flexibility and adaptive management of government land. It moves away from zoning public infrastructure land as 'special use' or 'special purpose' zones, which previously limited the ability of infrastructure providers to respond to changing demographic trends and provide the public with infrastructure and services outside existing locations'*.

Interestingly the RTA has made a submission to Council that their roads be zoned Infrastructure.

(EF09/631:ED10/10239)

## Notice of Motion

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

That Council and the Mayor write to the ABC Board and the Federal Minister for Communications to:

1. Express Council's deep concern regarding the potential loss of Lismore's Local ABC Radio's morning rural program.
2. Advise that the ABC plays a pivotal role in daily providing vital information to the rural community especially in times of emergency.
3. Stress that any decision to reduce services on the Northern Rivers would seriously affect the local community and the local economy.
4. Express its concern regarding the potential for decisions to be made in Sydney and Canberra without local consultation.

### Councillor Comments

This Notice of Motion is in relation to the publicity recently regarding the possibility of the loss of morning programming on ABC local radio, specifically the morning rural program. There have also been rumours that local regional programming will be consolidated in one regional area thereby losing the unique nature of local broadcasting in the Northern Rivers. While we are informed no decision has as yet been made I feel we must be proactive and send a clear message to the key decision makers in Sydney and Canberra that Council does not support any move to reduce funding for the ABC in the local area.

### Staff Comment

#### **Communications Coordinator**

ABC Radio North Coast provides a highly informative morning show which broadcasts local news, features stories on matters of interest and supports local issues and concerns to the residents of Lismore and the wider community of the North Coast of New South Wales.

In times of flood event, emergency or other disaster ABC North Coast is the lead radio station providing emergency information and advice, before during and after the event.

ABC North Coast is a highly valued communication resource for Lismore City Council's news and community information.

Council is aware of the rumours but has not been able to confirm their validity.

(EF09/631:ED10/10240)



## Notice of Motion

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

That Council:

1. Acknowledges the need for a communications tower for emergency services to remove communication 'black spots' in the north of the LGA.
2. Requests the Assistant Commissioner Bob Waites, Operational Communication and Information Command, NSW Police to meet with residents of Rose Road to fully explain the situation regarding the positioning of the communications tower and the processes involved.
3. Seek advice from Assistant Commissioner Waites as to why the alternative site for the Nimbin tower, namely at Lismore City Council's water supply dam has been abandoned.
4. Reiterate Lismore Council's expectation of an open and considered consultation phase with the affected communities.

### Councillor Comments

Council is aware of the problems associated with the original placement of the police communications tower in Nimbin. Council offered an alternative site which seems to have been bypassed in favour of a site on the ridge at Rose Road, The Channon. The local community has made many representations to me and the Mayor regarding the inappropriate positioning of the tower near residences. Indeed there seems to be confusion not only in the community but in the NSW Police Force regarding the exact siting and nature of the proposed communications tower. While Council acknowledges the need for a communications tower for emergency services in the north of our LGA it is expected that a full and detailed consultation process will be conducted with the local community concerned.

### Staff Comment

#### **Executive Director – Sustainable Development**

Attached is Council's most recent correspondence with the NSW Police Force and the response.

(EF09/631:ED10/10242)



ST: P15270

Mrs S Thatcher

19 May 2010

Assistant Commissioner Bob Waites  
Operational Communications & Information Command  
Level 4 SPC  
151-241 Goulburn St  
**SURRY HILLS NSW 2010**

Dear Assistant Commissioner Waites

### **NSW Police Communications Tower**

I write to express my concern that the process being followed to install a radio communications facility in Rose Road, Tuntable Creek is not in accordance with the understanding of the Mayor, Councillor Jenny Dowell. You had a telephone conversation on 30 April 2010.

The issue is that Council has received a number of submissions opposed to the chosen location but moreover the Mayor has an understanding that following your agreement to alter the site a new application would be initiated. In the Council's view that would be a much preferred approach.

We are all acutely aware of the outcome of the original proposal in the Village of Nimbin which caused serious outrage and subsequent unplanned costs for your organisation, and in the aftermath it was widely expected that whilst there is an agreed need for effective communication facilities the location of the installation would be determined only after a very open and considered consultation phase with the affected communities.

It is understood an alternate site was identified at Lismore City Council's water supply dam for Nimbin, which has the advantage of being remote from dwellings and for that reason has good prospects for being acceptable to the local community. Your advice as to why this potential site has been abandoned would be appreciated so that Council can deal with the enquiries we are receiving from the community.

As mentioned above the Mayor is keen to achieve an outcome which is acceptable to all parties and she has been copied into this correspondence.

Yours faithfully

Chris Watts  
**Acting Manager – Development & Compliance**

cc. Councillor Jenny Dowell, Mayor of Lismore  
Superintendent Bruce Lyons, Richmond Local Area Commander

25 May 2010

Mrs S Thatcher  
Development Assessment Officer (Planning)  
Lismore City Council  
PO Box 23A  
Lismore NSW 2480



CC: Ms Jenny Dowell (Mayor)

Dear Mrs Thatcher,

**RE: NSW Police Force Proposal for a Radiocommunications Facility at  
285 Rose Road, Tuntabe Creek NSW 2480**

We would like to advise that we have received Council's comments regarding the development of the radiocommunications facility at 285 Rose Road, Tuntabe Creek. Council's comments are currently being considered by the NSW Police Force and will be taken into account during the assessment of the proposal. The aims of the project are to improve the Police communications services in the area and therefore enable the NSW Police Force to better service and protect the community.

In the near future the NSW Police Force will review the proposal at 285 Rose Road as well as alternative locations and designs so that the Police can determine an appropriate and suitable solution for providing high quality and reliable radiocommunications services to Nimbin and surrounding areas.

We appreciate Council's support in the proposal. If you have any further queries relating to this matter please do not hesitate to contact me on the details provided below.

Yours faithfully,

Supt. David Meurant  
Commander Wireless Technology  
Operational Communications & Information Command  
**NSW Police Force**

Phone: (02) 9285 3717

Fax: (02) 9285 3710

Address: Level 4 / 151 – 241 Goulburn Street, Surry Hills NSW 2010

**Operational Communications & information Command**

Level 4 Sydney Police Centre (SPC) 151-241 Goulburn Street Surry Hills NSW 2010

Telephone: 02 9285 3866 Facsimile 02 9285 3710 ENet 53866 EFax 53710 TTY 9211 3776 (Hearing/Speech impaired)

ARN 43 408 813 180

**NSW POLICE FORCE RECRUITING NOW 1800 222 122**

WWW.POLICE.NSW.GOV.AU/RECRUITMENT

## Notice of Motion

**Cr Simon Clough** has given notice of his intention to move:

That Councillors be provided a briefing to update them on the climate change adaptation and mitigation activities of Council. The briefing is to include information on the impact of Council signing a statement calling on the state government not to build any new coal fired power stations. That “Sustain Northern Rivers” be asked to present its work through its regionally based collaborative approach to climate change, including its North Coast Commuter Survey project.

### Councillor Comment

It has been some time since Councillors have been updated on Council's greenhouse gas reduction activities.

*Sustain Northern Rivers* is a group of organisations which agree to communicate, consult and collaborate, and to engage the community in action on climate change.

*Sustain Northern Rivers* is a collaborative group which evolves as it grows. Current participants are Byron Shire Council; Catchment Management Authority; Local Community Services Association; North Coast Area Health Service; North Coast TAFE; Northern Rivers Social Development Council; Northern Rivers Tourism; Northern Rivers Community Colleges; Northern Star Pty Ltd; NSW Department of Education & Training; Southern Cross University; Regional Development Australia; Richmond Valley Council; North East Waste Forum; Tweed Shire Council and Youth Environment Society.

### Staff Comment

#### **Manager – Integrated Planning**

Via a workshop Integrated Planning staff can update Council on its climate change adaptation and mitigation initiatives. This would also provide the logical context for a presentation from the Sustain Northern Rivers Group updating council on the results of its collaborative approach to climate change and in particular the findings from the North Coast Commuter Survey Project. This would be particularly valuable given that Council is commencing the drafting of a Lismore Integrated Transportation Strategy and also the imminent development of a Regional Integrated Transportation Strategy by NOROC.

(EF09/631:ED10/10244)

## Notice of Motion

**Cr Vanessa Ekins** has given notice of her intention to move:

That to reduce the \$345,000 in 2010/11 budget and subsequent budgets spent on passenger vehicles, the General Manager investigate and report back to Council, by the end of the year, on how savings of 20% can be achieved.

### Staff Comment

#### **Manager Commercial Services (Fleet)**

A full review of the light vehicle fleet can be undertaken. The scope of such a review would encompass the number, purpose, type and range of vehicles Council owns, fuel usage alternatives, ownership versus leasing and all other aspects of the management of the light vehicle fleet. This is an extensive process and will require significant time to complete. Such a report can be prepared prior to the end of 2010.

(EF09/631:ED10/10255)

## Notice of Motion

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

That General Manager arrange to:

1. Conduct a workshop/briefing, as soon as practicable, to discuss the proposed structural reform of the three County Councils, namely Rous Water, Richmond River and Far North Coast Weeds County Councils
2. Ensure that the timing of the workshop/briefing meets the timeline for consultation on the proposed structural reform.
3. Inform the General Manager - Rous Water of the above workshop and request a report be presented to the above workshop/briefing.
4. Present a report on the above workshop/briefing at an ordinary Council meeting.

### Councillor Comment

On 25 March 2009 Rous Water dispatched a letter to the constituent Council's seeking input into the proposed structural reforms of the three Councils. On 7 May 2009 Rous Water received a written reply from Lismore City Council's General Manager. However the matter has not been discussed by the full Council of Lismore City. The issues surrounding the proposed restructuring of the three County Councils are relatively complex and can best be understood by way of detailed explanation that can only be provided to Councillors in a briefing.

### Staff Comment

#### **General Manager**

Attached is my most recent correspondence on this issue with the General Manager - Rous Water, dated 7 May 2010. My comments on structural reform were presented at the Rous Water Ordinary Council Meeting of 19 May 2010. Arising from that meeting a wide ranging assessment of the options for reform of the County Council structure has been proposed. Northern Rivers Regional Organisation of Councils (NOROC) has agreed to support the review because of its significance to the Councils of the region. This review will determine the preferred method of service delivery for traditional local government activities of water services, floodplain/catchment management and noxious weeds management. It is not a review to be rushed - the strategic long term implications are exceedingly important.

(EF09/631:ED10/10250)

# Notice of Motion

EF09/679:CI10/7981

Paul O'Sullivan

7 May 2010

Mr Kyme Lavelle  
General Manager  
Rous Water  
Via Email: [kyme.lavelle@rouswater.nsw.gov.au](mailto:kyme.lavelle@rouswater.nsw.gov.au)

Dear Kyme

Thank you for providing the opportunity to comment on the proposal to reform the structure of Rous County Council, Richmond River County Council and Far North Coast County Council.

The primary consideration in making change must be the community benefit and the remarks of the CEO of the Division of Local Government only this week are significant. In urging local government generally to energise a debate about reform he challenged participants to look to models of local government which will be sustainable in a 50 year timeframe. Now that may be somewhat ambitious but his point was that prudent reform is not about short term solutions.

With long term sustainable objectives in mind it is acknowledged that the three County Councils do share a common theme. They each manage natural resources. However, those currently discrete activities are limited by the delegations authorised by the respective proclamations and as a result diminish the effectiveness of best practice outcomes due to overlapping responsibilities between the County Councils and the constituent Councils. I am mindful that in 2006 the proclamation of Richmond River County Council was varied to address natural resource management however, the final outcome was constrained to accommodate the reservations of stakeholder Councils. Additionally, there are other agencies in the same or related space e.g. Catchment Management Authority and the Livestock Health and Pest Authority.

The point I am making is that the current county council arrangements are clumsy; they suffer from an absence of common strategic goals among decision makers and funding bodies and for at least these reasons the system is inefficient and warrants review. Such a review must go well beyond the proposal to rationalise the organisational structure and administrative support arrangements provided by Rous County Council

Moving on to the case for deep structured reform let me firstly acknowledge that the three County Councils perform their respective roles in a manner which has been deemed acceptable by the constituent Councils. I suggest the test of that performance evaluation is the absence of any groundswell campaign to significantly alter the status quo. Even so, the three County Councils, as with most areas of local government, do exhibit some critical weaknesses and these are perhaps a result of how they and community expectations have evolved:

Rous County Council (RCC)

- Does not manage the total water cycle.
- Does not have a strong accountability interface with retail customers.

Richmond River County Council (RRCC)

- Has limited resource available to meet contemporary community expectations of floodplain management.
- Is totally reliant on constituent Councils for operational funding and matching grants.

Far North Coast County Councils (FNCCC)

- Has inadequate funding and resources to achieve the strategic intent of its proclamation.

Whilst these traits are somewhat simplistic they fall into two separate categories. The first is responsiveness to the needs of the community and the second is a lack of funds.

Both RRCC and FNCCC are funds constrained whereas that is not really an issue for RCC. Given that the motivation for change has been initiated by RCC a rationalisation will mean that RCC's needs for efficiency can be achieved however, the cost savings will be minimal and is not the solution to the long-term needs of RRCC and FNCCC.

It is because of the clearly dominant scale of RCC in the existing partnership that there would have to be some concern that any new model would equitably and more effectively address the current and proposed agendas of RRCC and FNCCC. Indeed, it could be argued that there is a good synergy between RRCC and FNCCC whereas RCC's core priorities lie elsewhere.

Picking up on that point there is an industry understanding that local government's role and performance in urban water management is overdue for change. RCC was established in the 1940's and its proclamation of responsibilities has not changed.

During 2008 there was a surge of activity to review local arrangements for urban water supply management. Indeed, Lismore City Council and RCC developed a new model for water and wastewater operational management which was capable of meeting community needs. Its hallmark was a clear delineation of retail service responsibilities. Regrettably, that initiative was stalled on the premise that the State Government review would supersede the local plans.

The fact is that the State Government review has and will fail to deal with urban water cycle management in any meaningful way which leaves the way open for RCC to finally grasp the nettle and foster a regional collaboration which achieves the objectives of best practice urban water management. That should be the key priority for RCC in any structural reform process.

It is undeniable that RCC has a vested interest in catchment management but this interest is limited to the catchments of its water sources. It is very relevant that the onground activities of RRCC are downstream of any significant RCC water sources and so a linkage to RRCC is currently no more than a convenience. Strategically it is not relevant. The same goes for the relationship with FNCCC but to a far greater extent. There may be a perception that there are synergies between the organisations but through the prism of RCC they are not on the critical path.

Based on this analysis and influenced by the challenge laid down by the State Government to address both urban water management and reform of local government generally, with a view to satisfying long term sustainable strategies, I submit that the parameters of the structural review canvassed by Rous County Council are far too narrow.



It is difficult to identify the benefits to either RRCC or FNCCC which would flow to those organisations by becoming an integrated function of RCC. The following aspects bear consideration:

1. There is no prospect of an injection of meaningful additional funds to the budgets of RRCC and FNCCC from local Councils.
2. Both organisations service a different grouping of Councils to RCC.
3. Their linkage to RCC is no more than an administrative convenience.
4. Altering the relationship to be subsumed by RCC has real prospects of stagnating their performance rather than improving it.

It is noted that the Division of Local Government encourages improved service delivery models but highlights their view that the county council model is not the only option for achieving the preferred strategic outcome.

With that in mind and if changing the current county council relationship is preferred, RCC might wish to consider maintaining its focus on the water cycle management agenda, re-engage in a discussion about structural reform of regional urban water utilities and services but in so doing give notice of intent to either terminate or renegotiate the service agreement with RRCC and FNCCC. This approach will place an onus on those organisations to review their future roles, responsibilities and resources in conjunction with their respective constituent members. Whilst confronting, this is a rational mechanism to establish their respective viability as county councils.

The thrust of this response has not been endorsed by Lismore City Council and is a management proposal intended to broaden the discussion about structural reform. It would be valuable for stakeholders to consider the input of all constituent Councils in a summary discussion paper before any attempt is made to reach a definitive position about the future of the County Councils within this region. I look forward to the next round of discussion.

Yours faithfully

Paul O'Sullivan  
**General Manager**

## Notice of Motion

**Cr Simon Clough** has given notice of his intention to move:

That:

1. The two Councillors on the Infrastructure and Assets Policy Advisory Group be on the selection panel for the appointment of the external consultant who is to carry out the Infrastructure Services review.
2. The consultant is to provide a progress report to Councillors approximately half way through the review.
3. That Council is to advertise a three week period for the public to make written input into the Infrastructure Services review.

### Councillor Comment

The Special Rate Variation meetings exposed the depth of community anger about Council's road building and maintenance. I believe that the review is an important step in showing the community Council is taking this feedback seriously. This is the only opportunity Council will get to do this review for some years and we need to ensure the process is as transparent as possible to rebuild community trust in Council.

### Staff Comment

#### **Executive Director – Infrastructure Services**

Council has received a great deal of feedback from the community during the recent Special Rate Variation consultation process. It will be of limited value to invite further public submissions at this stage.

Ongoing community input and public transparency are important aspects of this review. It is believed the ongoing involvement of the Infrastructure and Asset PAG will address these concerns.

It is recommended the Infrastructure and Assets PAG undertake the role of steering committee for this project.

(EF09/631:ED10/10258)

# Report

<b>Subject</b>	<b>Nimbin Skate Park</b>
<b>File No</b>	EF09/2267:ED10/9985
<b>Prepared by</b>	Special Projects Engineer
<b>Reason</b>	To advise Council of the outcome of the community consultation process regarding the location of the proposed Nimbin Skate Park.
<b>Objective</b>	To gain Council approval to proceed with the project at the Peace Park site.
<b>Strategic Plan Link</b>	Foster Youth Development
<b>Management Plan Project</b>	Parks and Recreation, Community Services

## Overview of Report

Construction of a concrete skate park in Peace Park at Nimbin is clearly a priority for Council and the community. This report outlines the results of an assessment of the two (2) sites for the design and construction of the Nimbin Skate Park and endeavours to summarise the community's concerns and opinions in conjunction with specialist input from local crime prevention officers and Council staff.

## Background

Council nominated the construction of a skate park in Nimbin to be funded with its guaranteed funding under round two of the federal government's Regional and Local Community Infrastructure Program (RLCIP). The project was subsequently approved by the federal government and Council recently delegated to the General Manager to finalise matters with a preferred contractor to undertake design and construction of the facility.

Council also commenced consultation with the Nimbin community about the project. During this process, some community concern was identified with the proposed Peace Park site. An alternate site within the showground precinct was suggested and Council prepared a survey which was sent out to the Nimbin community seeking feedback on the preferred location. Both sites have advantages and disadvantages and a brief summary of these was distributed with the questionnaire.

The evaluation of the survey results, a Crime Prevention Through Environmental Design (CPTED) report from the Lismore Police and preliminary planning department comments are now presented for Council's consideration. A decision on which site is preferred for construction of the skate facility must be made so that design work can commence and the tight timeframes associated with the grant funding can be met.

## Survey Results

This community survey sought to collect information to assist Council to decide where the proposed replacement skate park should be located and to develop an understanding of the issues / opinions / concerns of people about the skate park. All responses to the survey have been kept confidential and no names or addresses were sought or recorded.

The surveys were distributed by Australia Post on Tuesday, 4 May 2010 and included 642 letters for mailboxes, 80 letters for residents who collect direct from the Nimbin Post Office, and 20 letters/survey forms for display at the Nimbin Neighbourhood Centre. Completed surveys were required to be returned within the reply paid envelope or via facsimile by Friday, 14 May 2010. The relatively short timeframe for response has been prompted by the strict timelines which have been placed on the project by the Federal Government as conditions of providing the funding.

A summary of the survey results are presented below:

## Question 1

*Do you think that a skate park should be provided in Nimbin?*

Response	No. of Respondents	% of Respondents
Yes	139	90.85%
No	10	6.54%
Other	4	2.61%
<b>Total:</b>	<b>153</b>	<b>100%</b>

The response indicates that there is overwhelming support among respondents to the survey in favour of a skate park being provided in Nimbin. Further to this, the reasonably strong response rate of 21.2% (153 out of 722 surveys sent to addresses), indicates that the Nimbin community want a voice on where this facility is to be situated. The accompanying comments also reflected appreciation for being consulted with an issue that directly impacts on their community.

## Question 2

*Where do you think the skate park should be located?*

Location	No. of Respondents	% of Respondents
Peace Park	89	58.17%
Nimbin Showgrounds	53	34.64%
Neither/ Other	11	7.19%
<b>Total:</b>	<b>153</b>	<b>100%</b>

Included within this question was an option to suggest alternative sites. Following is a summary of the suggested sites and the reasoning behind their rejection as appropriate sites:

Alternative Location	Discussion
The land behind the Nimbin Police Station adjacent to the Central School. The street address is 23B Thorburn Street, Nimbin (DP851412).	A preliminary review of this site confirms that the site is currently owned by the Department of Education. As it is not Council owned, it is unsuitable for a Council development unless the land was to be purchased or agreement made with the relevant Department. The potential costs and time constraints for this process would preclude Council from meeting the Federal Government funding requirements for this project. Further to this it is considered unlikely that the Department of Education would respond to this option favourably.

Alternative Location	Discussion
Land currently for sale adjacent to the Nimbin Caravan Park.	A preliminary review of this site confirms that the site is currently privately owned. As is the case with the school site, the cost and time taken to secure the purchase would preclude Council from meeting the Federal Government funding requirements for this project.

### Question 3

*What do you think are the most important issues or concerns regarding the proposed replacement skate park?*

	Identify Issue/ Concern	1 Low	2 Medium	3 High
1	Crime prevention/ Antisocial behaviour		6	44
2	Noise levels/ Proximity to residents	1	12	38
3	Accessibility for kids and parents/ Pedestrian links		2	32
4	Passive Surveillance		1	19
5	Reduction of Green Space		3	17
6	Design/ Potential for expansion/ Scale of facility	1	1	14
7	Essential youth facility		2	13
8	Access to amenities		2	12
9	Completed within timeframe			8
10	Car parking		3	4

These issues are the 10 most significant identified by the Nimbin community in response to the survey. Other issues identified noted within the responses included the proximity to other surrounding land uses such as child care facilities, children's playground and medical services, park aesthetics and overall maintenance of the facility including litter control.

### Question 4

*Do you have suggestions as to how your issues or concerns might be resolved?*

	Identify Issue/ Concern	Mitigating Measure
1	Crime prevention/ Antisocial behaviour	Respondents suggested that the location of both sites would lower the risk of antisocial behaviour.  Suggestion to ensure adequate street/park lighting, regular Police patrols and inclusion of CCTV cameras. Suggested use of a Police liaison program with local youth and schools and use parental supervision rosters and/ or involve community connections.
2	Noise levels/ Proximity to residents	Respondents suggested that the showgrounds site would reduce the noise impact to surrounding residents.  It was also noted that appropriate design and the use of concrete would reduce the level of noise generated. Further to this, community tolerance to a well supported project would be required.

	Identify Issue/ Concern	Mitigating Measure
3	Accessibility for kids and parents/ Pedestrian links	Construct pedestrian link to the facility from existing network. It was noted that a pedestrian link/ cycleway would be required should the showgrounds site be utilised for the skate park.
4	Passive Surveillance	Utilise Peace Park as it provides a greater degree of passive surveillance than the more remote showgrounds site.
5	Reduction of Green Space	Limit size/ scale of skate park, adequate landscaping and convert the existing steel skate park site to green space (please note that the proposed budget does not include these works).
6	Design/ Potential for expansion/ Scale of facility	Adequate community consultation including the local skaters and the design consultant.
7	Essential youth facility	Progress project without delay and consult with the stakeholders.
8	Access to amenities	The provision of amenities at both sites including sharing the existing ANI amenities currently onsite at the showgrounds and in respect to the Peace Park site to use the existing public facilities on Sibley Street. The use of the caravan park/ pool amenities was also raised as a potential for the Peace Park site.
9	Completed within timeframe	Progress project without delay.
10	Car parking	Suggestions that parking is not an issue within the Nimbin CBD given the existing public carpark. Further to this, it was suggested that the impact upon car parking would be negligible as the majority of skaters would utilise the existing pedestrian network or be dropped off by parents.  In reference to the showgrounds site, it was noted that the additional space available on this parcel of land could be used to construct an adequately sized carpark.

### Question 5

*Do you have any other comments?*

Response	No. of Respondents	% of Respondents
Yes	81	52.94%
No	72	47.06%
<b>Total:</b>	<b>153</b>	<b>100%</b>

An extract of some of the comments received within the surveys is presented below and provides an indication of the concerns and considerations expressed by the respondents to the survey. Given the large response, only a few are able to be presented, however individual completed surveys and the compiled survey results are available on request.

### Showgrounds Site

- Resident from Thorburn Street raised concerns over the loss of green space and Peace Park changing from a family friendly area to a less secure, less family friendly location and becoming an area of drug dealing. Noise issues remain a concern, for everyday use as well as during skating events and increased traffic levels in the immediate vicinity.
- Respondent suggested that there would be less vandalism and anti-social behaviour at the showgrounds site because only skaters will be down there. Further to this the antisocial behaviour in Nimbin occurs in the CBD not the periphery and that other towns have skate parks away from the CBD such as Lismore, Ballina, Evans Head and Pottsville.
- Important that the project proceeds as a priority. Include locals in the design process and minimise delays due to red tape. Provision of a skate park will rectify the tragedy of the steel skate park. Showgrounds is a great site.

## Peace Park Site

- Respondent suggested that the green space at Peace Park is rarely used, with the exception of Mardi Grass and that parking within this area is not usually an issue. Further to this, the showgrounds site offers no footpaths, no street lights, is too far from town and would be likely to promote antisocial behaviour.
- Resident near Cecil Street notes that there is less passive surveillance at the showgrounds site and it will be many years before it becomes a more integrated part of the village development, and that placing it at the showgrounds is likely to exacerbate the dependence on cars/ transport.

## Site Assessments

Council has engaged a consultant planner, Malcolm Scott, to prepare the development application for this project and he also formulated the resident survey that was distributed in Nimbin. The NSW Police were also requested to comment on the proposed sites.

### Crime Prevention through Environmental Design (CPTED) Principles (Snr Const Michael Hogan)

In correspondence to Council, Michael Hogan noted that the Police cannot support the skate park being located at the proposed showgrounds site. The proposed location goes against all Crime Prevention through Environmental Design practices and strategies. In summary, the site is located too far away from the Nimbin CBD, creates extreme risk element for users as it has little to no natural or casual surveillance. Furthermore, the showgrounds site has little to no adjoining neighbours close by to hear or see anything needing reporting or acting on immediately.

In reference to the Peace Park site, Michael Hogan confirmed that this is not an ideal site, however if there are no other viable options then the design of the development needs to maximise safety and security for all users by addressing the following points:

- Maximise risk to offenders (Increasing the likelihood of detection, challenge and apprehension);
- Maximise the effort to commit the crime (increasing the time, energy and resources required to commit crime);
- Minimise the actual and perceived benefits of crime (removing, minimising or concealing crime attractors and rewards); and
- Minimise excuse making opportunities (removing conditions that encourages/ facilitate rationalisation of inappropriate behaviour).

CPTED principles employ four (4) key strategies of surveillance, access control, territorial re-enforcement and space/ activity management.

Michael Hogan has confirmed that he will work with Lismore City Council through the design process to ensure the skate facility is compliant with CPTED principles.



Discussions and a site inspection with Sgt Peter Bryant reiterated the comments of Michael Hogan confirming Peace Park as the preferred site for a skate facility. It was also noted that Sgt Bryant would also be willing to provide comment on design.

Consultant Planner (Malcolm Scott)

The responses to the survey indicate the majority of respondents believe that a skate park should be provided in the village and that a majority consider that Peace Park is the preferred location.

The key issues are crime prevention and anti-social behaviour & potential for noise impacts. These issues shall be considered and addressed in the Development Application (DA). The DA for the selected site will involve further consultation with the landowners / land occupiers within the immediate locality of the selected site.

Based on the results of the survey and discussions with Nimbin Police I recommend the Peace Park site. The necessary environmental assessments and skate park design should therefore commence for that site.

The existing skate infrastructure in Peace Park should be removed as a priority for landscape and community safety reasons. Its existence impedes the effective and proper management of Peace Park as a whole and for any new facility on the land.

## Management of Peace Park

At present the Nimbin Community Centre Incorporated (NCCI) has a Deed of Agreement with Council, which provides that upon its expiry in mid 2010, NCCI must either take ownership of the land or relinquish its option to purchase. In addition, the deed requires NCCI to pay for removal and disposal of the metal skate structure in the event that the noise issues could not be resolved.

The report to the Council meeting of 10 November 2009 noted that NCCI did not intend to take ownership of Peace Park, especially if Council constructs a concrete skate park on it. This would essentially mean that Council would be responsible for all future maintenance of the park, and regardless of the contents of the Deed of Agreement, would inherit the problem of the existing metal skate structure on the upper portion of the land. NCCI has in recent times (2009/10 budget) requested that Council contribute financially to the maintenance of Peace Park but to date Council has not provided any assistance.

The matters raised within the November 2009 Council report including the existing metal skate park and ownership of Peace Park, were resolved in subsequent discussions with representatives of NCCI prior to the lodgement of the funding application. The outcomes are summarised below:

- NCCI does not intend to take ownership of Peace Park and responsibility, including maintenance, insurances, etc. will become the responsibility of Lismore City Council.
- Removal of the existing steel skate park is (and remains) the responsibility of the NCCI.
- The restoration of the site is considered to be a separate project and should Council agree to take on this responsibility by not enforcing the terms of the Deed of Agreement with NCCI, would need to be funded by Council at a time of Council's choosing.

It is now considered that the ownership issues surrounding Peace Park have been resolved and these do not preclude the design and construction of a skate facility in this location.

## Funding Agreement Implications

The preferred site of Peace Park was nominated in the grant application for funding of this project under the RLCIP program. If the showgrounds site was to be chosen as the preferred site, the details of the

funding agreement would need to be changed and would be subject to the Federal Government's approval.

There would be no need to vary the funding agreement if the Peace Park site was endorsed as the preferred location. The project remains on schedule to be completed within the timeframe requirements.

## Comments

### Financial Services

The project budget is \$494,000 which includes a grant of \$445,000 from the Australian Government's Regional & Local Infrastructure Program. As the grant is the most significant funding component, meeting grant conditions needs to be a primary consideration.

A change in the location from Peace Park would require approval by the funding body. Should this be required, it would be prudent not to incur any costs attributable to the grant funding until that approval is received. A delay in receiving this approval would jeopardise the grant condition which requires construction to commence within three (3) months of the date of this agreement. To best guarantee compliance with grant conditions, the Peace Park location is supported.

## Other staff comments

### Planning Staff

The assessment of the Development Application (DA) will be completed by a consultant, given this is a Council development. The central location of Peace Park and the ability to work with the existing land form (after removal of the metal skate facility), is ideal because of casual surveillance at all times. There is no perceived conflict with other users of the park as the children's playground is a short distance away from the skate park area. Police advise that the CCTV network could be extended to Peace Park to provide additional surveillance.

The proposed Showground location, however, is very isolated but at the same time is immediately adjacent a dwelling under construction. This site long-term could be surrounded by dwellings in an area where background noise is generally quiet, which may result in land use conflict with noise issues. There is less opportunity for general observation, resulting in greater potential for incidents to arise.

Accordingly, the preferred site is Peace Park taking into account crime prevention and safety as well as accessibility. This view is indicative as the DA has not yet been lodged and will be assessed by an independent planning consultant and has to also factor in the noise related issues.

### Compliance Staff

In September 2009 Convic Design Pty Ltd was engaged by Lismore City Council to prepare a review of the current location of the Nimbin Skate Park and discuss options for its future (refer Appendix A attached separately to this report). A key matter considered by the report was site selection criteria and in effect flesh out whether Peace Park had a capacity to accommodate a recreational skate park in recognition of the key constraint of proximity to existing residential properties. The report identified the following site selection criteria as most important for a skate facility within the Village of Nimbin:

- A recommendation of a minimum distance of 50m from a residential property, or in line with existing Council policy for such facilities.
- Natural surveillance, security and safety.
- Context and amenity.
- Physical and site conditions.

A key issue for both potential development sites is the impact of noise as was demonstrated by the existing skate facility. The report by Convic Design states that:

*'...we have undertaken acoustic assessments of a number of existing skate parks to ascertain*

*an absolute minimum distance from residential areas and as a guide 50m is considered an acceptable distance for a purpose built skate park'.*

Peace Park has a number of existing residential properties in Sibley and Thorburn Streets that would be recognised as sensitive receivers in relation to potential noise impact. When reflecting on the 50m buffer it is recognised that Peace Park has a limited potential for use with the incorporation of noise attenuation measures within the design.

The scale of such attenuation would be the subject of a more detailed acoustic assessment, however may come as a significant cost to the project. In comparison the Showgrounds site has less potential noise impact with one immediate residential receiver fronting to Cecil Street and existing childcare centre within the A&I grounds. Again at this site noise attenuation would be the subject of a more detailed acoustic assessment to determine scale of attenuation measures.

In consideration of potential noise impacts the matter of 'time of use' of the facility needs to be recognised as potentially having a contribution to a loss of an existing amenity. It is recognised that both sites will be unregulated in that potential access will be available through day, evening and night periods. Therefore it would be appropriate for noise attenuation measures to be designed to maintain an amenity for the most sensitive period of the day being a night period. This will not be a guarantee of no noise impact as you have potential ancillary noise sources (patron accessing and leaving, laughing, shouting, music etc), that have a potential to be outside design controlled areas. Ultimately a design will need to reflect reasonable control measures in combination with self regulation or community management.

Community Services Officer (Sport and Recreation)

Three possible sites for the Nimbin Skate Park have been considered:

- **Bellevue Park (Showgrounds) site.** The site towards the front access to the park is flat, provides plenty of space and would lend itself to a reasonably easy construction program. However, this site is very close to a recently constructed domestic dwelling and access to the town Centre is not ideal. The site is also not on a high traffic route and I would class it as reasonably isolated.

Bellevue Park is currently leased to the A&I Society and the A&I in turn lease Bellevue Park to the local Demons AFL Club for its winter AFL program. From a Recreation Planning perspective I would class this site as not being suitable for the construction of a Skate Park.

- **Friends of Nimbin Village Park suggestion.** Council has received a suggestion for a suitable site for the Skate Park from a group known as the "Friends of Nimbin Village Park" who have suggested a 5.8 acre block – 1A Alternative Way, Lot 66, DP 101 3043 as being suitable. This land is currently for sale. Apart from significant rezoning issues and the associated time delay, which would severely impact on Council's ability to meet Federal Government construction deadlines, the site, in my opinion, is not suitable for a Skate Park in its current state.

Some parts of this land are also relatively isolated and this would include any suitable skate park construction sites.

The Friends of Nimbin Village Park have contacted the writer with regard to the lack of public parklands available in the centre of the village and their concerns will be taken into account during the consultation process as the Lismore 10 Year Sport and Recreation Plan is developed.

- **Peace Park.** I have looked at the Peace Park site from a range of perspectives and find that it ticks most of the boxes as a suitable site.

One of the fears of some residents to Peace Park as the suitable site is the belief that the location of the Park will create a significant noise problem. I have inspected a number of large Skate Parks on the Gold Coast and in Northern New South Wales and believe that concrete skating surfaces and the associated clientele do not cause undue noise. In fact the Skate Park that has recently been constructed by Council at Goonellabah proves this to be the case with the traffic noise from the nearby Oliver Avenue more noticeable. There have also been no noise complaints from staff at the

Council Administration Centre across the road from the Park.

It is most important that the current steel skate park be removed as soon as possible as this will improve the aesthetics of this parkland and eliminate a facility that has caused nearby residents undue noise problems.

The open space in Peace Park is reasonably flat and lends itself to a variety of site choices. I would recommend that a site is chosen that is back from Sibley Street and midway between the current children's playground and an electrical box which is to the right of the playground. This site is easily accessible, in clear view from Sibley Street, a convenient distance from the children's playground and a reasonable distance from any domestic residence.

## Public consultation

The report outlines the results of consultation undertaken to date. Regardless of the site that is chosen, there is still considerable community consultation to be undertaken regarding design of the facility. The proposed process is summarised below:

- Finalise the preferred site of the skate park as per the recommendation of this report.
- Formation of a reference group composed of Council staff, appointed contractor and representatives of the local skating community to assist in the design of the skate facility.
- Provide an opportunity for 'one on one' stakeholder discussions for those in the immediate area of the preferred skate park site.
- Draft proposal of facility design exhibited within the Nimbin village (viewing locations still to be determined).
- Outcomes from community consultation will be presented as part of the Statement of Environmental Effects lodged with the development application.
- The development application (including outcomes from community consultation) for the project will be advertised in accordance with Council's normal processes, including further written notification to surrounding residents seeking comment.

## Conclusion

Construction of a concrete skate park in Peace Park at Nimbin is clearly a priority for Council and the community. This report outlines the results of an assessment of two (2) potential sites for the design and construction of the Nimbin Skate Park and endeavours to summarise the community's concerns and opinions in conjunction with specialist input from local crime prevention officers and Council staff.

It should be noted that both of the proposed sites have advantages and disadvantages and neither are the perfect site. Alternative sites to the two proposed are not considered to be viable alternatives due to private and/or Department of Education land ownership concerns, the lack of funds available to purchase privately owned land and the strict timelines for completion of the project which form part of the funding agreement under the RLCIP program.

Based on the results of the community survey and input from the Police, Peace Park is considered to be the more appropriate site.

As detailed throughout the report, noise issues are a significant consideration for the location of the facility. These have been well documented in previous reports to Council and remain a significant challenge at the Peace Park site. Suitably qualified noise consultants shall be used throughout the design process to minimise these impacts, and if required, noise attenuation measures will be designed into the facility. The use of noise attenuation measures (as noted in previous reports), would impact upon the extent of the skateable area to be constructed for the allocated budget.

Adoption of Peace Park as the preferred site would not affect the current funding agreement with the Federal Government for the Nimbin Skate Park project.

## Recommendation

That:

1. The Peace Park site be endorsed as the site for the proposed Nimbin Skate Park.
2. Council staff progress the project immediately on the basis of Peace Park being the site for the project.
3. The Richmond Local Area Command through Crime Prevention Officer, Snr Const Michael Hogan and Sgt Peter Bryant be requested to provide input to the design process to ensure compliance with CPTED principles.
4. The proposed consultation process for the project moving forward as outlined in the report be noted and endorsed.

# Report

<b>Subject</b>	<b>Roads Asset Management Plan</b>
<b>File No</b>	EF09/2075:ED10/10170
<b>Prepared by</b>	Manager - Assets
<b>Reason</b>	To present the final draft of Council's Sealed Roads Asset Management Plan to Council for consideration.
<b>Objective</b>	To have Council adopt the Sealed Roads Asset Management Plan.
<b>Strategic Plan Link</b>	Improve Roads Cycleways and Footpaths
<b>Management Plan Project</b>	Asset Management

## Overview of Report

This report presents to Council a draft Roads Asset Management Plan for consideration. The plan has been the subject of considerable work by Council staff, consultants engaged to assist in the process and input from the Infrastructure Assets Policy Advisory Group (PAG). The document was endorsed by the PAG at its meeting on 20 May 2010 and is now reported to Council for adoption.

## Background

Council staff have been working consistently on the preparation of an asset management plan for roads for well over six (6) months now. The plan has been prepared on the basis of the Institute of Public Works Engineers (IPWEA) NAMS Plus program and in particular a written template for asset management plans that forms part of that program.

Council engaged Infrastructure Management Group (IMG) and Australian Centre for Excellence in Asset Management (ACEAM) to undertake data collection and provide assistance with data analysis and preparation of the asset management plan.

As preparation of the plan has progressed the document and progress reports have been presented to Council's Infrastructure Assets PAG for consideration and input. The PAG has provided valuable input to the document and at its meeting of 20 May 2010, endorsed the plan for presentation to Council. A copy of the plan is provided separately to Councillors' business papers.

As part of the PAG's consideration of the document, a presentation was made by Council's consultant to a special PAG meeting of 22 April 2010 outlining the results of their analysis. Similarly, a presentation has been arranged for all Councillors at a workshop to be held on 1 June 2010.

The analysis undertaken through this process has included an assessment of different funding scenarios and what the effect of those scenarios would be on the average condition of the road network into the future. This capability has not been available to Council in the past and has provided considerable advantages in the decision making process. It allows staff and Councillors to understand and consider the consequences of the decisions that will be taken. To date technical strategies and funding commitments into the future have been determined based on professional judgement and assessment of the results achieved with past strategies. This new capability has strengthened Council's decision making processes.

## Level of Service



A key concept in the document, and in effect a change in the way that Council analyses and makes decisions about road condition and funding is the concept of level of service. This is a fundamental change in the way that the industry considers funding for all assets. It is driven by the requirements to prepare asset management plans which identify the levels of service that are being provided and include a financial plan that commits Council to fund that level of service.

In the past Council has focused its attention on so-called “backlog works” and the estimated cost of dealing with this backlog. The calculation of the quantity and cost of the backlog works has been based on a technical intervention level (which might also be called a level of service), after an assessment of roughness. Setting the intervention level has taken no account of what Council can afford and no account of what the community might be satisfied with as a level of service for its roads.

A critical part of the preparation of the asset management plan has been to quantify and document the levels of service that Council currently provides with the funding that has been allocated. When the preparation of the asset management plan was first planned, it was identified that the plan would be prepared on the basis of what level of service Council currently provides. Given that the asset management plan commits Council to providing this level of service and the funding required to meet this level of service, there is no other basis on which it could be prepared.

The concept of level of service is integral to any consideration about changes to the budget for road maintenance and rehabilitation. Future discussions about increasing (or decreasing) budget allocations for maintenance and replacement of any asset must be undertaken in the context of level of service. If Council wishes to increase the level of service in the future, the plan can be amended to reflect this including the necessary budget increases to meet the higher level of service.

Discussions based around level of service can be held in a more understandable and realistic way for the average person than those based around the dollar value of a backlog of works. The dollar value of backlog works is generally a substantial amount of money and becomes very problematic to address. Invariably it is easy to argue that the problem is so big, no difference can be made and little or no action is taken.

The levels of service that can be provided with the current funding levels allocated by Council are outlined in Section three and Appendix C of the asset management plan. By adopting the plan Council will be confirming and endorsing these levels of service.

## Funding Issues and Network Condition

The plan has been prepared based on Council continuing to fund road maintenance and construction activities at the same level that it currently does into the future. In the absence of any commitment from Council to provide additional funding for roads, this is the only basis on which the plan can be prepared and adopted. The modelling undertaken shows that the overall condition of the road network will decline slightly over the next 10 years as a result of this funding constraint.

The plan also identifies the additional funding that would be required to ensure that the condition of the road network does not deteriorate over that 10-year timeframe. There is an annual funding gap of approximately \$940,000 per annum or \$9.4 million over 10 years to meet this objective.

In effect this means that Council is progressively reducing the level of service that is provided by the road network to the local community, although only slightly over the 10-year period.



## Optimisation of Budget Spending

The concept of optimisation of the spending of Council's budget is also important and in the context of recent feedback from Council's consultation process for the proposed special rate variation, becomes almost critical to the exercise. At the PAG meeting of 22 April 2010, Ashay Prabhu of ACEAM provided a compelling demonstration of the very different results that could be achieved in regard to overall road network condition and future maintenance costs if optimisation of budget spending is not undertaken. This demonstration will also be provided to all Councillors at the workshop on 1 June 2010. Spending the money on the right project will deliver a substantially better outcome than simply targeting the worst roads.

Council currently has its points system which is used to assess the merits of one project as compared to another and this is in effect a way to critically analyse projects and optimise Council's spending to a certain degree. The system probably needs to be reviewed in light of the predictive modelling capabilities that are available through the software used in this analysis and other similar products that are available on the market. Council's Delivery Plan which is currently on exhibition includes a project to investigate and purchase an asset management software package with these capabilities.

One of the consequences of the optimisation of budget spending is that roads which are not the worst in the network will be treated and upgraded before others which on face value are in worse condition. This will be a challenge to communicate and explain to the general public.

## Improvement Plan

Asset management is a complex and at times difficult task when trying to balance financial considerations with community needs and expectations and match these to technical capabilities, corporate systems and legislative requirements. The plan that has been prepared is the first step for Council and could be called a basic or core asset management plan. It essentially outlines what Council is doing now.

An important part of the plan is the improvement plan at the back of the document. In order for Council to progress to more advanced asset management there are a number of things that would need to happen and the improvement plan outlines further steps that need to be taken in this direction.

## Comments

### Financial Services

From a financial perspective, the key elements of the Roads Asset Management Plan (Plan) are:

1. The current levels of service have been used to develop the Plan.
2. It has been prepared based on Council continuing to fund road maintenance and construction activities at the same level that it currently does into the future.
3. Optimisation of budget spending is required as it can be demonstrated that very different results can be achieved in regard to overall road network condition and future maintenance costs if applied.
4. To progress to more advanced asset management, the improvement plan needs to be implemented.

The development of the Plan provides a strong methodology to assess scenarios. The current scenario shows that the condition of the road network will decline slightly over the next 10 years. I doubt this proposition will be acceptable and to some extent not believed by the community, hence the community engagement process on service level expectations and Council's financial capacity needs as part of the implementation plan is strongly supported.

## Other staff comments

### Manager - Works

It is important that Council clearly defines the level of service it is able to provide to the community with respect to roads, and that this level of service is funded accordingly. This should also include a consultation process carried out with the community to determine what the desired levels of service expectations are. Once the desired and funded levels of service have been clearly defined, Council can determine what the service level funding gap is with regards to roads. The major benefit of an asset management plan is being able to model road condition into the future, including what effects funding levels have on the overall condition of the road network and, in turn, what effect this has on the provision of future levels of service for the community. The ability to determine what effect a specific road upgrade will have on the overall road network condition in the future is an important benefit of an asset management plan, which will ensure the best value for money.

## Public consultation

The roads asset management plan has been reported to the Infrastructure Assets Policy Advisory Group on a number of occasions and significant input has been provided by the members of the PAG.

## Conclusion

The roads asset management plan has been prepared based on the IPWEA's NAMS Plus program. The plan essentially outlines what Council is doing now and the level of service that is being provided for the funding that Council allocates to road maintenance and rehabilitation. This shows that the overall condition of the road network is expected to deteriorate slightly over the next 10 years with the level of funding that Council currently allocates.

A key concept involved in the preparation of the document is level of service. This concept is paramount in any consideration of funding as it defines what the community can expect for the funding that is allocated. Any future considerations about the funding provided for road maintenance and rehabilitation must be held in the context of level of service.

It is recommended that the Roads Asset Management Plan be adopted.

## Recommendation

That Council adopt the Roads Asset Management Plan as presented.

# Report

<b>Subject</b>	<b>Draft Outdoor Dining Policy – <i>Lismore City Centre</i></b>
<b>File No.</b>	EF10/43:ED10/9798
<b>Prepared by</b>	Property Officer
<b>Reason</b>	To gain endorsement for a draft Outdoor Dining Policy for the Lismore City Centre to better meet the requirements of current and future businesses.
<b>Objective</b>	To encourage new outdoor dining areas in the Lismore City Centre to create a vibrant atmosphere and to meet current legislative requirements and trends.
<b>Strategic Plan Link</b>	Revitalise the CBD
<b>Management Plan Project</b>	Asset and Support Services

## Overview of Report

The Carriageway and Kerbside Land Use Policy was written in 1994, reviewed in 2000 and again in 2005. Several areas in this policy require amending. The intention of a new outdoor dining policy for the Lismore City Centre is to encourage outdoor dining and to create an *Eat Street* precinct to enhance the amenity and assist with the revitalisation of the CBD. Other features of the proposed draft policy include providing clear guidelines and direction for licensees, ensuring safety and accessibility for pedestrian and vehicle traffic and to meet statutory and regulatory requirements.

## Background

The current policy was last reviewed in 2005. Many issues have arisen that are not adequately covered or quantified – e.g. accessibility, liquor licensing, assignment, etc. A review of the policy has been undertaken to accommodate the current needs of Council, applicants/licensees and legislation and to encourage, rather than discourage, new outdoor dining areas.

The new policy is intended to provide a framework for outdoor dining in the Lismore city centre (see Map 1 of the attached draft policy enclosed separate to this report), and to promote a vibrant, attractive and safe environment for new and existing outdoor dining areas.

It is intended that an overarching policy for all footpath activities will be developed in the future to include:

1. Outdoor dining – Lismore City Centre
2. Outdoor dining – Nimbin, villages and Lismore suburban areas
3. Retail trading – Lismore City Centre
4. Retail trading – Nimbin, villages and Lismore suburban areas
5. Markets in the road reserve
6. Public rallies, protests, marches and speeches
7. Street stall permits
8. Mobile vending
9. Busking permits.

## Major features of the proposed draft policy

The draft policy proposes many changes. The major features are:

- The creation of an *Eat Street* precinct in the vicinity of Magellan Street is intended to attract new cafés to provide a vibrant atmosphere and assist with the revitalisation of the CBD (see map on page 17 of the draft policy).
- *After hours* licenses have not previously been available. It is proposed to introduce *After Hours* licences for areas not previously permitted to undertake outdoor dining during normal business hours (see page 3 of the draft policy).
- Reduction in parking levies (details on page 4 of the draft policy). A further report to Council for an amendment to DCP Chapter 7 - Off-street Parking and Section 94 – Lismore Contributions Plan will follow (see page 4).
- It is proposed for the first two years of the policy that no outdoor dining licence fees be charged, i.e. from 1 October 2010 to 30 September 2012. Current licenses are required to be cancelled and a new licence in accordance with the provisions of the new policy will be issued for a two year period. From 1 October 2012 it is proposed to charge a flat rate licence fee of \$50/m<sup>2</sup> for all areas within the Lismore City Centre (see page 4).
- In line with many other NSW Councils, clearance distances are recommended to be increased to 2.0m, and 2.4 for the areas of Woodlark Street that are an RTA classified road (see page 5).
- A separate section on accessibility has been introduced to ensure equitable and safe access for all people in accordance with Australian Standards and the *Disability Discrimination Act 1992* (see page 5).
- Extensions of outdoor dining areas beyond the principal restaurant premises' shopfront has previously been an area of dispute. The establishment of new outdoor dining areas on the footpath beyond the shopfront of the principal restaurant or café will require written authorisation from the landowner and business proprietor. Any change to land ownership or occupancy will require renewed authorisation (see on page 7).
- It is proposed to permit weighted portable footpath signs. A proposed licence fee of \$30 for a two-year term is recommended if public liability insurance is provided. A further report to Council for an amendment to DCP Chapter 9 – Outdoor Advertising to permit weighted portable footpath signs will follow. *A Frame* signs will remain prohibited, primarily due to safety concerns (see page 8).
- Outdoor dining areas are alcohol free areas unless the liquor licensed area of the principal restaurant premises is extended to include the outdoor dining area. At the request of NSW Police, a 10:00pm curfew has been placed on all outdoor dining areas. Outdoor dining areas must not be used primarily for the consumption of liquor and meals must be available at all times during the operation of the outdoor dining area (see page 9).
- Outdoor dining operators are encouraged to become familiar with proposed legislation to allow dogs in outdoor dining areas. The *Companion Animals Amendment (Outdoor Dining Areas) Bill 2010* is currently before the NSW Parliament. An extract from the *Legislative Review Digest* of the Legislative Review Committee of the Parliament of New South Wales dated 10 May 2010 follows:

“1. *This Bill amends the Companion Animals Act 1998 to allow dogs in outdoor dining areas in certain circumstances.*

2. *It will provide a limited exemption to the existing prohibition on dogs in food consumption areas. It will maintain the prohibition on dogs in any food preparation areas and human food consumption areas that are not outdoor dining areas.*

3. *This Bill also provides an explicit right for operators of outdoor dining areas to decide, when allowed under a licence agreement or development consent, whether they will allow dogs into their outdoor dining areas. It does not provide dog owners with an absolute right to enter any outdoor dining area with their dog.*
4. *Where the operator of an outdoor dining area decides to allow dogs in an outdoor dining area, mandatory conditions must be complied with. The outdoor dining area must not be enclosed and must be able to be entered by the public without passing through an enclosed area. An area is enclosed if it is substantially or completely enclosed by a ceiling or roof and walls and windows. A dog that is in the outdoor dining area must be under the effective control of a competent person and be restrained by a chain, cord or leash attached to the dog.*
5. *This means the dog must be under the direct control of a competent person at all times. Dogs must be on the ground at all times. This ensures that dogs are not on tables or chairs where food is consumed. Dogs must not be provided with food in order to minimise public health risks as well as avoid situations where a dog attack could occur. Providing water to a dog will be acceptable. Dangerous and restricted dogs are not permitted in outdoor dining areas.*
6. *The Minister for Primary Industries has agreed to use his powers under the Food Act to make a regulation to modify a provision in the Food Standards Code. This will allow dogs in outdoor dining areas where it is permissible under the Companion Animals Act.”*  
(page 10)

- The current policy provides for Council to fund the construction of outdoor dining areas with the licensee to repay 10% per annum over 10 years; and a bond of 50% of the construction costs be lodged with Council. However, the maximum term of the licence being seven years.  
The new draft policy does not propose to fund construction costs. Construction of an outdoor dining area may be considered an extension to the principal restaurant premises and costs should be borne by the business. Outstanding repayments may be passed to subsequent owners at the time of any sale of the business and Council does not carry the financial risk (see page 10).
- The policy proposes to prohibit smoking in outdoor dining areas. Lismore City Council was one of the first 10 NSW councils to implement a smoke-free policy (smoke-free playgrounds, sportsfields, pools and Council events). The Heart Foundation record 16 councils having a smoke-free outdoor dining policy with four councils' policies currently under review. A News Limited online 2007 survey resulted in 83% wanting smoke-free outdoor dining.
- The closing time for an outdoor dining area is proposed to be 10:00pm. The reasons for this are for crime prevention and amenity for nearby residential tenancies (see page 11).
- The term of the licence is proposed to be two years in line with many other NSW council outdoor dining policies - one to two years is now common. Previously seven year licences were issued, however, legislative and regulation changes proved difficult to implement in an appropriate timeframe (see page 12).
- It is proposed to impose a bond of \$1,000 for all outdoor dining areas. Previously a bond of \$300 was to be lodged for outdoor dining areas on the footpath; and \$1,000 for areas in the carriageway. The bond will be accessed if the licensee exits without paying outstanding licence fees or causes damage to the licensed area (see page 12).
- In the past, assignment of outdoor dining licences to the new business proprietors has not always occurred in a satisfactory manner. Owners of cafés have been able to sell the principal restaurant premises and not advised the new owners of their licence obligations, not assigned the licence or advised the new owner of the licence fees. It is proposed that the bond (\$1,000) may be forfeited if the outdoor dining licence is not assigned with consent from Council (see page 12).

### Current policy -v- new policy

Under the current policy, an estimate for the development and construction of a blister (including

landscaping and tables) measuring approx 60m<sup>2</sup> (that absorbs three car parking spaces and is not an *enclosed outdoor dining area*) is \$140,000. Under the proposed draft policy, which reduces levies, the same blister in *Eat Street* is estimated to be \$50,000.

The annual licence fee for an area of 60m<sup>2</sup> is \$4,488 (incl GST) under the current policy. The new draft policy proposes that no licence fees are to be paid for the first two years under a new licence agreement. Following the fee free period, an annual licence fee of \$3,300 (incl GST) is proposed.

## Comments

### Financial Services

From Council's financial perspective, the main considerations are:

- a) *No licence fees for two years* - There are ten agreements in place returning approximately \$40,000 per annum. This includes a capital contribution. If all ten took up the new policy two years free offer, approximately \$70,000 in revenue would be forgone. Approximately \$30,000 per annum of all revenue received is reserved for car parking improvements. If the policy was approved, a transfer from reserve of \$5,000 per annum would be required so that there would be no impact on the operating result.
- b) *A flat rate licence fee of \$50/m<sup>2</sup>* – This would reduce licence fee revenue by between 10% and 15%.
- c) The change in policy so that the financial risk associated with development costs fully rests with the developer is supported.
- d) *A bond of \$1,000* - Is more realistic considering the likely cost of restoration if required or leverage to have unpaid licence fees paid.

## Other staff comments

### Executive Director – Sustainable Development

The aim of the Lismore Alive report finalised in May 2009 was to develop an action plan to facilitate greater activity in Lismore's CBD outside business hours. After business hours dining and outdoor dining are important in meeting that objective. In particular they are critical for attracting and serving the participants in the various sporting and other events that occur in and around the CBD over the weekend. A graphic example of this issue was the inability of Tropical Fruits Festival goers in being able to easily access dining. There are many other examples of visitors and locals being unable to access dining after hours.

There is no 'silver bullet' in achieving this objective but rather a package of initiatives including reviewing Council's own policies and regulations. There have been barriers created by the current regulatory requirements and compliance costs for the establishment of outdoor dining in the CBD. For example the costs of establishing a 'blister' (a built outdoor dining area) currently are prohibitive. The bonding requirement of 50% of construction costs is particularly very costly. Hence there are a number of food outlets that have deferred plans to construct blisters. The proposed revised outdoor dining policy reduces these costs to a reasonable and affordable level.



In terms of regulatory barriers the current car parking requirements are a disincentive to the establishment of outdoor dining. The reviewed outdoor dining policy and other changes currently under development will relax the car parking requirements for the CBD. The parking requirements for the CBD were relaxed in several ways in 2008 including introducing a fixed parking rate as opposed to a varying rate depending upon the use. This was in response to a CBD parking study completed in 2007 that concluded that the CBD had an oversupply of car parking considering the demand.

It is proposed to build upon these car parking relaxations for the CBD in several ways. Firstly, in the proposed outdoor dining policy enclosed outdoor dining areas in the designated *Eat Street* will be exempt from paying parking contributions including where car parks are built on. If this change is fully taken up the impact will be minimal given that Magellan Street has already been widened. Separate from this policy review there is currently being developed another car parking relaxation for the CBD where small extensions to any building (maybe up to 20%) are exempt from car parking requirements.

The second change is to permit weighted portable signs (the current sandwich board/*A Frame* sign prohibition will remain). Most shopping centres and CBDs have these signs. Subject to certain requirements they are a valuable form of advertising especially for arcades and upstairs premises. Removing the prohibition will trigger a licensing and fee requirement.

If after the formal consultation phase Council adopts the proposed changes as outlined above, it is proposed to then amend both the signage and off street car parking development control plan (DCP) chapters. This would require separate Council reports and a formal consultation phase.

Magellan Street (and adjacent designated side streets/lanes) has been chosen as the *Eat Street* in Lismore's CBD for several reasons. Firstly, the Lismore Alive report designated Magellan Street as the connector street to the two proposed CBD public squares or open space areas namely Spinks Park and the former high school site. Secondly, the street has been upgraded and therefore is ideal for outdoor dining. Thirdly, and most importantly, Magellan Street is very wide compared to other streets which lends itself to outdoor dining. Also a point made during the recent consultation session by the Police was that Magellan Street's width and openness compared to other streets reduces its risk in terms of crime.

## Business Facilitator

I refer to the Lismore Community Strategic Plan 2008-2018. This plan documents that one of the key strategic community priorities for Lismore going forward is the revitalisation of the CBD and that the CBD becomes a vibrant meeting place, a cultural and entertainment hub for Lismore and the Northern Rivers region. Lismore needs to be a place, a great place, not only to shop but also to work, to play, to live, meet and socialise and in doing so strengthening personal and community relationships and bonds.

This revision of the Outdoor Dining Policy in its wider context, as referred to by the Executive Director - Sustainable Development, provides an enabling, guiding and commonsense governance platform for CBD dining, outdoor dining in particular which has been established as a precursor for renewed vibrancy in many Australian towns and cities - not to mention from whence it all began, the European heritage, the Riviera history of eating together outdoors and the community engagement and flavour this osmotically engenders.

Care has been taken to ensure that this incentive-based approach aligns into our core regulatory business in car parking requirements, signage policy and DA requirements. This makes sense to the market.



### Development Assessment Planner

The new Outdoor Dining Policy is a major step forward, and will have positive benefits in facilitating all the principles and ideas that have recently been promoted in relation to the revitalisation of the CBD and *Eat Street* dining experience. Restructure of prevailing controls by Council is a necessary action if the new policy is to be made into a working reality.

Certain other controls will also need to be modified to align with the draft outdoor dining policy and to remove conflicting provisions. These include DCP Chapter 7 - Off-street Parking; and DCP Chapter 9 - Outdoor Advertising, which will be presented to Council for consideration shortly.

### Community Services – Social Planner

A draft outdoor dining policy was presented to the Lismore Access Committee in April 2010. The policy was welcomed by the committee. Feedback was positive as the policy reflects the principles of access and inclusion and complies with current and revised Australian Standards.

### Communications Co-ordinator

The community consultation process undertaken followed the methodology outlined in Council's draft Practical Guide to Community Engagement. The level of engagement identified was consult and techniques used (according to the IAP2 matrix), included letters to the relevant business community, advertising inviting feedback and a world café. This methodology has been effective and feedback from the community informs this policy.

## Public consultation

- Existing outdoor dining licensees were requested to provide feedback on the current policy. Three responses were received. Their responses were considered in drafting of this policy.
- Consultation with the Access Committee was conducted at their meeting on 7 April 2010 to discuss the content of the draft policy affecting accessibility and clearance distances. Clear direction was received from the Committee that the proposed pedestrian clearance zone of a minimum of 2.0m wide was ideal; and the proposed restriction that no items be placed along shopfronts was well received.
- An advertisement was placed in *The Northern Rivers Echo* on 13 May 2010 inviting the owners and operators of Lismore CBD restaurants and cafés to attend an information and consultation session to seek industry input into the draft outdoor dining policy. An individual invitation to attend the world café style forum was also sent to existing and potential outdoor dining operators, business owners and the Business Chamber. The forum was held at the Gordon Pavilion, Oakes Oval on 18 May 2010 and was attended by 23 business representatives, four Councillors and Council staff. Five topics were chosen for discussion - staff members hosted the progressive rounds of conversations which included:
  1. *Eat Street* precinct
  2. Signage
  3. Smoking and dogs
  4. Parking
  5. Fees, costs and incentives
- Very positive feedback in relation to the new policy was received – during and after the forum. The majority supported outdoor dining licence fees to be the same in every area and no special rebate should be applied to *Eat Street*. This, and several other requested changes have been made to the draft policy attached to this report.
- It is intended that the endorsed draft outdoor dining policy be placed on public exhibition for a 28 day period. Those wanting changes that have not been made to the policy will be requested to make a formal submission during the public exhibition period to enable Council to consider their requests, e.g. can Council again fund construction costs; and can *Eat Street* be extended to include the Centro area?

- Amendments to the DCP for car parking and portable signage are to be reported to the July Council meeting. The proposed amendments will also be placed on exhibition for a 28 day period.
- All submissions received will be considered and presented in a report to Council at the September 2010 meeting.

## Conclusion

Outdoor dining is becoming more popular in today's society and is considered to be an important part of the overall amenity and vibrancy of commercial and retail areas. Council's strategic plan identifies revitalisation of the CBD as a key strategy for Council. The Lismore Alive project also aims to increase activity in the CBD outside normal business hours and outdoor dining is an important consideration in this project.

Council's current policy is not considered to be actively supportive of outdoor dining. Changes have been made to encourage and promote outdoor dining with significant concessions proposed on fees and the establishment of a dedicated *Eat Street* precinct. Feedback with affected businesses as a result of consultation undertaken to date has been very positive, although there remain some issues to be worked through.

It will also be necessary for some amendments to be made to Council's Development Control Plan for consistency with the proposed policy changes.

The next step for Council is to place the document on public exhibition. Following the receipt of submissions, the matter will be reported to Council for consideration of those submissions and adoption of the policy.

## Recommendation

That:

1. The draft Outdoor Dining Policy – *Lismore City Centre* be endorsed and placed on public exhibition for 28 days.
2. Council note the proposed changes to DCP Chapter 7 - Off-street Parking; and DCP Chapter 9 - Outdoor Advertising in relation to portable signage to ensure consistency with the Draft Outdoor Dining Policy.
3. Following receipt of submissions, the matter be reported back to Council for further consideration and adoption of the policy.

# Report

<b>Subject</b>	<b>Community Engagement Policy</b>
<b>File No</b>	EF09/1940:ED10/10023; ED10/3327; ED10/10246
<b>Prepared by</b>	Communications Coordinator
<b>Reason</b>	To gain formal adoption of the Community Engagement Policy
<b>Objective</b>	To define Lismore City Council's approach to community engagement.
<b>Strategic Plan Link</b>	Engage With the Community
<b>Management Plan Project</b>	Communication and Corporate Management

## Overview of Report

Lismore City Council endorsed a new Community Engagement Policy in July 2009. The comprehensive policy outlined the overarching aims and principles for all Council's contact with the community. The document was placed on public exhibition and is now presented back to Council for formal adoption.

In support of Council's Community Engagement Policy 1.2.15 a practical guide has been prepared to guide to how and when engagement should occur within the community, and to meet the requirements of legislation, policies and procedures.

## Background

Lismore City Council's current Community Consultation Policy was first prepared in 1997.

Following the September 2008 Local Government election, the new Council was advised a revised Community Engagement (CE) policy was under development. It was based on the international best practice framework of the International Association for Public Participation (IAP2).

IAP2 views public participation as any process that involves the public in problem solving or decision-making and uses public input to make decisions. It uses tools and techniques that are common to a number of dispute resolution and communication fields. (2006, *International Association for Public Participation*)

The level of community engagement for a particular project or issue is determined using the Public Involvement spectrum developed by the International Association for Public Participation. The IAP2 spectrum is based on a promise to the public and identifies techniques and methods that are appropriate for the engagement level identified.

The levels of community engagement range from inform to empower.

- » **Inform**—to provide the public with balanced and objective information to assist them in understanding the problem, alternatives, benefits and/or solutions
- » **Consult**—to obtain public feedback on alternatives, projects and/or designs
- » **Involve**—to work directly with the public throughout the decision-making process to ensure that community concerns and aspirations are consistently understood and considered
- » **Collaborate**—to partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution
- » **Empower\***- where the public makes the final decision.

\***Note:** In the local government context elected representatives are empowered by the community through the democratic process to make decisions following input from the community and Council officers.

A draft Community Engagement policy promoting these core values for the practice of public participation and setting the scope, framework and principles for engaging with the Lismore community, was endorsed by Council in July 2009.

The Council resolution was as follows:

117/09 **RESOLVED** that:

1. That the draft community engagement policy presented within the report be endorsed.
2. That the draft community engagement policy be placed on public exhibition for 28 days.
3. That a report incorporating community feedback be presented to the Council at its September 2009 meeting with the intent to formally adopt the Community Engagement Policy.
4. That a practical guide prescribing the various methods of community engagement and the situations in which they will be used be prepared and presented to Council for its consideration.

Following the endorsement of the CE policy it was placed on public exhibition.

Resolution 117/09/4 required the development of a Practical Guide to support the CE Policy. It is attached to this report.

The Practical Guide to Community Engagement for Lismore City Council gives staff guidance to determine how and when community engagement should take place, what techniques should be used and following through with evaluation and reporting back to the community. The guide does not prescribe exactly how the community should be consulted on every project, issue, action or service but identifies different levels of impact that would require different consultations to be applied. However, it does include a list of techniques appropriate to the levels of the IAP2 Spectrum as outlined in the CE Policy.

It takes staff through the following steps:

- understand the project
- assess its impact on the community
- assess community expectation
- determine Council's commitment
- define level of engagement
- use IAP2 matrix to establish community engagement techniques
- allocate resources
- plan, implement and monitor the community consultation
- evaluate, record and report on process
- provide feedback to community

The practical guide has been workshopped separately with Councillors and staff and presented in its draft form to the Community Services PAG for information. It has been used to guide a number of recent community consultations to define the level of impact, the community's expectation and Council's commitment to a democratic process. The templates have outlined a set of techniques appropriate to each situation which has made planning consultation more definitive and straightforward. Recent community consultation exercises include:

- Clunes Wastewater Scheme
- Special Rate Variation
- Outdoor Dining Policy
- Nimbin Skate Park, and
- the Comprehensive Lismore LEP.

## Comments

Financial Services

Not Applicable

## Other staff comments

Program Manager

The Community Consultation Practical Guide has been developed over a number of months. It has been tested and improved through a number of key community consultation processes. It has shown itself to produce high quality results and has already significantly improved Council's reputation in community consultation. The adoption of the Community Consultation Practical Guide is supported.

## Public consultation

A survey was conducted from March 19 until April 23, 2009 with extensive advertising to encourage the community to contribute to the development of the new CE policy. Specifically, members of local community (seniors/youth/ cultural) groups, Council's Policy Advisory Groups and the Nimbin community were encouraged to participate in the survey. It could be completed on-line, or in hard-copy (on request) and sent back to Council in a reply paid envelope. One hundred and seventy-three valid responses were received.

Key themes which emerged from the survey:

- Clear demand for more transparency in Council activities and processes
- Council must be honest and open
- General awareness of Council's engagement activities is low
- Opportunities for the community to get involved must be promoted through timely information sharing
- Conducting engagement activities is not enough, the outcomes and the circular process is what people want to see
- Engagement must be meaningful and responsive
- Clear scepticism of Council's sincerity towards engagement
- Council must be genuine and provide a feedback loop for all activity
- Honesty and trust are very important to the community
- Stakeholders want to feel that their opinions and contributions are valued

The information gathered from the survey added another layer of integrity to the development of the policy as both the Councillors and management, through their workshops, and the community were agreed on the principles which are now included in the draft Community Engagement Policy.

The draft Community Engagement policy was placed on public exhibition following Council's meeting of 14 July, 2009. Council received three submissions. The key concerns mostly referred to lack of detail about how the policy would be enacted and pertained more to the practical application of the policy than the policy framework and principles. Many of these have been addressed in the Practical Guide to Community Engagement for Lismore City Council as has information gathered from the survey.

## Conclusion

Lismore City Council's draft Community Engagement (CE) Policy has been prepared after extensive consultation with Council and the community including two Councillor workshops, three staff workshops and a community survey. It demonstrates that Council actively supports the principle that the *'community should have a say in decisions about actions that potentially affect their lives.'*

The Practical Guide to Community Engagement is an easy-to-use reference tool which supports the Community Engagement Policy and assists staff to effectively plan and conduct community consultation consistent with the aims and principles of the CE policy.

## Recommendation

That the draft Community Engagement policy be adopted and Council note the Practical Guide to Community Engagement.

# Report

<b>Subject</b>	Annual Remuneration Fee for Mayor and Councillors
<b>File No</b>	EF09/643:ED10/9661
<b>Prepared by</b>	Corporate Compliance Coordinator
<b>Reason</b>	Determination by Local Government Remuneration Tribunal
<b>Objective</b>	Adopt Mayoral and Councillor Fee for 2010/11
<b>Strategic Plan Link</b>	Best Practice Corporate Governance
<b>Management Plan Project</b>	Councillors

## Overview of Report

The Local Government Remuneration Tribunal each year determines the range of annual fees to be paid to Mayors and Councillors. Council needs to determine within the category range the fees to be paid.

## Background

Pursuant to Section 241 of the Local Government Act 1993, the Local Government Remuneration Tribunal has determined the annual fees to be paid to Mayors and Councillors during the period 1 July 2010 to 30 June 2011. The Tribunal has determined that there will be an increase of 3 percent for all minimum and maximum fees for Councils.

Lismore City Council is categorised as a Regional Rural Council and Council needs to determine the annual fee to be paid within the minimum and maximum range as determined by the Tribunal. If Council does not fix a fee, the amount defaults to the minimum. Council will note that the rate pegging limit has been fixed at 2.6 per cent.

## Councillor Fee

The Councillor fee for Regional Rural Councils is a minimum fee of \$7,250 and a maximum fee of \$15,970. The current fee as determined by Council for the 2009/2010 financial year is the maximum fee of \$15,500.

## Mayoral Fee

The Mayoral Fee for Regional Rural Councils is a minimum fee of \$15,430 and a maximum fee of \$34,860. The current fee as determined by Council for the 2009/2010 financial year is the maximum fee of \$33,840.

## Comments

### Financial Services

The draft 2010/11 Budget provides for the current allowance for the Mayoral and Councillor fees.

If Council adopted the maximum allowance for 2010/11, there would be an unfavourable impact on the draft 2010/11 Budget of \$1,000 for the Mayoral fee and \$5,200 for Councillor's fees.

## Public consultation

Council has undertaken no consultation with the public.

## Recommendation

That Council determine the fee payable for Councillors and the Mayor for 2010/11.



# Report

<b>Subject</b>	<b>City Centre Manager Role</b>
<b>File No</b>	EF09/1902:ED10/9884
<b>Prepared by</b>	Executive Director Sustainable Development
<b>Reason</b>	Council set this role up on a trial basis to run out on 30 June 2010
<b>Objective</b>	For Council to resolve the future of this role
<b>Strategic Plan Link</b>	'Revitalise the CBD' and 'Enhance Lismore as a Regional Centre'
<b>Management Plan Project</b>	Economic Development

## Overview of Report

In December 2008 Council adopted a recommendation from the SBRVL (Special Business Rate Variation Levy) Advisory Group to establish the City Centre Manager (CCM) role for an 18 month trial. The trial runs out on 30 June 2010 and hence the purpose of this report is to review this role. The primary role of the CCM is to manage the SBRVL program and funding. The subsequent adopted business plan (2009/10) refocussed the program on the CBD particularly on getting more activity and a major branding exercise. This report examines the options in respect of this role as well as considering the reporting options. The report recommends that the role be retained, be made permanent and continue to report to the Lismore Business Promotion Panel (LBPP).

## Background

In December 2008 Council adopted a recommendation from the SBRVL Advisory Group (the predecessor of the LBPP) to establish the CCM role. Specifically Council resolved to approve the funding of the CCM role from the SBRVL fund for 'an 18 month trial period (until 30 June 2010)'. Hence the need for this report i.e. to reconsider the role. Of note this report deals with the CCM role itself not the business plan. The proposed 2010/11 business plan is the subject of another report in this agenda.

Subsequent to appointment of the CCM the Lismore Business Promotion 2009/10 business plan was adopted by Council in August 2009. Since that time the CCM has focussed on implementing the plan. The CCM role is primarily to implement the adopted business plan, liaise with the business community and to service the LBPP. The 2009/10 business plan was very ambitious in its objectives given that from the date of the plan's approval until this report is less than ten months of implementation time. In reality the plan was a 2 year plan not a one year plan.

Overall most key objectives were progressed. On the marketing front the 'Come to the Heart' brand was a best practice initiative but has had limited exposure. The challenge will be to have it more widely promoted. In terms of activities the free concerts have been well attended but require to be rescheduled on the fringe of Saturday trading. The shopping campaigns have been delivered. Other objectives such as support for the Woodlark Street upgrade, assisting with the planning for 'eat street' and the street maintenance audits have occurred successfully. Unplanned tasks such as the Oliver Avenue bridge opening and 'art in the heart' project also occurred.

## CCM Role Options

In terms of options beyond 30 June 2010 the CCM role could be made permanent, kept on for another

fixed term, be disestablished or alternatively the role could be varied in terms of reporting or tasks. It is recommended out of these options that the role be made permanent.

There are several reasons for this. Firstly the LBPP (Council's advisory group on these matters) met on 16 April 2010 to consider this matter and they recommended; *'That the Council approves the City Centre Manager position to be a permanent role and part of the SBRVL budget from 2010/11 for the reasons outlined in the report' (similar points as made below)*. One of the LBPP members also made a valid point namely that there has been a history of changing programs and managers over the years with a lack of continuity. A permanent role allows that continuity to occur.

Secondly, the role of the CCM is essential for the ongoing success of the CBD revitalisation project via the business plan. This is, for similar reasons, why the Lismore Square has a fulltime manager i.e. amongst other tasks to coordinate promotions etc... Internationally where CBD's have been successfully revitalised there has been an active CCM role. The business plan will be a permanent part of the promotions funding going forward and hence having someone to implement it should also be a permanent role. The role and the program were given support at the special rate variation consultation forums.

Thirdly, since the role was established the Economic Development Unit has been disestablished. From a practical viewpoint without the CCM role there is no Council staff member that could support the program or implement the business plan.

Consideration was given to the option of having the CCM report to the Lismore Chamber of Commerce Board (LCOCB). This was discussed by the LBPP and there was a subsequent joint meeting with the LCOCB. It is clearly acknowledged that the LCOCB has recently made significant progress in redefining its strategic objectives, running some successful training and putting the organisation on a sound financial footing. The LCOCB have argued the case. Some of the reasons include; the avoidance of duplicating two bodies meeting, the ability of the LCOCB to advocate the program to members etc, the fact that the LCOCB meet more regularly than the LBPP and the fact the LCOC already has a website.

However changing the reporting line is not recommended for the following reasons:

1. The LBPP has worked very well. All the members have fully supported the CCM role and the philosophy behind the business plan. Secondly, the LBPP have allowed the CCM to manage the agreed program without a hands-on role. The LBPP also has the Manager of the Lismore Square as a member (as the single biggest contributor to the rate) whereas the LCOCB won't necessarily include the Square's Manager. Finally unlike the CCM role the LBPP was not resolved to be a trial.
2. From a governance and representation viewpoint the membership of the LCOC is much smaller than the number of business ratepayers. Secondly, a business ratepayer that does not necessarily want to join the LCOC could not be on the LCOCB as the governing owners/ ratepayers body. Whereas the LBPP was chosen from nominations from all business owners/ratepayers.
3. It is not the right time to change the reporting line. Stability in the CCM role and governing body is what is required to make a significant difference. The LCOC is no doubt making significant progress. In October 2009 a report was completed involving an independent professionally conducted survey of 30 business owners and 200 consumers evaluating shopping promotions coordinated by the LCOC. The results of this research clearly indicated that the LCOC has some way to go in promoting its role and activities to the business community. Obviously the LCOC recent strategic planning exercise and successful activities will greatly help this. The report also states as a key finding; 'This had led to a high number of those businesses surveyed believing that management of future promotions should be undertaken by the independent LBPP'.

It is important that the LCOCB and the LBPP have a good ongoing relationship. In order to help communication and given the importance of CBD revitalisation the following is recommended. Firstly, that the LBPP meeting schedule be better aligned to ensure there is a LCOCB meeting prior to LBPP meetings. No Council resolution is required to make this occur. Secondly, that the President of the LCOCB or another member of the Executive be the preferred nominee to the LBPP given the importance of the role. The Executive of the LCOCB meet more regularly than the Board which will be helpful for communications. In a similar way the 'Centre Manager' should be the representative for the Lismore Shopping Square. Consequently some minor changes to the LBPP membership are required.

## CCM Funding

The LBPP at its 16 April 2010 meeting recommended to Council that 50% of the CCM's salary costs be funded by Council irrespective of the outcome of the SRV. The current indication from Council is that \$40,000 of the CCM's role will be considered to be funded by Council only if the SRV is not successful. This matter will be considered by Council in its final budget consideration at its June meeting. Of note the other report on the agenda about the 2010/11 business plan has been prepared on the basis of the current Council position.

## Comments

### Financial Services

The 2010/11 Special Business Rate Variation Levy (SBRVL) will generate \$208,000 or \$308,000 if the special rate variation application is approved by the Minister for Local Government. The current CCM role is a contracted \$80,000 per annum position. A permanent position is anticipated to cost approximately the same as a contracted position.

### Other staff comments

Not required.

### Public consultation

There has been consideration of this matter with the LBPP. Secondly there has been a joint meeting of the LBPP and the LCOCB.

## Conclusion

The City Centre Manager role is being recommended to be made permanent primarily in order to provide continuity to a program that is now well regarded. It is also recommended that the current reporting line of the CCM to the LBPP be confirmed given that the Panel is working well. Changing the LCOCB membership on the Panel to the President of the Chamber will help improve communications. Finally, Council needs to consider the LBPP's recommendation in terms of funding.

## Recommendation

That Council:

1. support the City Centre Manager position as a permanent role and part of the SBRVL funding from 2010/11.
2. confirm the City Centre Manager's reporting arrangements to the Lismore Business Promotion Panel and that the President of the Lismore Chamber of Commerce or another member of the Executive and the Centre Manager of the Lismore Shopping Square be preferred sector representatives on the Lismore Business Promotion Panel.
3. consider as part of the 2010/11 final budget deliberations the LBPP recommendation that 50% of the City Centre Managers salary be funded by the SBRVL and 50% from general rates.

# Report

<b>Subject</b>	<b>Proposed Lismore Promotion Program Business Plan (2010/11)</b>
<b>File No</b>	EF09/1902:ED10/8287
<b>Prepared by</b>	Executive Director Sustainable Development and City Centre Manager
<b>Reason</b>	There is a need for a new business plan starting 1 July 2010
<b>Objective</b>	For Council to consider and approval of the proposed business plan 2010/11
<b>Strategic Plan Link</b>	Revitalise the CBD, Enhance Lismore as a Regional Centre, Economic Development
<b>Management Plan Project</b>	Economic Development

## Overview of Report

This report outlines the strategic direction and content of the proposed 2010/2011 Lismore Promotion Program Business Plan, which is funded by the Special Business Rate Variation Levy (SBRVL). The key elements of the proposed plan are very similar to the previous 2009/10 plan. Both plans are underpinned by principles of place making, getting more activity in the CBD and best practice branding/marketing. The 2009/10 was overly ambitious given that it only had ten months of implementation. Therefore the 2010/11 plan consolidates and builds upon the sound principles and tasks of the previous plan. There are some subtle changes in the two plans. For example the weekend entertainment has been moved from a Sunday to Saturday to better leverage trading hours. If the special rate variation additional \$100,000 is approved the 2010/11 plan will not only have the right underpinning principles and program but it will have a good budget.

## Background

The Lismore Promotion Program (LPP) is governed by an 8-member Lismore Business Promotion Panel (LBPP). The LBPP makes recommendations to Council on the direction of the Lismore Promotion Program and expenditure of funds. Council makes the final decision, based on the LBPP's recommendations. The LBPP (endorsed by Council), is currently comprised of five business representatives, one Councillor, one member of the Lismore Chamber of Commerce and the Executive Director, Sustainable Development, who chairs the LBPP in a non-voting capacity.

A City Centre Manager, responsible for projects contained within the Lismore Promotion Program's Business Plan year-to-year, is also charged with carrying out the more strategic and long term process of City Centre Revitalisation. The City Centre Manager reports formally on a regular basis to the LBPP (at present, bi-monthly) and more frequently to the Executive Director, Sustainable Development.

The 2010-2011 Lismore Promotion Program Business Plan is the successor to the inaugural Business Plan (2009-2010) and it has benefited from the Lismore Business Promotion Panel's ability to review the progress of the first year of the City Centre Management program.

## Proposed Business Plan

The 2010-2011 Lismore Promotion Program Business Plan has been reviewed, workshopped and then revised by the Lismore Business Promotion Panel (LBPP). The LBPP is responsible for the direction and governance of the Lismore Promotion Program and the Business Plan. Through its representation on the LBPP the Lismore Chamber of Commerce (LCoC) has been invited to provide input into the content of the Plan and has done so. Attached is a copy of the final draft business plan for consideration (Attachment 1).

It is not planned to summarise or replicate the main points of the business plan in this report. However some emerging trends, a progress report on the last plan and some other matters will be covered in this report. Of note the plan has two budget options namely one with and one without the additional \$100,000 from the special rate variation (SRV). Council's current indication is that if the SRV is not approved that \$40,000 of Council funding will be directed to the CCM's cost. It is not proposed to do this if the SVR is approved. Of note the LBPP have recommended that 50% of the CCM cost be funded by Council irrespective of the decision on the SRV.

### **New direction and 'City Centre' focus**

The 2009/10 business plan saw a fundamental shift towards promoting and activating the City Centre. The LBPP and Council determined to follow the established primary principle of destination marketing and concentrate on promoting Lismore's CBD as the major drawcard for the entire City. Council's decision to introduce a City Centre Manager at the 9 December 2008 meeting signalled the beginning of this new approach, with its primary focus on strengthening Lismore's City Centre.

### **Trends emerging from the first 12 months of the new arrangement**

The City Centre Manager's observations of the first year's activities and trends are summarised as follows:

- The change in eligibility for those organisations wishing to seek SBRVL funding for events, promotions and festivals from *outside* the City Centre did not lead to a decrease in the number of established events – which continue to assist in the overall destination marketing of Lismore.
- The business sector received the major portion of SBRVL funds in 2009-2010, for a number of retail shopping campaigns and promotions either directly coordinated by the City Centre Manager on behalf of the Lismore Chamber of Commerce, or with that body's assistance.
- A review of the effectiveness/otherwise of the five most recent such large scale shopping promotions led to changes in the approach, structure and components of a subsequent campaign (the Lismore Christmas Shopping Bonanza) with improved outcomes.
- Additional (unplanned) major promotions to assist business were created and carried out by the CCM in response to specific situations:
  - the need to remind consumers that it was 'business as usual' in Woodlark Street during the \$4.5m upgrade and beautification via signage, radio, TV and print media; and
  - the need to publicise the re-opening of Oliver Avenue in Goonellabah and highlight local business and recreational facilities in the area; again utilising mass media.
- The significant interest in and support for the City Centre 'Art in the Heart' project, which has the potential for Lismore to become the first regional NSW 'Creative Enterprise Hub' outside metropolitan Sydney. This is predicated on vacant commercial spaces in the CBD being used by artists and creative partnerships on a temporary basis, with the highly-successful 'Renew Newcastle' scheme being used as a model.
- The collaboration between the Lismore Promotion Program and the Northern Rivers Conservatorium Arts Centre, resulting in a series of regular and on-going 'Cushion CONcerts' has been extremely successful in attracting large audiences. NOTE: these CONcerts will change to Saturdays after

July 2010. The LBPP was keen to align these more with business hours in order to leverage advantage to the traders.

- The 'Lismore – come to the heart' brand has proved to be memorable when 30sec and 15sec television commercials are aired (linked to major events and promotions), and the 'point of difference' identified for the City Centre has proved to be beneficial, both as a talking point and an aid to creating a positive perception of Lismore.

### Progress to date 'at a glance'

The abbreviated list below consists of all the components of the 2009-2010 Lismore Promotion Program Business Plan (and others not originally contained within the Plan that have occurred during the past year) with their status and brief explanatory notes.

BUSINESS PLAN ITEM	STATUS	NOTES
1. Branding <ul style="list-style-type: none"> <li>• Logotype and brand</li> <li>• TV commercials</li> <li>• Radio advertising</li> <li>• Print advertising</li> </ul>	Completed	Continuing use – will be expanded
2. Production of Marketing Collateral <ul style="list-style-type: none"> <li>• Shopping Guide</li> <li>• Website</li> <li>• Decals</li> </ul>	Not commenced Not commenced Commenced	Carried over to 2010-2011 Deleted at request of LBPP May 2010 distribution
3. Special Events, Festivals and Promotions <ul style="list-style-type: none"> <li>• June Stock Take Sale</li> <li>• Xmas Shopping Bonanza</li> <li>• Carols by Candlelight</li> <li>• Lantern Parade</li> </ul>	All completed	Ongoing development in 2010-2011
4. Communications	Completed	Ongoing
5. City Centre Markets	Not commenced	June 2010 target (proposed City Centre Farmers Market cancelled in favour of general CC markets)
6. Calendar of Community Events in the City Centre	Not commenced	Questionable value, currently produced by VIC, deleted at request of LBPP
7. Entertainment in the City Centre	Commenced	Saturday entertainment by May 2010 Large number of events being assisted
8. 'Paint the Town' City Centre upgrade	Not commenced	Reliant on SBRVL increase for 2010-2011
9. Assistance with Woodlark St Upgrade	Completed	Assistance with opening celebrations to come
10. Development of Place Management 'hot spots'	Commenced	Support role for Magellan 'Eat Street' and Margaret Olley Arts Centre



11. City Centre Audits	Completed	Ongoing process, with positive results
12. Publicity and PR	Completed	Ongoing: media clippings file available

In the first 12 months of the CCM role, various promotions and projects of varying scale and complexity arose on an 'ad hoc' basis. On an increasing scale, the CCM is assisting event managers, retail precincts and cultural collectives with individual promotions in the City Centre.

NON BUSINESS PLAN ITEM	STATUS	NOTES
Woodlark Street promotion	Completed	Comprehensive street Signage, purpose-shot mid-upgrade TVC, collateral for businesses, plus media advertising and positive coverage.
Oliver Avenue re-opening	Completed	6-page N Star feature, radio and TV
Art in the Heart project	Commenced	Ongoing efforts until Arts NSW funding secured

**Benefits for all businesses in the Lismore Urban Area**

The purpose of the SBRVL promotion funding is to ensure Lismore retains its function as a regional centre. The revitalisation of the City Centre is recognised as being the key to this objective. If the CBD deteriorates significantly, Lismore will lose its regional service centre role. Approximately 70% of all businesses in the Lismore Urban Area (LUA) are located within the City Centre and it makes good sense to direct the largest amount of effort and resources on the area where the majority of businesses are situated.

However, whilst the primary focus of this Business Plan will continue to be the City Centre, there are elements of the Plan which will benefit all businesses in the Lismore Urban Area. These include destination marketing, strategic advertising expenditure in all three media, the opportunity to participate in retail shopping campaigns and specific promotions in 'non-CBD' business centre within the Lismore Urban Area.

**Relationship between the various elements making up the Business Plan**

This Business Plan is an umbrella document. It represents the operational and marketing direction of the 2010-2011 financial year's Lismore Promotion Program. This Program is a vital component in the evolving Lismore City Centre Management Program as shown below:



**Rationale behind the Lismore Promotion Program 2010-2011 Business Plan**

The Business Plan articulates the promotional plan for the wider Lismore Urban Area, as well as the City



Centre Management Program. It establishes goals and outcomes, Key Performance Indicators, methods of benchmarking and monitoring progress.

The original 2009-2010 Business Plan has allowed the LBPP to review the progress of both the City Centre Management and Lismore Revitalisation Programs in their first year and feed lessons learned into the 2010-2011 Business Plan.

### **Contribution of the “Lismore Alive” Project**

The 2010-2011 Business Plan continues to build on the extensive community and stakeholder consultation, findings and recommendations contained within the *Lismore Alive Final Report* (Planning by Design, May 2009). Many of the “Recommended Actions and Initiatives” and “Ideas for Immediate Actions” within the *Lismore Alive Final Report* have been incorporated into the Business Plan.

### **Links with other plans, documents and review mechanisms**

This Business Plan has direct relevance to:

- Lismore City Council’s “Community Strategic Plan 2008 – 2018”
- Lismore Tourism’s 3 year Strategic Plan
- other relevant tourism, event management, cultural (including Public Art), and economic development plans, documents and strategies
- indicators for Active-Friendly Local Environments (NSW Premier’s Department, Council for Active Living)
- plans to alter and improve the current Outdoor Dining Policy
- the Lismore Business Retention and Expansion Strategy (BRE) being project managed by Council’s Business Facilitator
- a review of Council’s Events Strategy
- a review of the annual Lismore Lantern Parade and its governing board, LightnUp Incorporated.
- the review of the five most recent shopping promotions, in association with the Lismore Chamber of Commerce
- Town Centre Management guidelines from Mainstreet Australia
- best-practice town centre management, place making, community engagement and city centre renewal methodologies provided by ongoing research and also supplied by professional associations and other councils.

### Revised SBRVL funding application process

A new system for the evaluation, provision and acquittal of SBRVL funds for approved events and promotions has been established. This new system aims to streamline the process, remove any duplication and minimise administration costs to Council. There will also be a list of funding conditions that ensure that the principles and objectives of the business plan are met in the event or activity i.e. uses of branding and that activity occurs in the CBD.

## Comments

### Financial Services

The 2010/11 Lismore Promotion Program Business Plan (LPPBP) is based on the assumption that funds collected from the Special Business Rate Variation Levy (SBRVL) will be used for this purpose. For 2010/11, the accumulated amount is anticipated to be \$253,100. In addition, the Lismore Business Promotion Panel (LBPP) is requesting Council contribute \$40,000 towards the LPPBP and Council has lodged a special rate variation (SRV) application with the Division of Local Government for an extra \$100,000.

In regards to the SRV for \$100,000, this will be determined by the Minister for Local Government shortly. The \$100,000 can only be used for the purpose set out in the SRV application. These include promote brand, special events, markets, seed funding and promotional activities.

As to the \$40,000 contribution from Council, this will need to come from Council's recurrent budget. The draft 2010/11 Operational Plan was advertised with a commencing deficit of \$68,000. If this were approved, the deficit would increase to \$108,000. Given the pressure on the deficit to meet other requests (Richmond Tweed Regional Library and Lismore Flood Levee) and the continued global volatility, it is not considered prudent to carry an operating deficit into 2010/11. While this request is supported, how this deficit is managed back to a balanced budget is important and will be addressed in the 9 June 2010 Extra Ordinary Council Meeting.

### Other staff comments

Not required.

### Public consultation

Both the LBPP and the LCoC have been consulted.

### Conclusion

The 2010/11 Business Plan consolidates and builds upon the sound principles and tasks of the inaugural business plan (2009/10). Both plans are underpinned by principles of place making, destination marketing, getting more activity in the CBD and best practice branding. If the special rate variation additional \$100,000 is approved the 2010/11 plan will not only have the right underpinning principles and program but it will have a good budget.

## Recommendation

That Council adopt the 'Lismore Promotion Program Business Plan 2010/11' as outlined in the attached document including either budget (A) if the special rate variation is not approved or budget (B) if the special rate variation is approved.

# Report

<b>Subject</b>	<b>Tender No. T2010-37 – Road Reconstruction – Whian Whian Road - Stage 1</b>
<b>File No.</b>	T10/37:ED10/10204
<b>Prepared by</b>	Rural Works Engineer
<b>Reason</b>	To inform Council of tenders received for the reconstruction of Whian Whian Road - Stage 1.
<b>Objective</b>	To obtain Council approval to award the Contract.
<b>Strategic Plan Link</b>	Improve Roads, Cycle Ways and Footpaths
<b>Management Plan Project</b>	Roads

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## Overview of Report

This report details the evaluation of tenders received in relation to the road reconstruction of Whian Whian Road – Stage 1 and a recommendation to award the tender.

## Background

Tenders were advertised for road reconstruction works for Stage 1 of Whian Whian Road, Whian Whian. This road reconstruction project was included in Council's 2009/10 Rural Capital Works Programme, however due to additional projects funded through the RTA's Nation Building Programme and the May 2009 Natural Disaster Flood Restoration Funding, Council has been unable to commence the works.

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.

Tender documents were received from four (4) companies by the close of tender on 2.00pm, Monday, 24 May 2010.

### Tenderers

- Smith Plant
- Civil Team Engineering
- Skeen Constructions
- Roads & Traffic Authority (Northern Road Services).

## Tender Examination

An evaluation committee comprising the Contracts Administration Officer, Rural Works Engineer and Urban Works Engineer undertook the assessment of tenders.

Tenders were invited on a Schedule of Rates basis for the supply of all plant, equipment and supervision necessary to complete the works as per specifications listed in the tender.

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

## 1. Total Cost

A price comparison was completed on each tenderer for the completion of the works outlined. The totals for each tenderer are listed as follows:



The NSW Roads & Traffic Authority has submitted the best overall price with prices being Smith Plant 5.9%, Skeen Constructions 23.9% and Civil Team Engineering 88% more expensive.

## 2. Capability & Experience

All tenderers have demonstrated an ability to carry out road reconstruction works. However, the NSW Roads & Traffic Authority was able to demonstrate a far more comprehensive work history in related works as required for this tender.

## 3. Quality & Safety

All tenderers have demonstrated a high level of OH&S systems within their work practices. However, Civil Team Engineering and the NSW Roads & Traffic Authority are both certified to international and Australian standards.

## 4. Environment & Community

All tenderers have demonstrated a high level of Environmental awareness and relevant systems within their work practices. However, Civil Team Engineering and the NSW Roads & Traffic Authority are both certified to international standards.

## 5. Local Content

Smith Plant is locally based within Lismore and the NSW Roads & Traffic Authority construction crew will be based out of its Ballina Depot. Civil Team Engineering is based out of Murwillumbah whilst Skeen Constructions are based in Woolli.

The rates tendered by the NSW Roads & Traffic Authority resulted in the lowest costs for the works required. Considering the remaining evaluation criteria specified in the tender (Capability & Experience, Quality & Safety, Environment & Community, and Local Content), the NSW Roads & Traffic Authority is also the highest ranked tenderer (refer raw score sheet marked as Appendix A to this report).

The approved budget for the construction of this project is \$300,000. In addition to the bill of quantities listed in the tender document are materials which are not included in the tendered price. The additional costs for these materials such as pavement aggregate, drainage piping and bitumen sealing will bring the total cost of the project to its budgeted amount.

## Referee Check

The Northern Road Services was established in 1997 as a commercial business unit of the NSW Roads & Traffic Authority to provide specialist road construction and maintenance services to the industry. This unit operates under international and Australian accreditations and standards for its work place systems and practices.

## Comments

### Financial Services

The 2009/10 Roads Capital Works Programme adopted by Council at its 9 June 2009 meeting included \$310,000 for Whian Whian Road – Stage 1. These funds are available and as such the recommendation is supported.

## Other staff comments

### Manager - Works

The NSW Roads & Traffic Authority has local knowledge and extensive experience in road engineering, construction and maintenance, which will contribute to the successful completion of this project within budget.

I endorse the recommendation.

## Public consultation

Not required

## Conclusion

The NSW Roads & Traffic Authority has tendered the lowest rates for the required works and it is also ranked first in the evaluation criteria assessment based on the criteria as detailed in the tender document.

Through its extensive work history in related works, the NSW Roads & Traffic Authority has more than demonstrated its ability to complete the works to the required standard.

## Recommendation

That:

1. The contract for the reconstruction of Whian Whian Road – Stage 1 be awarded to the NSW Roads & Traffic Authority with a scheduled rate of \$255,930.00 inclusive of GST, as based in its tender submission.
2. The Mayor and/or General Manager on behalf of Council be authorised to execute the contracts and attach the Common Seal of the Council.

**T2010-37 Quote Raw Score Sheet - Whian Whian Road Reconstruction, Stage 1**

Criteria	Weighting	Smith Plant	Weighted & calculated	Civil Team Eng	Weighted & calculated	Skeen construction	Weighted & calculated	RTA NSW	Weighted & calculated
		Raw Score		Raw Score		Raw Score		Raw Score	
1 Total Price (out of 10)	40%	7.38	2.95	5.35	2.14	6.94	2.78	7.53	3.01
2 Capability and Experience (out of 10)	30%	8.5	2.55	8	2.40	7	2.10	10	3.00
3 Quality and Safety (out of 10)	15%	9	1.35	10	1.50	9	1.35	10	1.50
4 Environment and Community (out of 10)	5%	9	0.45	9	0.45	9	0.45	10	0.50
5 Local Content Minimum 10% (Out of 10)	10%	10	1.00	8	0.80	7	0.70	9	0.90
	100%		8.30		7.29		7.38		8.91
<b>Total 100% or 100</b>			<b>83.02</b>		<b>72.90</b>		<b>73.76</b>		<b>89.12</b>

# Report

<b>Subject</b>	<b>Tender No. T2010-38 - Bridge Piling</b>
<b>File No.</b>	T10/38:ED10/10207
<b>Prepared by</b>	Rural Works Engineer
<b>Reason</b>	To inform Council of tenders received for the provision of pre-cast concrete and cast in-situ bridge piling.
<b>Objective</b>	To obtain Council approval to award the Contract.
<b>Strategic Plan Link</b>	Improve Roads, Cycleways and Footpaths
<b>Management Plan Project</b>	Regional Roads Timber Bridge Replacement Programme

## Overview of Report

This report details the evaluation of tenders received in relation to the provision of pre-cast concrete and cast in-situ bridge piling with a recommendation to award the tender.

## Background

Tenders for the supply and installation of pre-cast concrete and cast in-situ bridge piling were recently invited for the next two bridges due for replacement under the Regional Roads Timber Bridge Replacement Programme. The two bridges due for replacement are Cullen Bridge on Blue Knob Road and Ruthven Bridge on Coraki Road. There is one remaining bridge to be replaced under this programme which will be included in another tender at a later date. Funding for this bridge replacement programme is due to close at the end of the 2010/11 financial year.

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.

Tender documents were received from four (4) companies by the close of tender on 2.00pm, Monday, 24 May 2010. One submission from *'DID Piling'* was deemed to be a non-conforming tender due to the submission being late. Efforts made by staff on the day of assessment to gain a copy of the missing tender submission information proved unsuccessful, which prevented an informed assessment. Therefore, this submission was not included in the assessment process.

The submission from *'Piling Contractors Pty Ltd'* was deemed non-conforming for the Cullen Bridge component of the tender as no price was entered for Item No. 5, Schedule 2 – Cullen Bridge, although it supplied an alternative proposal for this element of the contract. Efforts made by staff to obtain this missing item proved unsuccessful, which prevented an informed assessment. Therefore, the company's submission for Cullen Bridge was considered to be non-conforming and was not included in the assessment process. The company's submissions for Ruthven Bridge, however, were conforming and they were included in the assessment process for this part of the tender.



## Tenderers

- Giles Contractors Pty Ltd
- Piling Contractors Ltd Pty
- Wagstaff Piling Pty Ltd

## Tender Examination

An evaluation committee comprising the Contracts Administration Officer, Rural Works Engineer and Bridge Supervisor undertook the assessment of tenders.

Tenders were invited on a Schedule of Rates basis for the supply of the bridge piles. Individual Schedule of Rates were sought for each bridge to provide Council with flexibility in the awarding of the tender.

Cullen Bridge has been assessed for the installation of cast in-situ piling whilst Ruthven Bridge has been assessed on two components. These components are firstly the manufacture of the pre-cast concrete piles and secondly, the installation of the pre-cast concrete piles.

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

## 1. Total Price

A price comparison was completed on each tenderer for the two (2) bridges. The totals for each bridge are as follows:

**Cullen Bridge – Installation of cast in-situ bridge piles**

- Giles Contractors Pty Ltd	\$262,568.00
- Wagstaff Piling Pty Ltd	\$349,690.00

Giles Contractors Pty Ltd submitted the best overall price with Wagstaff Piling Pty Ltd being 33.2% more expensive.

**Ruthven Bridge – Manufacture of pre-cast concrete bridge piles**

- Giles Contractors Pty Ltd	\$110,060.50
- Piling Contractors Pty Ltd	\$111,683.00
- Wagstaff Piling Pty Ltd	\$ 97,669.00

Wagstaff Pty Ltd submitted the best overall price with Giles Contractors Pty Ltd 12.7% and Piling Contractors Pty Ltd 14.3% more expensive.

**Ruthven Bridge – Installation of pre-cast concrete bridge piles**

- Giles Contractors Pty Ltd	\$172,601.00
- Piling Contractors Pty Ltd	\$108,317.02
- Wagstaff Piling Pty Ltd	\$ 88,550.00

Wagstaff Piling Pty Ltd has submitted the best overall price with Piling Contractors Pty Ltd 22.3% and Giles Contractors Pty Ltd 94.9% more expensive.

## 2. Capability & Experience

All tenderers have a demonstrated ability to supply and install the pre-cast concrete piles required for Ruthven Bridge. In terms of cast in-situ piling for Cullen Bridge however, Giles Contractors only demonstrated a limited depth of experience in this type of piling. Wagstaff Piling has completed cast in-situ piling for Council before and has demonstrated technical expertise and experience in this type of piling.

## 3. Quality & Safety

All tenderers have demonstrated an ability to supply a quality product under OH&S systems with Wagstaff Piling Pty Ltd having full independent accreditation for its quality and safety systems.

## 4. Environment & Community

Giles Contractors Pty Ltd and Piling Contractors Pty Ltd have showed an adequate level of awareness of environmental issues with Wagstaff Piling Pty Ltd having full independent accreditation for their environmental systems.

## 5. Local Content

Due to the nature of the services required for this tender, suitable contractors are mainly based in the larger metropolitan areas. Both Giles Contractors Pty Ltd and Wagstaff Piling Pty Ltd have stated that they will use local services and suppliers where possible. Piling Contractors did not supply any supporting information for Local Content in its documentation.

The rates tendered by Giles Contractors Pty Ltd resulted in the lowest costs for Cullen Bridge piling. Considering the remaining evaluation criteria specified in the tender (Capability & Experience, Quality & Safety, Environment & Community, and Local Content), however, Wagstaff Piling is the highest ranked tenderer, refer Appendix A to this report.

Wagstaff Piling supplied the lowest rates for both components of Ruthven Bridge piling and also ranked the highest in consideration of the remaining evaluation criteria.

## Referee Check

Wagstaff Piling Pty Ltd has supplied bridge piling services to Lismore City Council for many years on a large number of similar projects as to those specified in this tender. The company's services to date have always been to the standards required.

## Comments

### Financial Services

The \$9.04 million Regional Roads Timber Bridge Replacement Programme is 50% funded by the RTA and 50% funded by Council. Council's share is funded by loans. The programme commenced in 2007/08 and will be completed by 30 June 2011. It includes these works on Cullen and Ruthven Bridges. As such, the recommendation is supported.

## Other staff comments

### Manager - Works

Wagstaff Piling Pty Ltd has been utilised by Council on a large number of bridge piling works within the Lismore local government area and has demonstrated extensive capability and experience in this field.

I endorse the recommendation.

## Public consultation

Not required

## Conclusion

Wagstaff Piling Pty Ltd has ranked first in the evaluation criteria for the supply and installation of pre-cast concrete and cast in-situ piling for both bridges. In addition, Wagstaff Piling Pty Ltd has provided the lowest price for the supply and installation of pre-cast concrete piles for Ruthven Bridge.

Wagstaff Pty Ltd has demonstrated its capability and experience to supply and install pre-cast concrete and cast in-situ bridge piling for Cullen and Ruthven Bridges as outlined in the request for tender.

## Recommendation

That:

1. The contract for the supply and installation of pre-cast concrete and cast in-situ bridge piles for the two bridges outlined as part of the Regional Roads Timber Bridge Replacement Programme be awarded to Wagstaff Piling Pty Ltd with the total price of works being \$535,909.00 (inclusive of GST), based on the tender submission.
2. The Mayor and/or General Manager on behalf of Council be authorised to execute the contracts and attach the Common Seal of the Council.

**T2010-38 Quote Raw Score Sheet - Cullen Bridge**

	Criteria	Weighting	Giles Contractors	Weighted & calculated	Piling Contractors (Non-conforming)		Wagstaff Piling	Weighted & calculated
			Raw Score		Raw Score	Weighted & calculated	Raw Score	
1	Total Price (out of 10)	40%	7.25	2.90	0	0.00	6.35	2.54
2	Capability and Experience (out of 10)	25%	7	1.75	0	0.00	10	2.50
3	Quality and Safety (out of 10)	15%	7	1.05	0	0.00	10	1.50
4	Environment and Community (out of 10)	10%	5	0.50	0	0.00	10	1.00
5	Local Content Minimum 10% (Out of 10)	10%	7	0.70	0	0.00	7	0.70
		100%		6.90		0.00		8.24
<b>Total 100% or 100</b>				<b>69.00</b>		<b>0.00</b>		<b>82.40</b>

**T2010-38 Quote Raw Score Sheet - Ruthven Bridge Supply of Concrete Bridge Piling**

	Criteria	Weighting	Giles Contractors	Weighted & calculated	Piling Contractors	Weighted & calculated	Wagstaff Piling	Weighted & calculated
			Raw Score		Raw Score		Raw Score	
1	Total Price (out of 10)	40%	6.69	2.68	6.64	2.66	7.06	2.82
2	Capability and Experience (out of 10)	25%	10	2.50	10	2.50	10	2.50
3	Quality and Safety (out of 10)	15%	7	1.05	9	1.35	10	1.50
4	Environment and Community (out of 10)	10%	5	0.50	5	0.50	10	1.00
5	Local Content Minimum 10% (Out of 10)	10%	7	0.70	3	0.30	7	0.70
		100%		7.43		7.31		8.52
<b>Total 100% or 100</b>				<b>74.26</b>		<b>73.06</b>		<b>85.24</b>

### T2010-38 Quote Raw Score Sheet - Ruthven Bridge Installation of Concrete Bridge Piling

	Criteria	Weighting	Giles Contractors	Weighted & calculated	Piling Contractors	Weighted & calculated	Wagstaff Piling	Weighted & calculated
			Raw Score		Raw Score		Raw Score	
1	Total Price (out of 10)	40%	5.52	2.21	7.19	2.88	7.7	3.08
2	Capability and Experience (out of 10)	25%	10	2.50	10	2.50	10	2.50
3	Quality and Safety (out of 10)	15%	7	1.05	9	1.35	10	1.50
4	Environment and Community (out of 10)	10%	5	0.50	5	0.50	10	1.00
5	Local Content Minimum 10% (Out of 10)	10%	7	0.70	3	0.30	7	0.70
		100%		6.96		7.53		8.78
	<b>Total 100% or 100</b>			<b>69.58</b>		<b>75.26</b>		<b>87.80</b>

# Report

<b>Subject</b>	<b>Investments – May 2010</b>
<b>File No</b>	EF09/2209:ED10/10570
<b>Prepared by</b>	Management Accountant
<b>Reason</b>	Required by Local Government Act, 1993, Local Government (General) Regulation 2005 and Council's Investments Policy
<b>Objective</b>	To report on Council's Investments
<b>Strategic Plan Link</b>	Best-Practice Corporate Governance
<b>Management Plan Project</b>	Financial Services

## Overview of Report

Investments as at 31 May 2010 are estimated to be \$31,805,411 subject to final market valuations typically provided after month end.

The interest rate reported for May 2010 is estimated to be 7.90% which is above the Bank Bill Swap Rate for the period of 4.76%. The final interest return may vary due to actual returns achieved on investments advised after month end.

## 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 – 30 April 2010</i> | \$22,384,377 |
| • <i>Estimated Investments – at Market Value – 31 May 2010</i>         | \$31,805,411 |

The current rate of return on investments for May 2010 is estimated to be 7.90% which is above the Bank Bill Swap Rate for the period of 4.76%. 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.

There are still a number of investments not paying coupons. These include investments in Longreach – Series 25 and five Lehman Brothers related investments that are terminating. Torquay is also no longer paying coupons due to the total loss of capital after suffering the default of AMBAC Assurance, as previously advised in the Investments - March 2010 report to the April Council meeting . 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. A distribution has been received during May, 2010 of \$ 225,789.08 with a capital component of \$136,557.24 and interest component of \$89,231.84. The Annualised Coupon/Interest rate has been adjusted on the Estimated Interest attachment to reflect the interest component of the distribution. This has increased the weighted interest for the period to 7.90%. If this distribution had not been received the interest rate on other investments would have been reported as 4.70%, slightly below the Bank Bill Swap Rate for the period. The increased interest rate reported for the month due to the Blackrock Care and Maintenance Fund distribution, compensates for the months where no distribution is recorded and the interest return on the investment is reported as zero.

## **Richmond Tweed Regional Library**

To meet compliance requirements associated with being the Executive Council for Richmond Tweed Regional Library, Council must report on investments held by the Richmond Tweed Regional Library. Richmond Tweed Regional Library's investments have now been incorporated into the attachments and shown as part of the total investments held by Lismore City Council. For the month ended 31 May, 2010 the estimated total value of investments held by Richmond Tweed Regional Library is \$1,558,788. The current rate of return on the library's investments for May 2010 is estimated to be 5.37%.

## **Quarterly Investment Report**

Each quarter Council's independent investment advisors, CPG Research and Advisory, 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 March 2010 Quarter has recently been received and reviewed with the advisor. Consistent with previous reports, compliance with criteria established has been achieved for the March 2010 Quarter. A full copy of the report has been emailed to Councillors along with a brief summary of the contents.

## **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

There are two items that need specific comment. These are the increase in investments from April to May and estimated interest rate for the month.

Investments increased from April to May by approximately \$9.4 million. The main component of this increase is the receipt of \$6.0 million in loan funds from the NSW Local Infrastructure Fund for the Southern Trunk Main. Any interest earned from these funds must be used on the Southern Trunk Main. The balance relates to the fourth rates instalment due in May and Financial Assistance Grant quarterly payment.



As to the annualised interest rate of 7.9% for the month, this is inflated by the ad-hoc receipt of interest payment from the Blackrock Care and Maintenance Fund. As to the value or timing of future interest payments, it is not possible to reliably assess these hence the approach adopted to only recognise on receipt. While not ideal, this is reasonable given the arrangement in place is to best manage the termination of the fund.

## 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 31 May 2010 investments total \$31,805,411 and the annualised rate of return was 7.90%.

This report includes investment information for the Richmond Tweed Regional Library. As Council is the Executive Council for the Richmond Tweed Regional Library, this information must be reported to Council.

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**  
**31 May, 2010**

Name of Investment / & Counterparty	Type of Investment	Rating	Assessment of return of Capital	Purchase Date	Maturity Date	Last Date Confirmed Valuation Available	Balance Sheet Valuation (Note 1)	Current Market Value (Note 4)	
<b>Cash Based Returns</b>									
Blackrock Care & Maintenance Fund	Managed Fund	A	High	15/10/2008	N/A	24/05/2010	\$ 1,863,300	\$ 2,063,320	Note 3
CBA Business On Line Banking A/c	Cash Management Account	Cash	High	N/A	N/A	24/05/2010	\$ 3,832,500	\$ 3,832,500	
Macquarie Cash Management Trust	Cash Management Account	Not Rated (Note 7)	High	1/9/2006	N/A	24/05/2010	\$ 252,382	\$ 252,382	
ANZ High Yield Cash Account	Cash Management Account	AA	High	N/A	N/A	24/05/2010	\$ 1,760,269	\$ 1,760,269	
Credit Union Australia (CUA)	Term Deposit	Not Rated (Note 7)	High	6/4/2010	7/6/2010	6/04/2010	\$ 2,000,000	\$ 2,000,000	
Newcastle Permanent	Term Deposit	A2	High	19/4/2010	18/6/2010	19/04/2010	\$ 1,000,000	\$ 1,000,000	
Southern Cross Credit Union	Term Deposit	Not Rated (Note 7)	High	12/5/2010	14/7/2010	12/05/2010	\$ 2,000,000	\$ 2,000,000	
Suncorp Bank	Term Deposit	A-1	High	20/5/2010	18/8/2010	20/05/2010	\$ 2,000,000	\$ 2,000,000	
Community CPS Australia Ltd	Term Deposit	Not Rated (Note 7)	High	20/5/2010	18/8/2010	20/05/2010	\$ 2,000,000	\$ 2,000,000	
Savings & Loans Credit Union	Term Deposit	Not Rated (Note 7)	High	20/5/2010	23/8/2010	20/05/2010	\$ 2,000,000	\$ 2,000,000	
IMB Banking & Financial Services	Term Deposit	A2	High	18/5/2010	26/8/2010	18/05/2010	\$ 2,000,000	\$ 2,000,000	
Westpac Banking Corporation	Term Deposit	AA	High	4/12/2009	4/12/2010	4/12/2009	\$ 2,000,000	\$ 2,000,000	
Newcastle Permanent	Term Deposit	A2	High	18/12/2009	20/12/2010	18/12/2009	\$ 1,000,000	\$ 1,000,000	
Summerland Credit Union	Term Deposit	Not Rated (Note 7)	High	17/11/2010	17/11/2011	17/01/2010	\$ 1,000,000	\$ 1,000,000	
Merrill Q A/A FRN / CBA	Floating Rate Note	A+	High	22/3/2005	8/6/2010	30/04/2010	\$ 949,250	\$ 998,950	
Bishopsgate (Wentworth)	Floating Rate CDO	AA	High	1/9/2006	20/9/2010	30/06/2009	\$ 435,100	\$ 435,100	Note 5
Herald Limited (Quartz)	Floating Rate CDO	B+	Low	1/9/2006	20/12/2010	31/03/2010	\$ 13,572	\$ 13,572	Note 5
Cypress (Lawson)	Floating Rate CDO	BBB+	Low	1/9/2006	30/12/2010	30/06/2009	\$ 379,500	\$ 379,500	Note 5
Deutsche Bank CG Yield Curve Note	Euro Bond	Not Rated (Note 7)	High	1/9/2006	18/10/2011	30/06/2009	\$ 247,500	\$ 247,500	Note 5
BELO (Kalgoorlie)	Commodity Backed Security	AA+	High	1/9/2006	27/2/2012	30/06/2009	\$ 580,440	\$ 580,440	Note 5
Magnolia (Flinders)	Floating Rate CDO	BB+	Low	1/9/2006	20/3/2012	30/06/2009	\$ 210,000	\$ 210,000	Note 5
Omega (Henley)	Floating Rate CDO	CCC	Low	1/9/2006	22/6/2012	30/06/2009	\$ 126,200	\$ 126,200	Note 5
Beryl (Esperance 2)	Floating Rate CDO	BB+	Low	1/9/2006	20/3/2013	30/06/2009	\$ -	\$ -	Note 5
Corsair (Torquay)	Floating Rate CDO	CCC-	Low	1/9/2006	20/6/2013	30/06/2009	\$ 59,400	\$ -	Note 5
Zircon (Merimbula)	Floating Rate Note	C	Low	1/9/2006	20/6/2013	30/06/2009	\$ -	\$ -	Note 5
Corsair (Kakadu)	Floating Rate CDO	CCC	Low	1/9/2006	20/3/2014	30/06/2009	\$ 124,550	\$ 124,550	Note 5
Longreach - Series 25	Equity Linked Investment	AA-	High	2/4/2007	4/4/2014	30/06/2009	\$ 662,800	\$ 666,140	Note 2
Helium (Scarborough)	Floating Rate CDO	CCC-	Low	1/9/2006	23/6/2014	30/06/2009	\$ 2,200	\$ 2,200	Note 5
Beryl (Global Bank Note)	Floating Rate Note	C	Low	1/9/2006	20/9/2014	30/06/2009	\$ -	\$ -	Note 5
Zircon (Coolangatta)	Floating Rate CDO	C	Low	1/9/2006	20/9/2014	30/06/2009	\$ -	\$ -	Note 5
Aphex (Gleneig)	Floating Rate CDO	CCC+	Low	1/9/2006	22/12/2014	30/06/2009	\$ 60,900	\$ 60,900	Note 5
Bendigo Bank FR Sub Debt	Subordinate Debt	Not Rated (Note 7)	Medium	1/9/2006	14/12/2015	30/04/2010	\$ 440,100	\$ 493,400	Note 5
Elders Rural Bank Sub Debt	Subordinate Debt	Not Rated (Note 7)	Medium	1/9/2006	16/3/2016	30/04/2010	\$ 864,000	\$ 999,700	Note 5
Zircon (Miami)	Floating Rate CDO	C	Low	1/9/2006	20/3/2017	30/06/2009	\$ -	\$ -	Note 5
CBA - RTRL General Account	Cheque Account	Cash	High	N/A	N/A	14/05/2010	\$ 12,251	\$ 12,251	
CBA - RTRL Cash Management Account	Cash Management Account	Cash	High	N/A	N/A	14/05/2010	\$ 4,294	\$ 4,294	
CBA - RTRL Trust Account	Trust Account	Cash	High	N/A	N/A	14/05/2010	\$ 2,244	\$ 2,244	
Local Government Financial Services - RTRL	Term Deposit	A1	High	1/4/2010	27/5/2010	1/04/2010	\$ 450,000	\$ 450,000	
Local Government Financial Services - RTRL	Term Deposit	A1	High	1/4/2010	30/6/2010	1/04/2010	\$ 350,000	\$ 350,000	
Local Government Financial Services - RTRL	Term Deposit	A1	High	1/4/2010	28/9/2010	1/04/2010	\$ 90,000	\$ 90,000	
Commonwealth Bank of Australia - RTRL	Term Deposit	A1+	High	30/11/2009	29/11/2012	30/11/2009	\$ 400,000	\$ 400,000	
Local Government Financial Services - RTRL	Term Deposit	A1	High	22/12/2009	16/12/2010	22/12/2009	\$ 250,000	\$ 250,000	
<b>Investment on Hand</b>							<b>\$ 31,422,552</b>	<b>\$ 31,805,411</b>	

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

Southern Cross Credit Union	Term Deposit	Not Rated (Note 7)	High	8/4/2010	12/5/2010	8/04/2010	\$ 2,000,000	\$ 2,000,000
IMB Banking & Financial Services	Term Deposit	A2	High	19/3/2010	18/5/2010	19/03/2010	\$ 2,000,000	\$ 2,000,000
Local Government Financial Services	Term Deposit	A1	High	22/03/2010	17/05/2010	22/03/2010	\$ 250,000	\$ 250,000
Local Government Financial Services	Fixed out Performance Fund	A1	High	N/A	N/A	N/A	\$ 99	\$ 99
Local Government Financial Services	Cash Management Account	A1	High	N/A	N/A	N/A	\$ 248,006	\$ 248,006

**\$ 35,920,657    \$ 36,303,516**

Note 1: Balance Sheet Valuation is the value reported in Council's Financial Report as at 30 June, 2009 or the purchase price for investments purchased post 30/06/09  
Note 2: Capital Guaranteed note if held to maturity  
Note 3: The Balance sheet Valuation 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	25,186,705
Internally Restricted	6,618,706
	<u>\$ 31,805,411</u>

**Estimated Interest  
Summary of Investments held as at  
31 May, 2010**

Name of Investment / & Counterparty	Type of Investment	Rating	Annualised Coupon / Interest Rate	Current market Value (Note 6)	Estimated Interest for Period	Weighted Interest for Period
<b>Cash Based Returns</b>						
Blackrock Care & Maintenance Fund	Managed Fund	A	46.52%	\$ 2,063,320	\$ 81,522	3.20%
CBA - Business On Line Banking A/c	Cash Management Account	Cash	4.10%	\$ 3,832,500	\$ 13,346	0.52%
Macquarie Cash Management Trust	Cash Management Account	Not Rated	2.81%	\$ 252,382	\$ 602	0.03%
ANZ High Yield Cash Account	Cash Management Account	AA	5.00%	\$ 1,760,269	\$ 7,475	0.32%
Credit Union Australia (CUA)	Term Deposit	Not Rated	5.96%	\$ 2,000,000	\$ 10,124	0.40%
Newcastle Permanent	Term Deposit	A2	5.74%	\$ 1,000,000	\$ 4,875	0.19%
Southern Cross Credit Union	Term Deposit	Not Rated	5.93%	\$ 2,000,000	\$ 6,174	0.24%
Suncorp Bank	Term Deposit	A-1	5.91%	\$ 2,000,000	\$ 3,562	0.14%
Community CPS Australia	Term Deposit	Not Rated	6.15%	\$ 2,000,000	\$ 3,707	0.15%
Savings & Loans Credit Union	Term Deposit	Not Rated	6.00%	\$ 2,000,000	\$ 3,616	0.14%
IMB Banking & Financial Services	Term Deposit	A2	5.88%	\$ 2,000,000	\$ 4,188	0.16%
Westpac Banking Corporation	Term Deposit	AA	6.80%	\$ 2,000,000	\$ 11,551	0.45%
Newcastle Permanent	Term Deposit	A2	7.00%	\$ 1,000,000	\$ 5,945	0.23%
Summerland Credit Union	Term Deposit	Not Rated	6.50%	\$ 1,000,000	\$ 5,521	0.22%
Merrill Q A/A FRN - CBA	Floating Rate Note	A+	4.58%	\$ 998,950	\$ 3,887	0.15%
Bishopsgate (Wentworth)	Floating Rate CDO	AA	4.53%	\$ 435,100	\$ 1,922	0.07%
Herald Limited (Quartz)	Floating Rate CDO	B+	5.74%	\$ 13,572	\$ 146	0.00%
Cypress (Lawson)	Floating Rate CDO	BBB+	4.53%	\$ 379,500	\$ 1,922	0.06%
Deutsche Bank CG Yield Curve Note	Euro Bond	Not Rated	6.71%	\$ 247,500	\$ 1,425	0.06%
BELO (Kalgoorlie)	Commodity Backed Security	AA+	5.28%	\$ 580,440	\$ 3,139	0.11%
Magnolia (Flinders)	Floating Rate CDO	BB+	4.24%	\$ 210,000	\$ 1,080	0.03%
Omega (Henley)	Floating Rate CDO	CCC	5.04%	\$ 126,200	\$ 1,712	0.02%
Beryl (Esperance 2)	Floating Rate CDO	BB+	0.00%	\$ -	\$ -	0.00%
Corsair (Torquay)	Floating Rate CDO	CCC-	0.00%	\$ -	\$ -	0.00%
Zircon (Merimbula)	Floating Rate Note	C	0.00%	\$ -	\$ -	0.00%
Corsair (Kakadu)	Floating Rate CDO	CCC	5.64%	\$ 124,550	\$ 2,395	0.03%
Longreach - Series 25	Equity Linked Note	AA-	0.00%	\$ 666,140	\$ -	0.00%
Helium (Scarborough)	Floating Rate CDO	CCC-	5.46%	\$ 2,200	\$ 927	0.00%
Beryl (Global Bank Note)	Floating Rate Note	C	0.00%	\$ -	\$ -	0.00%
Zircon (Coolangatta)	Floating Rate CDO	C	0.00%	\$ -	\$ -	0.00%
Aphex (Glennelg)	Floating Rate CDO	CCC+	5.94%	\$ 60,900	\$ 2,522	0.01%
Bendigo Bank FR Sub Debt	Subordinate Debt	Not Rated	4.74%	\$ 493,400	\$ 2,013	0.08%
Elders Rural Bank Sub Debt	Subordinate Debt	Not Rated	4.79%	\$ 999,700	\$ 4,068	0.17%
Zircon (Miami)	Floating Rate CDO	C	0.00%	\$ -	\$ -	0.00%
CBA - RTRL General Account	Cheque Account	Cash	2.45%	\$ 12,251	\$ 25	0.00%
CBA - RTRL Cash Management Account	Cash Management Account	Cash	0.40%	\$ 4,294	\$ 1	0.00%
CBA - RTRL Trust Account	Trust Account	Cash	2.45%	\$ 2,244	\$ 5	0.00%
Local Government Financial Services - RTRL	Term Deposit	A1	5.40%	\$ 450,000	\$ 1,798	0.08%
Local Government Financial Services - RTRL	Term Deposit	A1	5.50%	\$ 350,000	\$ 1,635	0.06%
Local Government Financial Services - RTRL	Term Deposit	A1	6.25%	\$ 90,000	\$ 478	0.02%
Commonwealth Bank of Australia - RTRL	Term Deposit	A1+	7.00%	\$ 400,000	\$ 2,378	0.09%
Local Government Financial Services - RTRL	Term Deposit	A1	6.75%	\$ 250,000	\$ 1,433	0.06%
<b>Investment on Hand</b>				<b>\$ 31,805,411</b>	<b>\$ 197,120</b>	<b>7.50%</b>

Note 1,3

Note 2,5

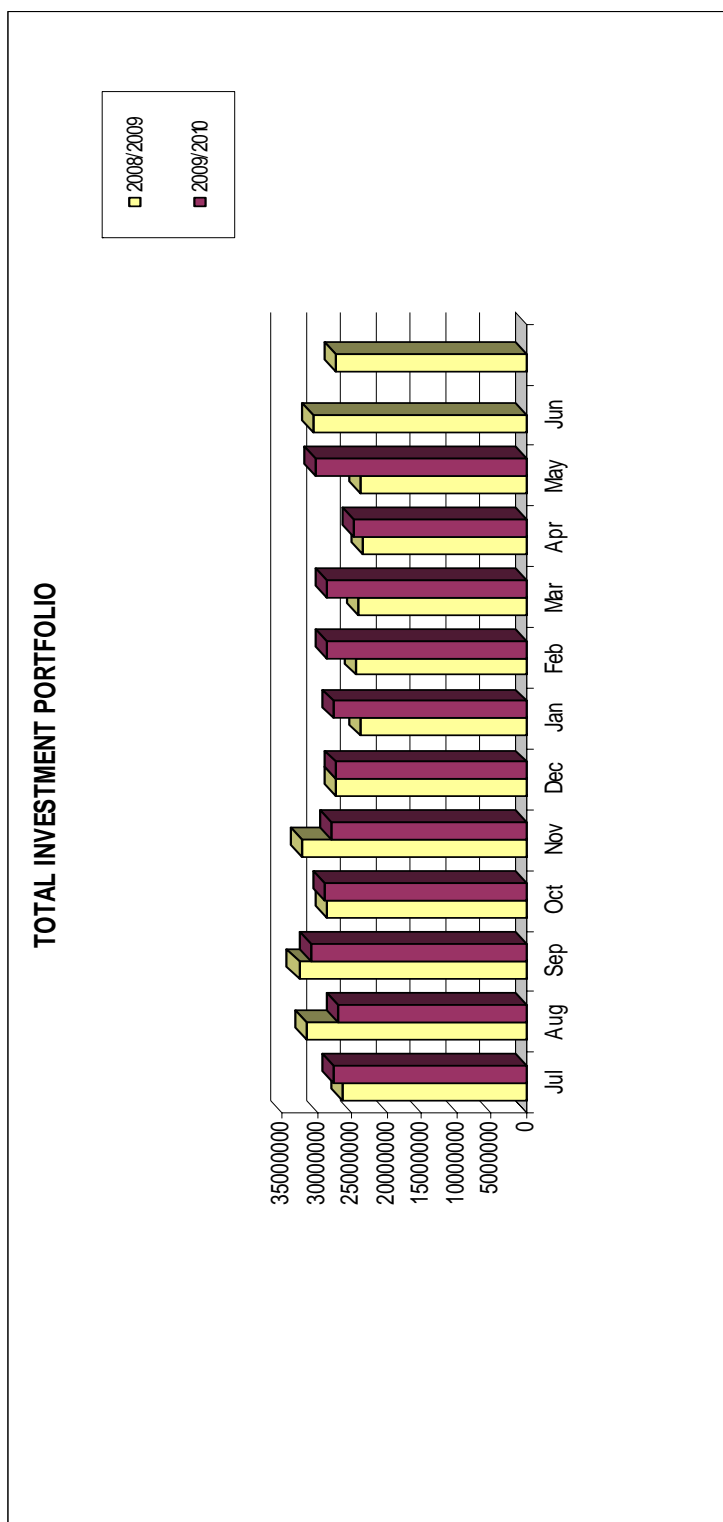
Note 4

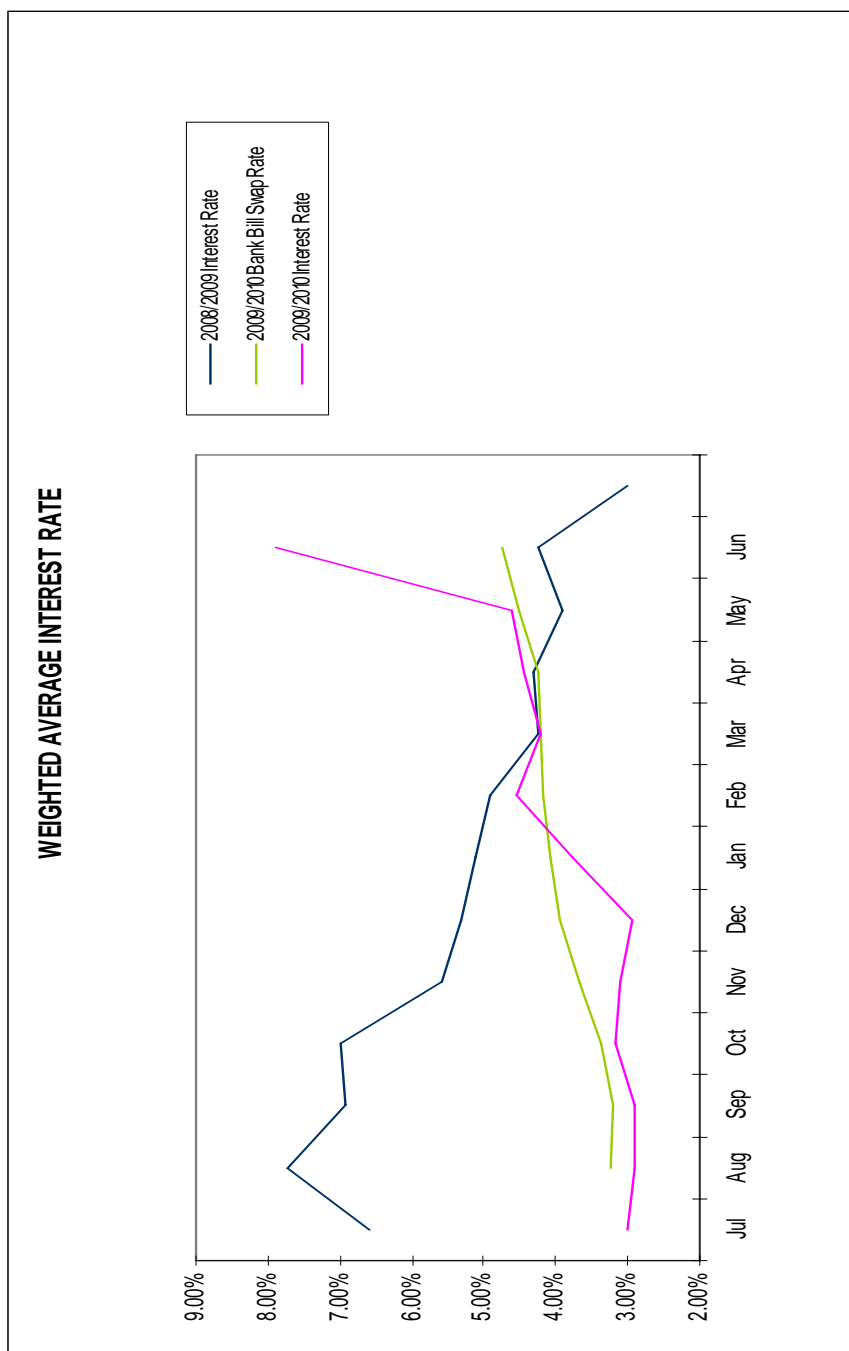
**Investments Redeemed during period**

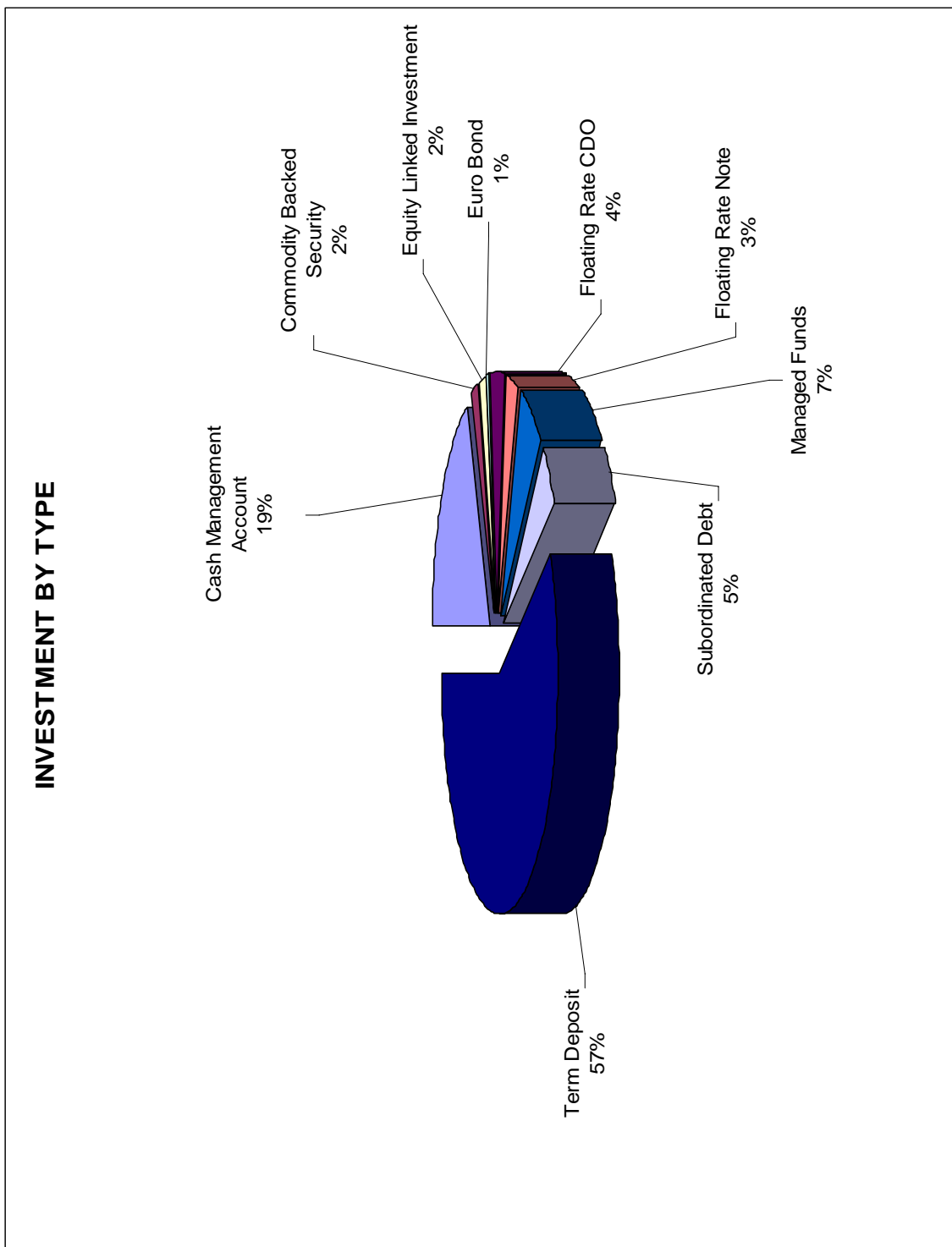
Southern Cross Credit Union	Term Deposit	A2	5.61%	\$ 2,000,000	\$ 3,689	0.16%
IMB Banking & Financial Services	Term Deposit	Not Rated	5.20%	\$ 2,000,000	\$ 5,129	0.22%
Local Government Financial Services	Term Deposit	A1	5.40%	\$ 250,000	\$ 629	0.03%
Local Government Financial Services	Fixed out Performance Fund	A1	4.37%	\$ 99	\$ 0	0.00%
Local Government Financial Services	Cash Management Account	A1	4.50%	\$ 248,006	\$ 31	0.00%

31/5/2010 **7.90%**  
**\$ 36,303,516** **\$ 206,597**

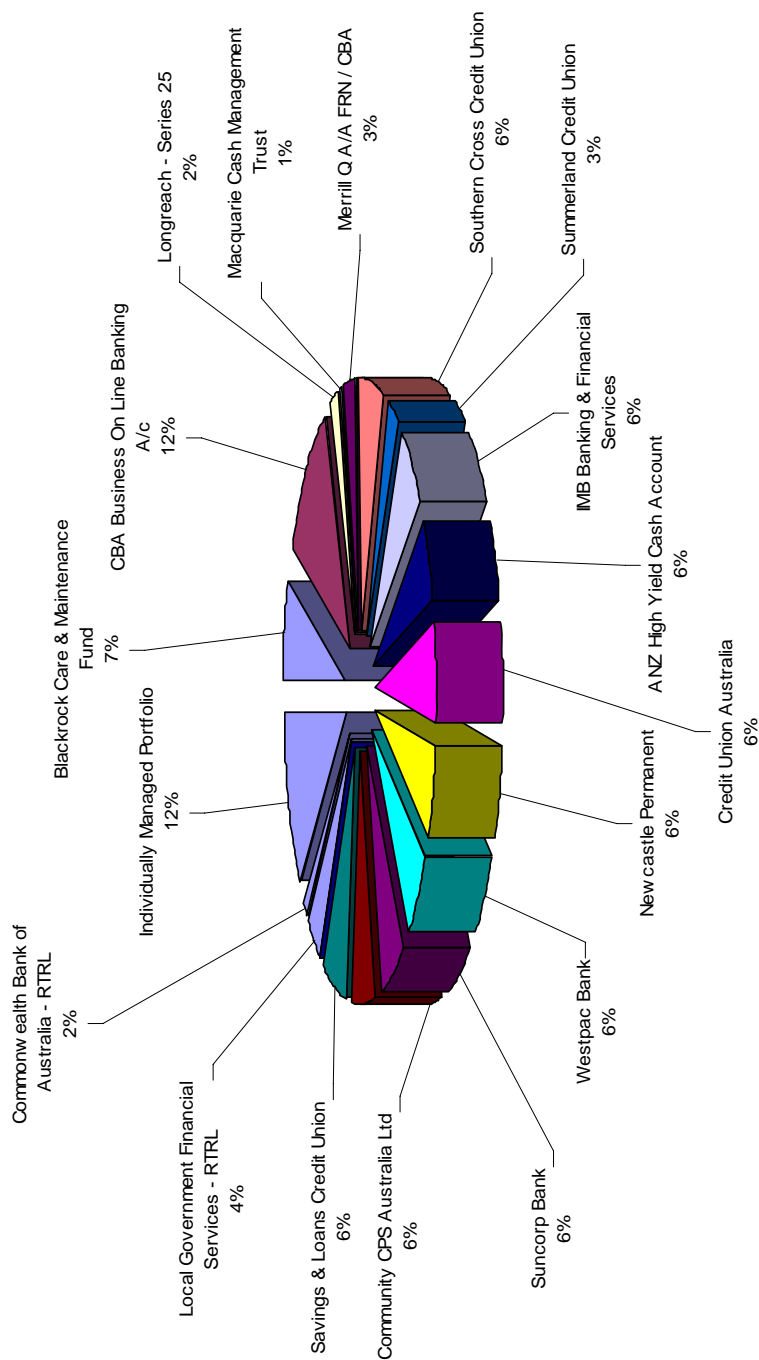
Note 1: Interest return is calculated on (actual interest + plus accrued interest + plus realised gains - losses on disposal - expenses) / principal value  
 Note 2: Capital Guaranteed note if held to maturity  
 Note 3: Blackrock interest rate is shown as zero as regular distributions are not being received. When a distribution is received the interest rate is adjusted for that month accordingly.  
 Note 4: Estimated Interest for Period is calculated by multiplying the annualised rate by the purchase price and reflects both interest accrued and received.  
 Note 5: No Coupon currently payable under terms of the investment.  
 Note 6: Latest estimates based on information provided by investment managers and prior period performance.







## Investment by Institution





# Traffic Advisory Committee Minutes

## 19 May 2010

**MINUTES OF THE TRAFFIC ADVISORY COMMITTEE HELD IN MAGELLAN ROOM, CBD CENTRE, 55 MAGELLAN STREET, LISMORE ON WEDNESDAY, 19 MAY 2010 AT 10.00AM.**

**(BP10/89:EF09/1963)**

### Present

Councillor Jenny Dowell (*Chairperson*), Bronwyn Mitchell (*on behalf of Thomas George MP Member for Lismore*), Frank Smallman (*RTA*) and Snr. Const. Rob Clarke (*Lismore Police*).

### In Attendance

Bill MacDonald (*Traffic & Emergency Services Co-ordinator*).

### Apologies

**TAC33/10** An apology for non-attendance on behalf of Thomas George MP (*Member for Lismore*) was received and accepted.

### Confirmation of Minutes

**TAC34/10** The Committee was advised that the minutes of the Traffic Advisory Committee held on 21 April 2010 were confirmed by Council on 11 May 2010.

### Disclosure of Interest

Nil

### Part 'A' – Committee Recommendations

#### **Kadina High School - Pedestrian Access for Students**

Raising concerns regarding student entry to and from the school at Kadina Street and Ballina Road.

Although there is a covered walkway which students should use to cross Ballina Road, because the bus stop is on the other side of the roundabout they do not access it.

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#### **1. Students dropped at Ballina Road Bus Stop**

As a result of representations from Kadina High School considerable funds were expended some years ago in installing an overpass in order to remove any potential conflict between pedestrian and vehicular traffic on Ballina Road.

Currently students are using the refuge on Ballina Road, which has been highlighted, and is in a 60km zone and not a 40km school zone. Kadina High School does not have direct frontage onto Ballina Road and the introduction of a 40kph school zone does not meet with RTA guidelines. Discussions have been held with the Principal and bus operators to ascertain whether it is possible for them to drive in to Kadina Street and use the dedicated bus zone rather than dropping off on the Highway. Northern Rivers Buslines have confirmed that there would only be the odd occasion when buses had not used the dedicated bus bay in Kadina Street, however he would raise the issue at his next meeting with drivers to ensure they did all use this bay in the future.

#### **2. Pedestrian Crossing in Kadina Street**

An inspection of the site revealed that the pedestrian refuge is located within a safe distance from the roundabout on the border of the 40km school zone. The location of this refuge is to ensure pedestrians can cross safely from both sides of the road with maximum sight distance from either direction. Any relocation of this refuge would not prevent students from using this point of access to cross the road as this provides the most direct link between the bus stop and the school. A refuge is considered the most appropriate facility and gives a shared responsibility on safe crossing movements. These views have been conveyed to the Principal and he has accepted the reasoning behind the current facility.

**3. Pedestrian Railings**

The current pedestrian fencing at the bus bay in Kadina Street commences at the beginning of the footpath closest to the road. This is putting a direct barrier between pedestrians and the road. Bus operators should not be pulling up prior to the railing as there is insufficient length from the start of the bus bay turn in. The introduction of a 'No Stopping' zone between the school entrance and the start of the railing will ensure that buses do not use this area.

**TAC35/10**

**Recommended that:**

1. It be confirmed with the Kadina High School Principal that the relocation of the pedestrian refuge in Kadina Street is not considered warranted and that discussions had been held with Northern Rivers Buslines to ensure that students are dropped off at the existing bus bay facility in Kadina Street.
2. That a 'No Stopping' zone be introduced in Kadina Street between the school driveway entrance and the existing railing at the start of the bus bay.

(CI10/11752:R6469:R6408)

**Lismore Lantern Parade – Saturday, 26 June 2010**

Traffic Control Plan showing proposed street closures and parade route for the Lantern Parade.

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This year's event will be held on Saturday 26 June, 2010 with anticipated numbers attending being approximately 20,000 people for the parade and 8,000 people for the finale performance. The parade will travel on the left side of the road from the Library carpark along Magellan Street, across Keen Street to Magellan Street then along Molesworth Street to the Conway Street roundabout moving across to the right hand side before the roundabout, turning right into Market Street, left into Victoria Street and entering Riverside Park through the car park gate.

This will involve the closure of the entry and exit to the Keen Street car park and the Library carpark. Temporary road closures will also take effect.

This event is in its seventeenth year and has been held previously without incident.

**TAC36/10**

**Recommended** that approval be granted in accordance with the Traffic Management Plan.

(CI10/12737:EF09/1898)

**Summerland Sports and Classic Car Club Inc. – Annual Car Show – 1 August 2010**

Enclosing Traffic Control Plan showing proposed street closures and advising set up will be from 6.00am and clear up by 4.30pm.

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This year's event will be held on Sunday 1 August 2010 with anticipated numbers attending being approximately 1,000 people.

It is proposed to hold the event in Bounty Street and on the southern end of Carrington Street. This is an annual event and has been held previously without incident.

**TAC37/10** **Recommended** that approval be given in accordance with the Traffic Management Plan. (CI10/10221:R7301:EF10/129)

**Lismore Turf Club - Truck Parade – Saturday, 31 July 2010**

Enclosing Traffic Control Plan showing proposed street closures and parade route.

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This year's event will be held on Saturday 31 July 2010 with approximately 100 vehicles taking part. The parade will travel from the Lismore Turf Club via Winterton Parade and Molesworth Street.

This will involve the temporary closure of Winterton Parade and Molesworth Street. This event is in its ninth year and has been held previously without incident.

**TAC38/10** **Recommended** that approval be given in accordance with the Traffic Management Plan. (CI10/11840:EF09/1881)

**Australia's Strongest Man Competition - Truck Pull Event**

Forwarding a proposal to stage event one of the competition on the western side of Keen Street north of Magellan Street on Saturday 5 June 2010

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An event program and Traffic Management Plan were tabled showing a proposal to close the western side of Keen Street, between Magellan Street and the mid block crossing from 10.20am to 11.50am to enable the first stage of the event to be held before moving on to Oakes Oval for the remainder of the program.

A similar event has been held further north in Keen Street for the last two years. Some through traffic was permitted during these events however due to concerns for pedestrian safety it is proposed to now detour traffic at the intersection of Magellan Street, effectively prohibiting all through vehicle movements within the proposed event area. Motorists who have parked along the western side of Keen Street prior to the event will need to be allowed to vacate at the appropriate time by on site traffic controllers.

**TAC39/10** **Recommended** that approval be granted for the proposed event in accordance with the Traffic Management Plan. (ED10/9894,9896:EF10/129)

## Part 'B' – Determined by Committee

### **Marion Conrow – Heavy Traffic in Elliott Road, South Lismore**

Drawing attention to the heavy traffic in Elliott Road and suggesting speed humps be installed to slow cars down and maybe traffic could be redirected back to Casino Street or Caniaba Street to eliminate trucks using Elliott Road.

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Elliott Road links Caniaba Road through to Ballina Road. The section of road identified is approx. 1.2km in length. Elliott Road has carried significant heavy vehicle traffic for many years with a number of heavy transport businesses operating from the western end. It is also an approved B-double route.

The installation of speed humps is not considered appropriate, however arrangements have been made to install a classifier to ascertain vehicle speeds and the results will be forwarded to Police for their information and action as necessary.

**TAC40/10** It was agreed that the writer be advised that speed humps are not considered warranted in Elliott Road and that the results of a speed survey will be forwarded to Police for attention. (CI10/9076:R6917)

### **Caniaba Road/Bruxner Highway – Lighting of Intersection**

A request had been received for installation of a light at this corner due to the difficulty in seeing the turnoff at night.

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There is currently no lighting at the intersection of Caniaba Road and the Bruxner Highway and this would not normally be lit given it is in a rural environment. There is sufficient line marking and reflectors to indicate the turning lane from the Bruxner Highway into Caniaba Road, however the south western corner would benefit from the installation of guideposts to better define the curve. This would assist in foggy conditions.

There have been fourteen crashes identified at this point between 2000 and 2008; 35% of these crashes were at night. Of this 35% almost half of these crashes were attributed to speed and fatigue with none being related to lack of lighting.

**TAC41/10** It was agreed that this matter be referred to Council's Roads Section with a view to installing guideposts around the south western corner of the intersection of the Bruxner Highway and Caniaba Road. (R4807,R4701)

### **Request for Pedestrian Access – Union Street, South Lismore to Bridge Street, North Lismore at Coleman Bridge**

A request has been received for provision of traffic solution options to enable pedestrians to get safely from Union Street to Bridge Street via Coleman Bridge.

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An inspection of the site was undertaken from the pedestrian crossing in Union Street to the CBD end of Coleman Bridge. The pedestrian network accessing Coleman Bridge on the eastern side is complete and this is not an issue. However, if accessing Coleman Bridge on the eastern side there is no safe option to cross to the western side to enter Bridge Street.

There is a gap in the railing on the southern side of the roundabout between the two

bridges but no other means of accessing the footpath from Bridge Street towards the Winsome Hotel. It may be possible to provide a gap in the existing centre median at the roundabout and a kerb ramp on the northern side of the bridge.

Council's Urban Works Engineer had advised that this had not been previously identified in Council's Pedestrian Access and Mobility Plan (PAMP), however it was likely that this would be reviewed within the next twelve months.

**TAC42/10** **It was agreed** that the proposal to upgrade pedestrian access from the southern side of Coleman Bridge across to Bridge Street be referred to Council's Roads Section for inclusion in any formal review of the existing PAMP. (R6938:R6208)

**D & J Marsh, 24 Napier Street – Concealed Driveway**

Requesting installation of a 'Concealed Entrance' sign at 24 Napier Street, Goonellabah.

An inspection of the location revealed that the sight distance of oncoming vehicles when exiting could be significantly improved by thinning out and removing some of the vegetation to the eastern side of their property.

An onsite meeting with the property owners revealed that they were in agreement with this option. If this work is done there is no need for additional signage.

**TAC43/10** **It was agreed** that the advice given to the property owner of 24 Napier Street in relation to trimming of vegetation as discussed onsite 11 May 2010 be noted.(C110/11801:R7487)

**Dawson Street – Lack of Lighting over Pedestrian Crossing**

Concern raised by Richmond Local Area Police.

Local police are concerned at the lack of lighting over the pedestrian crossing in Dawson Street near the Uralba Street roundabout and have witnessed a number of near misses.

**TAC44/10** **It was agreed** that the provision of pedestrian lighting above the existing pedestrian crossing in Dawson Street, south of Woodlark Street be referred to the appropriate Council Officer with a view to obtaining a quotation for the consideration of the installation of pedestrian lighting at this location and this should be placed on a works plan pending budgetary requirements. (R6017)

**John Devoy - Intersection of Brunswick Street and Donnans Road**

Raising safety concerns for motorists exiting Donnans Road onto Brunswick Street and requesting consideration of providing a merging lane.

Two plans were tabled at the meeting showing variations in a proposal to provide a left turn merging lane. Mr Smallman advised that it was unlikely that the RTA would approve either of these designs given the angle at which motorists would be required to merge.

It was suggested that further investigations be carried out with a view to developing a plan for the provision of a left turn storage lane in Donnans Road in addition to the existing single lane which caters for both right and left turn movements.

- TAC45/10** It was agreed that this matter be referred back to Council's Design Section for further investigation with a view to developing a plan and estimate for the construction of a left turn storage lane in Donnans Road at its intersection with Brunswick Street and this be forwarded to the RTA for consideration of approval and funding.  
(CI10/12335:RP09/24,R7113)

**Rural Contact Forum - Coffee Camp**

A meeting was held recently at Coffee Camp and a number of issues were raised relative to traffic issues.

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**a) Parking outside Coffee Camp Public School**

Mr MacDonald advised that a meeting had been held recently on site with School representatives, Police and the bus operator where it was agreed that action would be taken by the school reinstate the internal bus pick up area. This would free up parking in front of the school and reduce any concerns relating to sight distance.

**b) Richmond River High School – Pedestrian Movements at the Intersection of Molesworth Street and Orion Street**

It was noted that footpath links in this area had recently been upgraded and the potential to install a pedestrian refuge in Molesworth Street close to Orion Street had been investigated however, there had been insufficient width to include the refuge. The installation of a marked pedestrian crossing would not meet warrants in terms of both numbers and sight distance requirements. The section of Molesworth Street between Orion Street and Zadoc Street has been identified for reconstruction on the current works program and a further assessment of pedestrian needs would be included at that stage.

**c) Intersection of Nimbin Road and Boyle Road – Line Marking**

It was suggested that this matter be referred to Council's Rural Works Engineer to investigate and assess the need for any line marking adjustment to ensure it met with the relevant standards.

**TAC46/10** It was agreed that:

- a) The action to be taken regarding parking by Coffee Camp Public School be noted.
- b) Richmond River High School be advised that the section of Molesworth Street between Orion Street and Zadoc Street has been identified for reconstruction on the current works program and a further assessment of pedestrian needs would be included at that stage.
- c) The matter of linemarking at the intersection of Nimbin Road and Boyle Road be referred to Council's Rural Works Engineer to investigate and assess the need for any linemarking adjustment to ensure it met with the relevant standards.

(EF09/1438:R2801:R7322)

**Patrick Fitzbugden - Intersection of Ballina Road and Bruxner Crescent  
(eastern leg)**

Raising concerns relating to safety at the above intersection and requesting action be taken to assist in reducing the incidence of accidents.

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It was noted that for the five years or so prior to 2008 there had been 15 accidents in this area with 12 of the 15 being rear end accidents. Both this intersection and the intersection of Ballina Road and William Blair Drive continued to rate highly in the number of accidents.

It is the Committee's view that intersections along the whole section of the Bruxner Highway between Gallagher Drive and Rous Road were in urgent need of upgrading in order to remedy the current situation.

- TAC47/10** **It was agreed** that a letter be written to the Roads and Traffic Authority outlining Council's concerns that intersections along the whole section of the Bruxner Highway between Gallagher Drive and Rous Road were in urgent need of upgrading in order to remedy the current situation and requesting that funding be fast tracked to ensure any proposed works be implemented at the earliest opportunity. (R6408)

**James Gibson Road - Speed Limit**

Request for reduction in speed limit.

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Mr Smallman advised that a speed limit assessment had been completed and he had recommended that the speed limit on James Gibson Road be reduced to 80kph. The necessary sign posting adjustments will be carried out once the 'Direction to Restrict' had been received from the RTA.

- TAC48/10** **It was agreed** that the speed limit signs on James Gibson Road be changed to 80kph upon receipt of the 'Direction to Restrict' from the RTA. (R3902)

**Closure**

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



## Documents for Signing & Sealing

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

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

### Recommendation

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

#### **Letter of Offer – NAB Business Markets – Flexible Rate Loan**

Council resolved at its Extra Ordinary Meeting on 18 June 2009 to borrow up to \$8,694,000 for works detailed in the 2009/10 - 12 Management Plan. Council also resolved in May 2010 to borrow \$140,000 for Flood Mitigation in 2009/10.

The borrowing program has been revised based on requirements and quotes requested. The final amount borrowed is \$6,830,000 being for:

1. Trunk Drainage	\$ 100,000
2. Cycleways	\$ 100,000
3. Flood Mitigation	\$ 140,000
4. The Margaret Olley Art Centre	\$ 260,000
5. Woodlark Street	\$ 675,000
6. RTA Timber Bridge Replacement	\$1,155,000
7. Mains Replacement - Wastewater	\$2,800,000
8. Mains Replacement - Water	\$1,600,000

Quotes were requested from Commonwealth Bank of Australia, Westpac Banking Corporation and National Australia Bank.

National Australia Bank's quote has been accepted with a 20 year fixed term of 7.70% p.a with semi annual repayments. This option was considered the most equitable in the current economic conditions. While there are immediate benefits of fixing for a short term (i.e 2 or 5 years), the potential risk of interest rates rising for the remaining term (up to 20 years) outweighs the short term benefits. Consensus that the likelihood of current fixed rates increasing over time is high and this risk is to be avoided.

The borrowings were drawn down on 2 June 2010, but the National Australia Bank to comply with their changed governance requirements call for Council's seal on the documents. In order to meet this requirement a resolution by Council is necessary.

(EF10/4:ED10/10529).

**MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE CITY OF LISMORE HELD IN THE COUNCIL CHAMBER, GOONELLABAH ON TUESDAY, 11 MAY 2010 AT 6.00PM.**

**Present**

Mayor, Councillor Dowell; Councillors Battista, Chant, Clough, Ekins, Graham, Houston, Marks, Meineke and Yarnall, together with the General Manager; Executive Director Infrastructure Services; Executive Director Sustainable Development; Manager Finance; Manager Assets, Manager Works, Manager Arts, Tourism and Leisure, Community Services Coordinator, Community Services Coordinator (Social Planner), Corporate Compliance Coordinator and the Personal Assistant to the General Manager.

**Apologies/  
Leave of  
Absence**

An apology received and a leave of absence granted for Councillor Smith.

(Councillors Clough/Marks)

79/10 **Minutes**

The minutes of the Ordinary Meeting held on 13 April 2010 were confirmed.

(Councillors Chant/Clough)

The minutes of the Extra Ordinary Meeting held on 13 April 2010 were confirmed.

(Councillors Marks/Clough)

The minutes of the Extra Ordinary Meeting held on 20 April 2010 were confirmed.

(Councillors Graham/Clough)

**Disclosure of Interest**

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

**Notice of Motion – Report on Road Network – McLeans Ridges**

Nature of Interest: Opponents of the associated development assisted in my campaign.

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

**Report – March 2010 Quarterly Management Plan Review**

Nature of Interest: My husband is on the Southern Cross University Council and the University is a major contributor to the Margaret Olley Arts Centre.

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

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**Notice of Motion – Report on Road Network – McLeans Ridges**

Nature of Interest: Some opponents of the sub division supported my election campaign for Council.

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

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**Notice of Motion – Report on Road Network – McLeans Ridges**

Nature of Interest: Members of McLeans Ridges community donated money to my election campaign in amounts less than \$1000.

## Public Access Session

**Diana Roberts – Notice of Motion – Nimbin Community**

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Ms Roberts spoke in support of the Motion. She outlined Nimbin's commitment to consultation. She expressed concern with the lack of response from Council from previous consultation efforts, she claimed the response from staff was defensive and Council needed to improve how it responded to its community.

**Heather Dunn – Notice of Motion – Report on Road Network - McLeans Ridges**

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Ms Dunn a local resident raised issues with respect to the road network at McLean Ridges, both current and proposed via the Development Application. She expressed concern about the costing of roadworks, uncertainty of who would pay, and safety issues associated with the school bus. She urged these and other issues be considered before consideration of the DA.

**Janette Anderson – Report – Koala Child Care Centre**

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Ms Anderson spoke to the merits of Council ownership of the facility, stressed it made a profit which would grow into the future. She said that alternative child care was scarce, of an uncertain standard and urged Council to retain the existing facility.

**John McKenna – Report – Lismore Tourist Caravan Park**

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Mr McKenna referred to the last evacuation as a one off, reasons for which could be addressed to prevent a reoccurrence. He stressed the importance that the caravan park played in providing low cost housing and the need in the community generally for low cost housing.

## Notice of Motions

### **Southern Bangalow Bypass**

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80/10

**RESOLVED** that:

1. Lismore City Council write to the relevant Minister and the RTA expressing its disappointment at the decision not to proceed with the Southern Bangalow Bypass, and request the RTA take action to improve safety on Main Road 65 by committing to an ongoing program of upgrade works; particularly the provision of increased overtaking opportunities, localised intersection treatment of curves with high accident histories and localised intersection treatments which have high accident histories.
2. Request the RTA commit to mitigation measures should traffic deviate from Bangalow Road and cause traffic problems on the Bruxner Highway.
3. Request the RTA commit to maintaining Bangalow Road as a State highway.

(Councillors Meineke/Chant)

**Voting against:** Councillor Ekins.

(EF09/631:ED10/7777)

### **Nimbin Community**

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A MOTION was MOVED that:

1. Council designate one staff person as a 'conduit' for all matters specific to Nimbin and surrounds.
2. Council work with the Nimbin Chamber of Commerce and Nimbin Community Centre Inc. and the Nimbin community to establish a community/Council reference and consultation structure. The models to be considered should include, but not be restricted to, a community reference panel of elected, appointed or randomly selected members.
3. Council's activities in the Nimbin area be communicated through local media including:
  - a. a newsletter in the Nimbin Good Times; and
  - b. a notice board and information distribution point.
4. Council's welcome and information for new residents include information specifically related to Nimbin.

(Councillors Clough/Houston)

An AMENDMENT was MOVED that:

1. Council work with the Nimbin Chamber of Commerce and Nimbin Community Centre Inc. and the Nimbin community to establish a community/Council reference and consultation structure. The models to be considered should include, but not be restricted to, a community reference panel of elected, appointed or randomly selected members.

2. Council's activities in the Nimbin area be communicated through local media including:
  - a. a newsletter in the Nimbin Good Times; and
  - b. a notice board and information distribution point.
3. Council's welcome and information for new residents include information specifically related to Nimbin

(Councillors Yarnall/Graham)

On submission to the meeting the AMENDMENT was APPROVED and became the MOTION.

**Voting against:** Councillors Houston, Meineke, Clough and Ekins.

81/10 **RESOLVED** that:

1. Council work with the Nimbin Chamber of Commerce and Nimbin Community Centre Inc. and the Nimbin community to establish a community/Council reference and consultation structure. The models to be considered should include, but not be restricted to, a community reference panel of elected, appointed or randomly selected members.
2. Council's activities in the Nimbin area be communicated through local media including:
  - a. newsletter in the Nimbin Good Times; and
  - b. notice board and information distribution point.
3. Council's welcome and information for new residents include information specifically related to Nimbin

(Councillors Yarnall/Graham)

**Voting against:** Councillor Meineke.

(EF09/631:ED10/7670)

#### **Urban and Rural Sports Facility Fund**

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A MOTION was MOVED that Council:

1. Split the amount of funds assigned each year to the Urban and Rural sport facility improvement fund in half.
2. Dedicate one half of the above funds to Environmental projects.
3. Start this process from the 2011/2012 budget.
4. Continue to use the other portion of funds for Urban and Rural sport facilities improvements.

(Councillors Battista/Clough)

An AMENDMENT was MOVED that staff prepare a report that considers:

1. Splitting the amount of funds assigned each year to the Urban and Rural sport facility improvement fund in half.
2. Dedicating one half of the above funds to Environmental projects.
3. Starting this process from the 2011/2012 budget.
4. Continuing to use the other portion of funds for Urban and Rural sport facilities improvements.

(Councillors Clough/Ekins)

On submission to the meeting the AMENDEDMENT was DEFEATED.

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

On submission to the meeting the MOTION was DEFEATED.

**Voting against:** Councillors Dowell, Houston, Meineke, Clough, Chant, Marks, Yarnall and Graham.

(EF09/631:ED10/7785)

#### **Funding for Roads and Environment**

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82/10

**RESOLVED** that staff prepare a report for a workshop on the means by which Council can finance an extra \$500,000 for roads and \$200,000 for the environment.

(Councillors Yarnall/Houston)

**Voting against:** Councillors Meineke and Graham.

(EF09/631:ED10/7672)

#### **Report on Road Network – McLeans Ridges**

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83/10

**RESOLVED** that Council prepares a report on the road network issues related to the Cameron's Road DA at McLeans Ridges to be presented at a workshop held prior to the matter being reported to Council. The report to include the costs to Council of roadworks associated with the Cameron Road development, the priority and proposed delivery times of necessary road infrastructure and the likely traffic safety impacts should the Cameron Road development be approved. This to include, but not be limited to:

- a. Cowlong Road from the Alphadale to the Cameron Road intersection, and including the McLean's Ridges Hall intersection and the Cameron Road intersection.
- b. Cameron Road from the Boatharbour Road intersection uphill to the proposed development (less than 1 Km) and the Cameron Road /Boatharbour Road intersection.
- c. Boatharbour Road from the Cameron Road intersection down hill to the Boatharbour flat towards Lismore and Boatharbour Road, from the Cameron Road intersection east to Eltham Road.

- d. The traffic safety issues at these intersections must include a review of the school bus service.

(Councillors Yarnall/Clough)

**Voting against:** Councillor Meineke, Chant, Marks and Graham.

(EF09/631:ED10/7683)

## Reports

### **Koala Child Care Centre**

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A MOTION was MOVED that:

1. Council authorise the sale of Koala Child Care Centre, as a property and business package with a target settlement in January 2011.
2. Council staff engage a suitably qualified specialist child care centre broker to assist with the sale.
3. Council ensure that the affected parents and staff understand the implications of the Council's decision by explaining the next steps and anticipated timeframes.
4. All money received from the sale of Koala Child Care Centre is isolated from the budget for a future decision by Councillors.

(Councillors Meineke/Clough)

An AMENDMENT was MOVED that:

1. Council Seek expressions of interest in the potential sale of the Koala Child Care Centre.
2. Council ensure that the affected parents and staff understand the implications of the Council's decision by explaining the next steps and anticipated timeframes.
3. All money received from the sale of Koala Child Care Centre is isolated from the budget for a future decision by Councillors.

(Councillors Graham)

The amendment lapsed due to want of a seconder.

84/10 **RESOLVED** that:

1. Council authorise the sale of Koala Child Care Centre, as a property and business package with a target settlement in January 2011.
2. Council staff engage a suitably qualified specialist child care centre broker to assist with the sale.
3. Council ensure that the affected parents and staff understand the implications of the Council's decision by explaining the next steps and anticipated timeframes.



4. All money received from the sale of Koala Child Care Centre is isolated from the budget for a future decision by Councillors.

(Councillors Meineke/Clough)

**Voting against:** Councillors Battista, Ekins, Yarnall and Graham.

(EF09/92:ED10/6645)

### **Lismore Tourist Caravan Park**

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A MOTION was MOVED that:

1. Within six months Council complete an evaluation of the effectiveness of structural works to extend evacuation time and reduce the isolation risk for residents of the Lismore Tourist Caravan Park in high rainfall/ flood events.
2. Council conduct a social impact assessment of the closure and work with appropriate agencies to relocate the residents.

(Councillors Ekins/Clough)

An AMENDMENT was MOVED that:

1. Within six months Council complete an evaluation of the effectiveness of structural works to extend evacuation time and reduce the isolation risk for residents of the Lismore Tourist Caravan Park in high rainfall/ flood events.
2. Council enforce the 28 day tenancy.

(Councillor Graham/Marks)

On submission to the meeting the AMENDMENT was DEFEATED.

**Voting against:** Councillors Dowell, Houston, Battista, Clough, Ekins and Yarnall.

85/10 **RESOLVED** that:

1. Within six months Council complete an evaluation of the effectiveness of structural works to extend evacuation time and reduce the isolation risk for residents of the Lismore Tourist Caravan Park in high rainfall/ flood events.

2. Council conduct a social impact assessment of the closure and work with appropriate agencies to relocate the residents.

(Councillors Ekins/Clough)

(P3058-03: ED10/7638)

#### **Proposed 2010/11 Road Capital Works Program**

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A MOTION was MOVED that Council approve the 2010/2011 Roads Capital Works Program as set out in the body of the report.

(Councillors Yarnall/Graham)

An AMENDMENT was MOVED that:

1. Council approve the 2010/2011 Roads Capital Works Program as set out in the body of the report.
2. The \$200,000 for the sealing of gravel roads be relocated to additional grading of gravel roads.

(Councillors Ekins/Houston)

On submission to the meeting the AMENDMENT was DEFEATED.

**Voting against:** Councillors Meineke, Clough, Chant, Marks, Yarnall and Graham.

86/10 **RESOLVED** that Council approve the 2010/2011 Roads Capital Works Program as set out in the body of the report.

(Councillors Yarnall/Graham)

(EF09/1392:ED10/7641)

#### **Wyrallah Road Waste Facility – 2010/11 Tip Voucher Program**

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A MOTION was MOVED that:

1. Council approves the Tip Vouchers being changed to *Resource and Recovery Vouchers* effective 1 July 2010.
2. All domestic 'Green Waste' delivered to the waste facility is taken free.

(Councillors Marks/Meineke)

An AMENDMENT was MOVED that:

1. Council approves the Tip Vouchers being changed to Resource and Recovery Vouchers effective 1 July 2010.
2. Resource and Recovery vouchers to include self sorted mixed waste.
3. Voucher system to be reviewed in 12 months time.

(Councillors Yarnall/Clough)

On submission to the meeting the AMENDMENT was APPROVED and became the MOTION.

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

87/10 **RESOLVED** that:

1. Council approves the Tip Vouchers being changed to Resource and Recovery Vouchers effective 1 July 2010.
2. Resource and Recovery vouchers to include self sorted mixed waste.
3. Voucher system to be reviewed in 12 months time.

(Councillors Yarnall/Clough)

(EF09/1604:ED10/7602)

### **Electricity Supply Procurement**

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88/10 **RESOLVED** that:

1. Council proceed with the supply of electricity for its large sites and street lighting with the preferred contractors as identified through Local Government Procurement.
2. Council not proceed with the purchase of GreenPower at this time.
3. The General Manager be authorised to finalise the necessary documentation required to implement these decisions and they be executed under seal of Council.

(Councillors Graham/Marks)

(EF09/2049:ED10/7744)

**Nimbin Skate Park – Design and Construction Tender**

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89/10 **RESOLVED** that:

1. In accordance with Clause 178 (1) (b) of the Local Government (General) Regulations 2005, and as provided in the tender document, Council decline to accept any tenders for the design and construction of the Nimbin Skate Park.
2. In accordance with Clause 178 (3) (e) of the Local Government (General) Regulations 2005, Council enter into negotiations with the preferred Tenderer, Concrete Skate Parks, to resolve issues as outlined in the report.
3. In accordance with Clause 178 (4) (a) and (b) of the Local Government (General) Regulations 2005 the reasons Council will not call fresh tenders for the works and will enter into negotiations are:
  - The tenders received are not unsatisfactory, but may require some amendment if the location of the skate facility was to change prior to entering a contract.
  - The issues identified are not of a nature that they substantially alter the content or basis for the tender.
  - Discussions about those issues, if conducted after a contract has been awarded, would confer a commercial advantage on the preferred tenderer.
  - A satisfactory result can be achieved through negotiation of the relevant issues.
  - Two tenders have been identified through the tender assessment process as potentially satisfactory.
  - To call fresh tenders would unnecessarily delay the project and jeopardise funding for the project.
4. The General Manager be delegated authority to negotiate the matter on Council's behalf and subject to satisfactory resolution of those matters outlined in the report, enter into a contract with Concrete Skate Parks for design and construction of the Nimbin Skate Park.
5. In the event that the issues outlined in the report cannot be resolved to the satisfaction of the General Manager through negotiations with Concrete Skate Parks, the General Manager be authorised to negotiate with the second preferred Tenderer, CONVIC, and subject to satisfactory resolution of those matters outlined in the report, enter into a contract with CONVIC for design and construction of the Nimbin Skate Park.
6. The relevant contract documentation be executed under seal of Council.

(Councillors Graham/Clough)

(EF09/2267:T10/24:ED10/7959)

**Access and Inclusion Plan 2010-14**

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90/10 **RESOLVED** that Council adopt the Lismore City Council Access and Inclusion Plan, 2010 – 2014.

(Councillors Clough/Marks)

(EF09/95:ED10/7649)

**Draft Public Art Policy and Reference Group**

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91/10 **RESOLVED** that Council:

1. Adopt the Public Art Policy as attached.
2. Appoint of the following representatives to the Public Art Reference Group:
  - a. Lois Randall - Arts Industry representative.
  - b. Robert Appo - Indigenous representative.
3. Appoint a Councillor Battista to the Public Art Reference Group as Chairperson.

(Councillors Battista/Marks)

(EF09/1849:ED10/7550)

**NORTEC Employment and Training – Fee Contribution**

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92/10 **RESOLVED** that Council finalise its in-principle support in respect of the proposed NORTEC business incubator development at 8 Slade Street, Goonellabah for the reasons outlined in the report to:

- a. donate \$10,818.00 in compliance fees (construction certificate, plumbing approvals and associated inspection fees) acknowledging this is a variation to Council Policy 1.4.7 to exceed the 30% maximum;
- b. fund the above donation via the budget deficit;
- c. defer the estimated \$32,427.15 section 64 and S94 development contribution fees for three years subject to the provision of an acceptable security; and
- d. continue to support the provision of in-kind services through Council's Business Facilitator and/or other initiatives which may link to the common strategic intent of NORTEC and the Council as outlined in the Community Strategic Plan.

(Councillors Yarnall/Houston)

(EF09/385:ED10/7795)

**March 2010 Quarterly Budget Review**

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93/10 **RESOLVED** that:

1. Council adopt the March 2010 Quarterly Budget Review for General, Water and Wastewater Funds.
2. This report is forwarded to Council's Auditor for information.

3. The Division of Local Government is advised of the change to the 2009/10 Borrowings Program to include \$140,000 for Flood Mitigation.

(Councillors Graham/Marks)

(EF09/2198:ED10/7687)

#### **March 2010 Quarterly Management Plan Review**

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- 94/10 **RESOLVED** that the report be received and noted.

(Councillors Battista/Marks)

(EF09/1726:ED10/7746)

#### **Goods and Services Tax – Council Compliance**

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- 95/10 **RESOLVED** that Council submit a Goods and Services Tax Certificate to the Department of Local Government certifying the payment of voluntary GST for 1 May 2009 to 30 April 2010 signed by the Mayor and Deputy Mayor.

(Councillors Clough/Graham)

(EF09/1891:ED10/6849)

#### **Investments – April 2010**

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- 96/10 **RESOLVED** that the report be received and noted.

(Councillors Marks/Chant)

(EF09/2209:ED10/7895)

## **Committee Recommendations**

#### **Traffic Advisory Committee Minutes of 21 April 2010**

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- 97/10 **RESOLVED** that the minutes be received and adopted and the recommendation contained there in be adopted.

(Councillors Graham/Clough)

(EF09/1963:BP10/55)

## Financial Assistance - Section 356

98/10 **RESOLVED** that in accordance with Section 356 (1) of the Local Government Act 1993, the assistance to persons listed is hereby approved with the exception of the Wollongbar/Alstonville Rugby Union Club.

(Councillors Graham/Marks)

### **a) Council Contributions to Charitable Organisations Waste Facility – Policy 5.6.1 (GL390.965.15)**

Budget: \$11,000                      Spent to date: \$12,432.67

Animal Right & Rescue \$18.18

Multitask \$82.55

Five Loaves \$99.45

Friends of the Koala \$14.91

Lismore Soup Kitchen \$15.92

1st Lismore Scout Group \$9.09

Lifeline \$256.36

Westpac Life Saver Helicopter \$45.45

**Total                      \$541.91**

*In accordance with policy.*

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

Budget: \$2,700                      Spent to date: \$1,845.40

Our Lady of Lourdes Infant School, East Lismore are seeking a donation towards their Charity Golf Day on Sunday, 30 May 2010. The proceeds of the day will go towards the purchase of school computers (CI10/10134).

**\$100.00**

### **c) Miscellaneous**

**Wollongbar Alstonville Rugby Union Club** requesting Council waive the ground hire fees for the NSW Country Junior Rugby Union championships for under 12's, under 13's and under 18's at Oakes Oval, Crozier Field and Heaps Oval on the 8<sup>th</sup> and 9<sup>th</sup> May 2010. This event sees almost 500 junior players, coaching staff, parents and supporters from 21 teams across all regions of New South Wales embarking on Lismore from Friday to Sunday. This influx of people will generate revenue for a lot of business houses in the town.

*Parks Coordinator's Comment: - the fees and charges for the use of Oakes Oval, Crozier Field and Heaps Oval comes to \$1898.00 (which includes an additional \$193 for the use of Heaps Oval that was not included in the original estimate).*



*The Parks section does not support any donation based on the level of preparation required for the event. Line marking, post erection, numbering of the field and other field adjustments were required specific to this event.*

**Recommendation:** No donation to the event is recommended due to the level of preparation required for the event.

## Matter of Urgency

### Closure of Lismore Red Cross Office

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99/10 **RESOLVED** that this matter be admitted to the Business Paper as a matter of urgency.

(Councillor Yarnall/Marks)

100/10 **RESOLVED** that Council writes to the CEO of Red Cross, Mr Tickner to:

1. Express Council's grave concerns regarding the decision to close Lismore Red Cross Office at the end of May 2010.
2. Endorse the Mayor's letter to Mr Tickner dated 5 May 2010.
3. Urgently request that Red Cross reconsider its decision to close the Lismore Branch considering:
  - a. The low socio economic profile of the Lismore LGA.
  - b. Lismore's flood susceptibility and the need for emergency care.
  - c. The 90 year association of the Red Cross with the Lismore area.

(Councillors Yarnall/Marks)

## Confidential Matters—Closed Council Meeting

101/10 **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:

<b>Item</b>	Performance Monitoring 2009/10 – General Manager (EOSU100:ED10/7728)
<b>Grounds for Closure</b>	<b>Section 10A(2) (a)</b>
<b>Public Interest</b>	Discussion of this matter in an open meeting would on balance be contrary to the public interest because it contains personnel matters concerning the General Manager.

(Councillors Marks/Graham)

## Resumption of Open Council

Council having met in Closed Council to consider the following reports entitled:

**Performance Monitoring 2009/10 – General Manager**

Recommends that Council adopt the following recommendations:

That Council:

1. Endorses the General Manager's 2009/10 Performance Plan.
2. Records its satisfaction with the performance of the General Manager based on the Performance Monitoring Documentation from the 11 March 2010 Review Process.

102/10 **RESOLVED** that the recommendations of Council meeting in Closed Council be received and adopted.

(Councillor Chant/Marks

**Voting against:** Councillor Ekins.

## Closure

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

CONFIRMED this Eighth day of June 2010 at which meeting the signature herein was subscribed.

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**MAYOR**