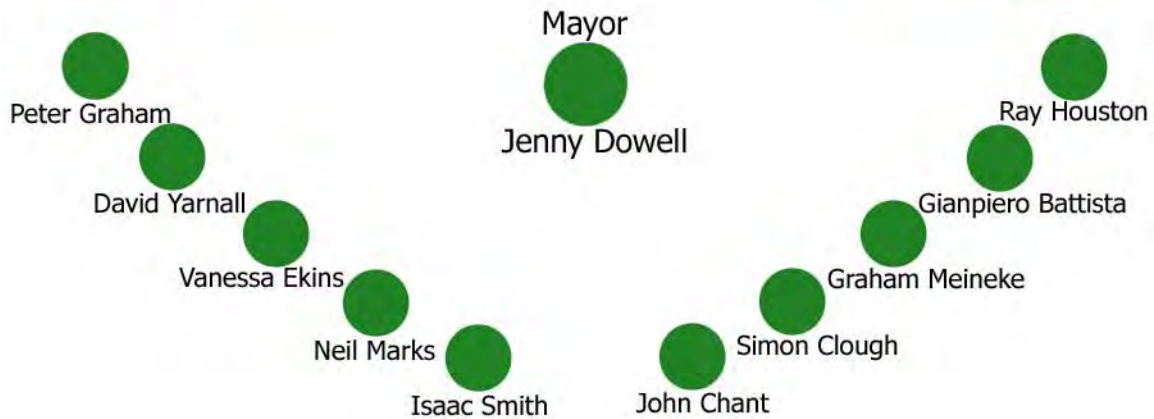


# Notice of Council Meeting



## Council

A ORDINARY MEETING of LISMORE CITY COUNCIL will be held at the COUNCILCHAMBERS, 43 Oliver Avenue, GOONELLABAH on Tuesday, 8 February 2011 at 6.00pm.

Members of Council are requested to attend.

Paul G O'Sullivan  
General Manager

1 February 2011



# Agenda

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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.

# Mayoral Minutes

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## Mayoral Minute

**Subject**                      **Donation to Queensland Premier's Flood Appeal**

**TRIM Record No**            BP11/19:EF10/363

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That Council donates \$5000 to the Queensland Premier's Flood Appeal Fund.

### Background

Communities in many parts of Queensland have been devastated by the worst floods in living memory. Many people have died, many are missing and thousands of homes, farms and major pieces of community infrastructure have been destroyed.

NSW Councils have approached the Local Government and Shires Associations asking how offers of assistance could be most appropriately handled. The Local Government Association of Queensland [LGAQ] has advised the NSW LGSA that the best way to help affected communities is by making a financial donation to the [Premiers Flood Appeal](#).

### Mayoral Comment

In times of need, Councils throughout Australia assist other communities either financially or by providing 'in kind' help. In 2009, Lismore City Council provided \$5000 to the Victorian Bushfire Appeal. In response to a call for assistance, many individuals, organisations and even overseas governments have made generous donations to the Queensland Premier's Flood Appeal. The Red Cross has not launched an appeal; instead they are managing the donations to the Premier's Appeal.

Cash donations are preferred to collections of goods such as clothing, toys or household items. Money is spent and distributed where needed and assists local businesses get back on their feet too. Lismore Council's donation will assist and show the people of Queensland that their neighbours south of the border who know the damaging effects that major floods, albeit less severe to date, are thinking of them at this time of grief, shock and great need.

### Finance Comment

This donation can be treated as Section 356 financial assistance and will require an additional reallocation of funds in conjunction with the March quarterly budget review.

### Attachment/s

There are no attachments for this report.

**TRIM Record No:** BP11/19:EF10/363

# Notice of Motions

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## Notice of Motion

**Cr Isaac Smith** has given notice of intention to move:

That Council commits to the future of Nimbin Village Park by:

1. Continuing to work with the Friends of Nimbin Village Park on planning for future development.
2. Commits any available staff time to seeking grants for the Parks development.
3. Including funding for the Nimbin Village Park in the planning process for the next four year delivery plan in 2013.

### ***Councillor Comment***

The Friends of Nimbin Village Park have been working to bring a vital green space to the residents of Nimbin. With the creation of a much needed skate park in Peace Park there is a reduction in the open natural environment for residents to enjoy.

The proposed park which links the bowling club, skate park, pool, caravan park and Nimbin Headers Football Club would act as a community precinct that can unite the community and further foster tourism.

Lismore City Council should empower the community, who have taken leadership of this project, and support the future development of this wonderful natural restoration project. Nimbin needs this Village Park.

### ***Staff Comment***

#### **Sport and Recreation Officer**

At the present time, a ten year Sport and Recreation Plan is being developed for Council. This Plan should be completed by the middle of 2011. Part of the Plan will consider the allocation and development of open spaces within Lismore and the surrounding villages. Nimbin will be part of this consideration.

Within the next two months a number of Community meetings concerning the Plan will be held and this will include a meeting in Nimbin.

It would be premature to make any decision with regard to the development of extra open space in Nimbin until the Plan is completed.

It is envisaged that the approved recommendations within the Plan will be prioritised, with the highest prioritised projects being included within the 2013 -2017 Delivery Plan.

### **Manager Corporate Services**

This initiative was not identified in the current Delivery Plan. Any allocation of resources to this initiative will require the diversion of resources from other identified and approved projects. Council staff will of course assist if possible within current workloads, however no guarantee of support can be provided unless resources are reallocated.



## Notice of Motion

As has been identified in a separate report to Council the community consultation for the 2013-2025 Community Strategic Plan will be both extensive and placed based. The Nimbin community will be asked to identify its vision for the future. This vision will be translated, in consultation with the community and with consideration to Council's financial position, into the actions within the 2013–2017 Delivery Plan. Should this project be considered a priority by the community it will be included in the overall development of the Delivery Plan. It would be premature at this stage to commit to any particular outcomes until the conclusion of the community consultation.

**TRIM Record No:** BP10/741:EF10/363

## Notice of Motion

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

That:

1. Council investigates the establishment of an independent internal auditor and an internal audit committee as stipulated in the Internal Audit Guidelines as issued by the NSW Division of Local Government in September 2010.
2. Council retains a suitably qualified and independent trainer and consultant to attend the Council briefing to explain in detail the need, workings and usefulness of an independent internal auditor and the internal audit committee to Councillors and staff.
3. Staff prepare a report to be presented at a council briefing, before the ordinary Council meeting in April, on the details of establishing an independent internal auditor and internal audit committee

### ***Councillor Comment***

The creation of an independent internal auditor and an audit committee is 'strongly recommended' by the Division of Local Government and is regarded as 'an essential component of a good governance framework for all Councils'.

The audit package is designed to improve communications, rebuild trust and increase confidence in Council's management by acting as a check on management processes.

An internal audit works as a 'key mechanism' to 'manage risk and improve efficiency and effectiveness of Council' and is described as 'an independent, objective assurance and consulting activity designed to add value and improve an organisation's operations'. The primary role of an internal audit is to provide 'independent assurance over the internal controls and risk management framework for Council'. Risk management is described as 'managing the risks Council may face' and assessing 'the best way to address the risks'.

Typically an internal audit scope is to assess the:

- Reliability and integrity of financial and operational information;
- Effectiveness and efficiency of operations and resource usage;
- Safeguarding of assets;
- Compliance with law, regulations, policies, procedures and contracts; and
- Adequacy and effectiveness of the risk management framework.

The purpose of an internal auditor and an audit committee is to establish an independent overview of Council's functions and processes. As Councillors we are often assailed by complaints regarding Council's ability to function effectively and efficiently. Indeed, throughout the Special Rate Variation process, Councillors and staff witnessed at first hand sections of the community's lack of trust in Council's ability to perform. We need to take steps to ensure that the community's trust in Council's abilities to function is restored. I believe that an internal audit function could go along way towards restoring trust in Council abilities and assisting Council staff to perform more effectively and efficiently.

# Notice of Motion

The independence of the internal auditor and the audit committee could potentially provide Council with an arms length assessment of Council's functions and provide the community with the necessary confidence that Council is doing everything in its power to establish best practice principles.

There are a variety of different ways an internal audit could be established. The basic format is to retain an independent consultant with suitable qualifications such as was done for the *Westing Review*. The audit committee could comprise several Councillors and several independent community business people with suitable qualifications. Staff would assist the committee but not have a voting role. The independent auditor would report to the audit committee however, there are various permutations on this theme and we need to assess what is right for us. For example Richmond Valley Council and Ballina Shire Council share an internal auditor.

The establishment of an internal audit function would need to be funded from Council's recurring budget. I have been reliably informed that costs for Council could be \$100,000 per annum. The *Westing Review* and the asset management review cost Council at least \$100,000. Some of the consultant's work could have been handled by an internal audit function. But if the internal audit function improves community trust, increases Council's effectiveness and provides an independent assessment of Council's functions then I believe the money required will be well spent.

The objective of this Notice of Motion is to provide Councillors with the opportunity to independently assess, in detail, the value of an internal audit for Lismore City Council via a Councillor briefing.

## **Staff Comment**

### **Manager, Corporate Services**

In 2005, the then Department of Local Government (DLG) issued a position paper to the Local Government Industry on the need to improve, enhance and initiate the establishment of an internal audit function in all councils. In October 2008, the Department issued Internal Audit Guidelines in culmination of responses to that position paper. In 2010 the guidelines were amended again to require the appointment of an independent external professional to chair the Audit Committee.

The guidelines define the Internal Audit function as '*providing independent assurance over internal controls and risk management framework.*' The function is responsible for reviewing Council's operations against; legislative compliance, efficiency, effectiveness and risk management principles. This is not about financial auditing rather it is about business process auditing.

The Internal Audit function is delegated to an Audit Committee which is the group that oversees the function and an Internal Auditor which is an individual or team who is responsible for conducting the audits. The Internal Auditor is independent of Council and reports to the Audit Committee. The Internal Auditor can be an external company or a Council employee(s).

Lismore City Council implements the principles of the guidelines in two ways. In recent times Council has conducted two major reviews into its operations. These were the *Westing review* and the *Infrastructure Services review*. In both cases the Council identified a function that required review and recruited a suitably qualified external resource to conduct the review. There have been a number of other examples where this process has occurred (Water/Wastewater operations and Quarry operations) and this process has worked well. In addition Excom has recently signed off on a system of internal compliance and review. This process collects ideas from customers, staff, management and our Sustainable Innovations Group to improve the efficiency and effectiveness of our operations. The process which is driven by senior management is constantly ensuring best business practice and compliance with legislation. Whilst recognising the merit of an internal audit function, the fundamental reason for applying the above methodology is that the cost implications are manageable and the underlying objectives of the guidelines are achieved. It should be noted that following DLG guidelines is not mandatory for Councils.

## Notice of Motion

Recent inquiries indicate that the annual cost of an effective Internal Audit function could be in excess of \$100,000 with some of the larger Councils spending around \$300,000. The Notice of Motion calls for an investigation into the costs and benefits of a more formalised system incorporating an independent review of Council service provision. Council should anticipate that resourcing the proposal may require reassigning significant resources from other projects/initiatives in subsequent Delivery Plans.

**TRIM Record No:** BP11/17:EF10/363

# Reports

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# Report

<b>Subject</b>	<b>Tender No. T2011-14 - Security Services</b>
<b>TRIM Record No</b>	BP11/21:T11/14
<b>Prepared by</b>	Contracts Administration Officer
<b>Reason</b>	To inform Council of the assessment of tenders received in respect to Tender No. T2011-14 - Security Services and to award the contract
<b>Community Strategic Plan Link</b>	Best-Practice Corporate Governance

## Overview of Report

This report details the assessment of tenders received for the provision of Security Services for Lismore City Council (Council). The assessment panel recommendation is to engage the preferred tenderer identified through the tender assessment process.

## Background

Tenders were called prior to Christmas 2010 for the provision of security services to Council. An extensive Request for Tender (RFT) document and specification was developed by the Contracts Administration Officer in consultation with all key stakeholders and business areas of Council. The contract provides options of extension for an additional three (3) periods of three (3) years, at Council's absolute discretion. This gives the potential for a total 10-year contract. The first year of the contract is effectively a probation period which allows staff to assess the performance of the contractor before deciding whether to extend it.

To mitigate the varying ways tenderers may interpret the provision of a security solution for Council, tenders were invited on a Schedule of Rates basis. This would enable an apple-to-apple comparison across the suppliers. Tenderers were requested to provide prices on a set amount of services in the Schedule of Rates; these were structured around a range of Council buildings, assets and services, and the City Safe program. They are representative of the types of services required under the contract and include alarm monitoring, after-hours calls, cash in transit, patrol guards and alarm installation and maintenance charges. Tenderers were also provided with a separate Schedule for additional or other services their business could provide, not covered in the Schedule of Rates. Specific Schedules were also included for detailing a Customer Service Plan and Service Delivery Model.

The Lismore City Safe Program is of particular importance to Council and the objective of the Central Business District (CBD) safety patrols is to provide a safer environment for the citizens of Lismore in the CBD.

Tenders were called in December 2010. The RFT was advertised in the *'Weekend Star'*, the *'Echo'* and the *'Sydney Morning Herald'*, as well as deployed via the "Tenderlink e-procurement portal" linked to Council's website. During the tender advertising period, three (3) addendums were issued via the Tenderlink procurement portal, clarifying queries and providing additional information to all potential tenderers.



At the close of tenders at 2.00pm on 21 December 2010 a total of four submissions were received. Three electronic submissions were received via the tenderlink portal and one hardcopy submission from the tenderbox located in the foyer of Council's Corporate Centre.

Tender Number	Name	Schedule of Rates Price (Excluding GST)
1	Summerland Security	See 'confidential' attachment
2	SNP Security Services	
3	ISS Security Services	
4	Bezcorp Holdings Pty Ltd	

## Tender Assessment

A panel comprising the Contracts Administration Officer, Traffic & Emergency Services Coordinator and a representative from an external organisation, Local Government Procurement (LGP), undertook the assessment of tenders.

Local Government Procurement (LGP) provides a fully integrated procurement service to councils and associated organisations in NSW. LGP was established by the Local Government and Shires Associations of NSW on behalf of its members to create a procurement operation dedicated to meeting the specific needs of Local Government.

Mr Bob Lewis is the Business Manager at Local Government Procurement and has extensive experience in tendering assessment working for the Department of Commerce. Recently in his role at LGP, he assessed the Penrith City Council Security Services tender.

## Summary of the Assessment of the Selection Criteria

The tender documents (Clause B7), defined the five (5) standard Selection Criteria by which each tender would be assessed:

### 1. Total price

A total price score was calculated using Council's standard price scoring formula and applied the total of the Schedule of Rates provided in each submission. The formula compares the price of the submission to the average of the four prices submitted.

Each Schedule of Rates was checked for consistency of information and a gap analysis carried out. Summerland Security, ISS Security and SNP Security were contacted to clarify if their submission price was based on one or two guard teams for street patrol.

The overall price provided by Summerland Security in the Schedule of Rates is the lowest and represents very good value for money compared to all the other prices offered.

### 2. Capability and Experience

All four submissions outlined a basic Customer Service Plan and Service Delivery Model, and demonstrated adequate capability and experience required to provide a security service for Council.

The ISS and Bezcorp submissions were somewhat generic in nature and did not demonstrate a close alignment with the specification as clearly as both Summerland Security and SNP were able to express. ISS' submission is based on using subcontracted services and consequently is difficult to assess in many areas.

Summerland Security demonstrated extensive knowledge of Council's operational requirements by fully addressing the specifications and provided good examples of operating documentation and procedures. The management team and key personnel are all family members and live locally. The business is focused on employing local people and sourcing local materials and services where possible.

### **3. Quality & Safety**

All companies demonstrated a high level of understanding of OH&S matters and provided operational documentation. However, in the case of ISS, the proposed subcontractors cannot be assessed. Bezcorp and ISS have accredited Quality Management Systems. None of the suppliers have accredited OH&S systems, although SNP has accreditation linked to its Quality Management System.

Summerland Security provided substantial documentation for OH&S, quality management and business process. At this time the firm does not have an accredited OH&S or Quality Management System in place.

### **4. Environment & Community**

All four submissions demonstrated a good level of understanding of environmental and sustainability issues, while only ISS, SNP and Bezcorp have a structured Environmental Management Plan (EMP) or policies.

All four submissions were regarded as deficient in regard to the local community engagement aspect of their submissions.

### **5. Local Content**

All four submissions showed compliance with the Local Content schedule, by providing basic information around employment of local staff, use of local suppliers and in some cases having a local office. SNP, ISS and Bezcorp are national businesses based in Sydney and have offices in major locations around NSW.

Summerland Security is a local business based in Lismore. The firm demonstrated a strong understanding and commitment to local suppliers and the business community. The business is operated by family members who are in key positions within the company. The submission provided statements around employing local people and supplied direct-spend percentages for materials and labour in the community, also identifying goods unable to be sourced locally.

## Summary

The overall assessment of the tenders received is summarised in the table below.

## Tender Assessment Score Sheet Weighted and Calculated Final Score

	Criteria	Weighting from Tender Docs	Summerland Security		SNP Security		ISS Security		Bezc corp Holdings	
			Raw Score	Weighted & calculated	Raw Score	Weighted & calculated	Raw Score	Weighted & calculated	Raw Score	Weighted & calculated
1	<b>Total Price</b> (out of 10; against average)	30%	7.67	2.30	7.02	2.11	6.15	1.84	6.37	1.91
2	<b>Capability and Experience</b> (out of 10)	30%	9	2.70	8	2.40	5	1.50	6	1.80
3	<b>Quality and Safety</b> (out of 10)	10%	8	0.80	9	0.90	5	0.50	7	0.70
4	<b>Environment and Community</b> (out of 10)	10%	7	0.70	7	0.70	5	0.50	7	0.70
5	<b>Local Content Minimum 10%</b> (Out of 10)	20%	10	2.00	4	0.80	5	1.00	4	0.80
	<b>Overall score out of 100</b>	100%		8.50		6.91		5.34		5.91
				85.00		69.06		53.44		59.10

The rates tendered by Summerland Security were the lowest cost for the provision of the services. Summerland Security is also the highest ranked tenderer following the assessment of the remaining evaluation criteria specified in the tender (Capability & Experience, Quality & Safety, Environment & Community, and Local Content).

Summerland Security has provided Council with security services for the past 11 years and has always been found to be responsible, reliable, professional and cost effective. Their services and practices are well aligned to Council's requirements and are thus a good corporate fit with Council.

## Sustainability Assessment

### Sustainable Economic Growth and Development

The engagement of a security provider will have a direct positive benefit to the economic growth and development of Lismore by improving the amenity and safety of the area. In particular the street beat patrol services delivered under the contract are an important factor in the amenity of the CBD shopping area.

The preferred tenderer is a local family owned company that employs local people and has generally demonstrated a local focus in its submission. The preferred tenderer has also demonstrated a commitment to sustainability and sourcing of local goods and services, which has a positive impact on reducing costs to providing security services.

### Social Inclusion and Participation

The provision of security services assists Council to create a safe and enjoyable environment for the local community. This encourages social inclusion and participation.

The preferred tenderer has demonstrated a positive approach to the community and a commitment to encouraging good community relationships.

## Protect, Conserve and Enhance the Environment and Biodiversity

The recommendation is not regarded as having any positive or negative impacts on the environment or biodiversity.

## Best-Practice Corporate Governance

An open tender process is the most transparent method to appoint a new contractor. Using suitably experienced contractors to provide Security Services to Council will achieve cost effective delivery of services and good value for money for the Lismore local government area residents.

The use of an external independent member on the assessment panel provides an extra level of transparency to this process.

## Comments

### Finance

The tender process undertaken is most likely to achieve the best value outcome for Council. Based on this approach, the recommendation is supported.

## Public consultation

Not applicable.

## Conclusion

Based upon the assessment undertaken, Summerland Security has been assessed by a significant margin as the preferred tenderer.

## Attachment/s

1. Tender T2011-14 Security Services Confidential Report for Council Report Schedule of Rates - *This matter is considered to be confidential under Section 10A(2) (c) of the Local Government Act.*

## Recommendation

That:

1. Council accept the tender and award the contract for Tender T2011-14 Security Services to Alacorp Pty Ltd (trading as Summerland Security Services) and accept the Schedule of Rates provided in its submission.
2. The General Manager finalise details and proceed to execute a contract under seal of Council.

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# Report

<b>Subject</b>	<b>Lease for cafe adjacent to the Lismore Regional Gallery</b>
<b>TRIM Record No</b>	BP11/15:T10/26
<b>Prepared by</b>	Manager - Arts, Tourism and Leisure
<b>Reason</b>	To report back to Council on the tender process to date.
<b>Community Strategic Plan Link</b>	Best-Practice Corporate Governance

## Overview of Report

This report outlines the second tender process conducted between May to November 2010 to secure a lessee for the former Left Bank Café site adjacent to Lismore Regional Gallery. The second round received only one tender, which did not meet expectations. Since the close of the tender process, Council has been approached by three separate parties expressing an interest in leasing the cafe.

## Background

The Lismore City Council has leased the café facility attached to the Lismore Regional Gallery building to an independent operator since 1998. The lease expired on 7 October 2010. In May 2010 Council invited submissions via tender from suitably qualified and experienced businesses or individuals to lease and operate the café facility adjoining the Gallery. Specific criteria included relevant experience and the need to fit with the Gallery's opening hours.

Two submissions were received in this tender process, however both parties subsequently withdrew their tenders. The outcome was presented in a report to the 12 October 2010 Council meeting, with Council resolving that a fresh tender process be commenced for the lease of the facility.

A new tender process was undertaken and one tender submission received. Although financially favourable, the tender is considered to be below expectations and presents various risks as outlined below:

- Lack of relevant experience in the restaurant/café/catering industry by operators.
- Proposed opening hours are a poor fit with the Gallery's open hours (focus on a Tapas Bar from 4.00pm – midnight. Hours were subsequently extended to include daytime hours of 10.00am – 1.00pm).
- Concerns about compatibility of the business model with the activities of the gallery.
- A Business Plan and menu were not included in the tender.

Since the close of submissions, three informal approaches have been made to Council from local operators with relevant experience in the restaurant/café/catering industry. Experience and success in this industry is considered essential to promote long term sustainability for the café facility and the surrounding precinct. Attached to the report is a document that lists the names/company names of those interested parties as a 'commercially in confidence' document.

## Sustainability Assessment

### Sustainable Economic Growth and Development

The lease of the café is income producing, resulting in a positive economic outcome for Council. The location adjacent to the Lismore Regional Gallery also has a positive effect for patrons of the Gallery. Having the café in operation also provides employment opportunities for local people.

### Social Inclusion and Participation

A café will be available for the entire community to benefit and access.

### Protect, Conserve and Enhance the Environment and Biodiversity

There are not considered to be any positive or negative effects in terms of these objectives as a result of the proposed recommendations.

### Best-Practice Corporate Governance

An open tender process is considered to be the most transparent method to appoint a new lessee for the facility. This has been undertaken on two separate occasions, however has failed to deliver a satisfactory outcome.

## Comments

### Finance

The Tender process undertaken would usually achieve the best value outcome for Council. However, in this case after two tender processes have been conducted a satisfactory outcome has not been achieved.

It is in the best interest of Council to have this café operational, providing a service to the patrons of the Lismore Regional Gallery along with the wider community.

The recommendation to decline the tender received and enter into negotiations with all interested parties to achieve an equitable outcome is supported.

## Other staff comments

### Regional Gallery Director

Since the closing of the Left Bank Café in September 2010, there has been a distinct change in atmosphere surrounding the Lismore Regional Gallery and Spinks Park precinct, with a lessened sense of activity in area. The two Art in the Heart projects have helped somewhat, but is not near the levels that it was when the space was occupied by the Left Bank Café.

Gallery attendance figures have suffered due to the loss of the café. Many visitors ask where the café is, notably visitors from out of town. It is imperative that we look to rectify this situation as soon as possible to increase visitation to the Gallery, and to create a more welcoming atmosphere in the Gallery/ Spinks Park precinct.

## Executive Director Sustainable Development

Leasing this building to a high standard café/restaurant that will be operated in a complimentary manner to the Art Gallery's operations is critical to creating a great place in this key precinct. As highlighted in the Regional Gallery Director's comments above this is important not only for the success of the Gallery but also for the safety of Spinks Park. This precinct is one of the two key public spaces (either current or future) identified for the success of 'Lismore Alive' and the wider CBD revitalisation projects. The other precinct is the former High School site.

## Public consultation

Not required.

## Conclusion

Council conducted two separate tender processes to secure a lease for the café at Lismore Regional Gallery without success. Subsequent expressions of interest to Council indicate the possibility of negotiating a positive outcome with one of those interested parties. It is recommended that Council staff negotiate with all interested parties, including the tenderers involved in the second tendering process, and identify a suitable lessee based on the tender criteria.

## Attachment/s

1. Contact List for Tender T2011/13 Lease for Cafe Adjacent to the Lismore Regional Art Gallery - *This matter is considered to be confidential under Section 10A(2) of the Local Government Act.*

## Recommendation

That:

1. In accordance with Clause 178(1) (b) of the *Local Government (General) Regulation*, Council decline to accept any tenders for T2011-13 – Lease of the Art Gallery Café.
2. In accordance with Clause 178(3) (e) of the *Local Government (General) Regulation*, Council resolve to enter into negotiations with the respondent to the second formal tendering process as well as the late submissions/informal expressions of interest received after the close of tenders as outlined in the confidential attachment.
3. In accordance with Clause 178(4) (a) of the *Local Government (General) Regulation*, the reason that Council will not call fresh tenders for the lease of the café are that two tender processes have already been conducted and a satisfactory outcome has not been achieved through those processes.
4. In accordance with Clause 178(4) (b) of the *Local Government (General) Regulation*, the reasons that Council will enter into negotiations with the identified parties are that:
  - a. all parties have demonstrated an interest in leasing the facility.
  - b. a satisfactory outcome can be achieved through a negotiation process.
5. The General Manager be delegated authority to undertake the negotiations and finalise a suitable outcome for lease of the Art Gallery Café on behalf of Council.



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# Report

<b>Subject</b>	<b>Energy Efficient Street Lighting</b>
<b>TRIM Record No</b>	BP11/13:EF09/1417
<b>Prepared by</b>	Manager - Assets
<b>Reason</b>	To advise Council of an offer from Country Energy to replace existing street lighting with more energy efficient street lighting.
<b>Community Strategic Plan Link</b>	Efficient Use of Council Resources

## Overview of Report

Country Energy has written to Council with a proposal to replace existing street lighting throughout the Lismore City Council area with more energy efficient street lighting. Council would need to pay a capital cost to have the work undertaken, however this would be offset by significant savings in energy consumption and other charges applied to street lighting. The payback period for the capital investment is approximately one year. It is recommended that the proposal be accepted.

## Background

Street lighting across NSW is provided under an arrangement between local councils and the electricity authority for that area. The infrastructure is owned by the Authority, however councils pay all costs associated with providing the street lighting. These costs consist of an infrastructure charge which covers the capital (in some instances) and maintenance costs of the lighting; and the costs of the electricity consumed. The infrastructure charges are levied to councils in the form of an annual tariff per light installed and are determined through a regulatory process overseen by the Australian Energy Regulator. The electricity component is contestable and councils can choose their supplier.

For some time councils have been pursuing the issue of more energy efficient street lighting. Electricity authorities, as owners of the infrastructure, have in the past largely made their own decisions about lighting types and not involved local councils in decision making processes. Over the last 5–10 years this situation has slowly changed as legislative and regulatory change has occurred. Community pressure and the opportunity for significant improvements and cost savings in the way that street lighting is delivered has also influenced the change in approach.

Council's current annual charges for street lighting are approximately \$677,879 which consists of:

- Approximately \$180,445 in energy consumption.
- Approximately \$325,026 in Network Use of System Charges (NUOS).
- Approximately \$172,408 in Street Light Use of System Charges (SLUOS).
- The generation of approximately 2,115 tonne of greenhouse gas emissions per annum.

Lismore City Council has received a proposal from Country Energy to replace the majority of street lighting within the city area with more energy efficient lighting. A copy of the proposal is attached to this report.

In summary the proposal is for Council to pay an upfront cost of \$269,784 to have the lighting upgraded. If accepted, the proposal will:

- Reduce Council's energy bill by approximately \$ 76,424 per annum or 42%
- Reduce Council's NUOS charge by approximately \$137,658 per annum or 42%
- Reduce Council's SLUOS charge by approximately \$ 67,652 per annum or 39%
- Reduce greenhouse gas emissions by approximately 896 tonnes per annum or 42%

The total savings to Council would be approximately \$281,734 per annum or 41.5%, although Country Energy advises that the exact figure may vary slightly depending on finalisation of a number of matters. Any variation to these figures would only be minor. This represents a payback period of just under one year should Council proceed with the proposal. The capital cost of the works could therefore be met from Council's existing budget allocation for street lighting, although there will be some cash flow issues as Country Energy will require an upfront payment for the work. Further, the timing of the installation is likely to mean that the first year of savings occurs across financial years.

It should be noted that the figures quoted in this report are based on the current charges that Council pays. The NUOS, SLUOS and energy charges will all increase from 1 July 2011.

The proposed energy efficient lighting that will be used to replace the existing lighting is the most energy efficient approved for use by Country Energy at this time and consists of:

- 42W CFL (Compact Fluorescent Light) to replace 80W Mercury Vapour. This is the light that is typically found in most residential streets in the city.
- 70, 150 and 250W HPS (High Pressure Sodium) to replace 125, 250 and 400W Mercury Vapour respectively. These lights are typically those found on main roads and in areas where a higher level of lighting is required.

All councils in the region have received a similar proposal from Country Energy and a working group with representatives from all of those councils has been formed. The group has met twice and discussed a range of issues associated with the proposal. Country Energy is also represented on the group. All councils represented on the group are supportive of the proposal they have received from Country Energy and the staff involved are likely to recommend acceptance to their respective councils.

One matter of concern is that the lighting proposed is perhaps not the most energy efficient available on the market at this time. For example, LED lighting could deliver further savings to Council over and above what can be achieved in this proposal. Country Energy has advised that it will continue to work with councils to trial new technology, including LED lighting.

There are issues that need to be resolved with any new technology before it could be accepted as a suitable replacement for existing lighting. These include:

- Compliance with Australian Standards for manufacture.
- Ability of the light to deliver lighting levels in accordance with the Australian Standard.
- Reliability of the light and overall maintenance requirements. This is required as part of formulating the annual tariff that would be charged to Council.

As such there is a risk that at some time in the future, and perhaps in the relatively near future, the proposed lighting to be used in this proposal will be superseded by newer technology. Trials typically take two to three years to complete in order to get a reliable indication of the maintenance and longevity issues which are crucial to determining the annual tariff for a light. However, other energy providers are already underway with trials of LED technology and this may speed up the assessment process for Country Energy.

Whilst it may be tempting to wait until trials of this newer technology are complete, the less than one year payback period of the current proposal means that even if newer technology is approved for use in (say) three years, Council would still be well ahead in regards to cost savings, and in particular greenhouse gas reductions. It should be noted that the process for the current CFL and HPS lighting to be approved for use took a number of years to complete.

Proceeding with the proposal at this time does not prevent Council from undertaking a further upgrade in the future should more efficient lighting become approved for use.

Should Council agree to the proposal, the work would be undertaken in the period September–October 2011 as part of Country Energy's already scheduled bulk lamp replacement program.

## Sustainability Assessment

### Sustainable Economic Growth and Development

Street lighting is an important part of the infrastructure that Council provides throughout the city area. In commercial areas such as the CBD, street lighting is important to the security and safety of patrons using those areas in the evening and at night. This proposal is not considered to have any positive or negative effects on sustainable economic growth and development.

### Social Inclusion and Participation

This proposal is not considered to have any positive or negative effects on social inclusion and participation.

### Protect, Conserve and Enhance the Environment and Biodiversity

The electricity costs for street lighting are the single biggest electricity charge that Council pays. It is therefore a substantial contributor to Council's overall greenhouse gas emissions. The current proposal will reduce Council's greenhouse gas emissions by approximately 896 tonnes per annum which is a very positive outcome.

In addition, the removal of the mercury vapour lighting is regarded as a positive outcome. The mercury contained in those lights would be disposed of by Country Energy in a responsible manner and the various metal components of the lights would be recycled.

The proposal is not regarded as having any negative effects on the environment and biodiversity.

### Best-Practice Corporate Governance

Council has an obligation to ensure that the services it delivers to its community represent value for money and are the most economic available. This proposal is consistent with that obligation.

## Comments

### Finance

The recommendations in the report are supported. The proposal from Country Energy is attractive from a cost point of view as well as the substantial reduction in greenhouse gas emissions that can be achieved. Due to the expected timing of the replacement of the street lights, the savings in the 2011/12 financial year will not cover the total expected cash outlay. This shortfall can be factored into the 2011/12 budget process with repayment from savings in the following financial year.

## Other staff comments

### **Environmental Strategies Coordinator**

Council's 2001-02 greenhouse gas (GHG) inventory, undertaken as Milestone 1 of the Cities for Climate Protection (CCP) program, identified electricity consumption as the primary source of GHG emissions, accounting for 60% of total corporate emissions. Street lighting accounted for 18% of Council's total corporate emissions and represents a similar portion of our total energy costs.

The proposal provides a very cost effective opportunity for Council to almost halve (reduce by 42%) the annual costs and GHG emissions associated with street lighting. The adoption of this proposal will also demonstrate Council's commitment to its current target to reduce 2001-02 level emissions by 20% by 2012. It is estimated that this action alone will reduce total corporate emissions by over 7%, representing the single biggest reduction since commencing the CCP program.

Further substantial reductions in costs and GHG emissions could be achieved with the installation of newer lighting technology. Therefore, Council's continued work with Country Energy is essential to ensure that newer technology, such as LED lights, are approved for possible future installation.

## Public consultation

Not applicable.

## Conclusion

The proposal from Country Energy is attractive as it will deliver to Council substantial ongoing cost savings in both the energy use, and infrastructure charges compared to Council's current costs. Substantial reductions in greenhouse gas emissions can also be achieved.

Whilst there is no doubt that at some point in the future more energy efficient lighting will become available and approved for use, the very short payback period of this proposal at less than one year is compelling and it is recommended that Council agree to proceed.

There will be cash flow issues associated with paying for the work and the fact that the savings from the first year of operation will occur across financial years. These matters will be dealt with as part of the 2011/12 budget process.

## Attachment/s

1. Streetlight Maintenance and Energy Efficient Lighting Upgrade

## Recommendation

That:

1. Council accept the proposal from Country Energy for replacement of street lighting throughout the Lismore City Council area with energy efficient street lighting.
2. The General Manager progress the matter and finalise discussions with Country Energy on implementing the proposal.
3. The Finance Manager deal with the cash flow issue as outlined in the report as part of the 2011/12 budget process.

countryenergy

8 December 2010

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

*Tim Please.*

*Refer to Scott Sumner ①  
his partner ②*

Dear Mr O'Sullivan

**Re: Streetlight Maintenance & Energy Efficient Lighting Upgrade**

I am writing to provide you with an update on Country Energy's streetlight maintenance program and energy efficient lighting upgrade.

You may be aware that under our Public Lighting Management Plan, Country Energy will replace all streetlight lamps every 36 months. In addition to this bulk lamp replacement program, we will also clean the luminaires, inspect and test equipment and replace photocells (if fitted).

I am pleased to advise that Country Energy has commenced the bulk lamp replacement program for the current 36-month cycle and that we have scheduled work in the Lismore City Local Government Area (LGA) to commence in September 2011.

At past meetings, council has told Country Energy that it wishes to change to more energy efficient street lighting if possible. We have previously advised that if the energy efficiency upgrade were to be combined with the bulk lamp replacement program, then council would need only to fund the capital cost of the new luminaire. This would represent a considerable saving to council.

I have attached a report and explanation which shows the various street lighting combinations that exist within your LGA, their current annual costs to council, and the respective future costs should applicable luminaires be replaced with energy efficient types.

In summary, the report shows that for an upfront cost of \$269,784 Country Energy will upgrade all applicable luminaires to the most energy efficient type available. We estimate that this will:

- Reduce greenhouse gas emissions by almost 896 tonnes p.a.
- Reduce your energy bill by \$76,424 p.a.
- Reduce your Network Use Of System Charge (NUOS) by \$137,658 p.a.
- Reduce your Streetlight Use Of System (SLUOS) charge by \$67,652 p.a.

This represents total estimated yearly savings of \$281,734 with a likely payback period of about one year. This also assumes that council will nominate Country Energy as its energy saver, under the NSW Energy Saving Scheme (ESS). The value of the Energy

The logo for Country Energy, featuring the word "countryenergy" in a lowercase, sans-serif font. "country" is in a lighter grey and "energy" is in a darker grey, both set against a dark grey rectangular background.

Savings Certificates created will be used to partially offset the capital outlay of the luminaire upgrade. For further information on the ESS visit [www.ess.nsw.gov.au](http://www.ess.nsw.gov.au).

Please note that the figures quoted above are estimates and will vary, depending on your current and future energy tariffs, network charges etc.

Should you wish to proceed with the energy efficient street lighting upgrade, or if you would like to discuss it further, please don't hesitate to contact me on (02) 6643 7780.

Yours sincerely

A handwritten signature in blue ink, appearing to read "Richard Wake".

Richard Wake  
Regional General Manager,  
Country Energy - Far North Coast






#### An explanation of the Energy Efficient Luminaire Report

- 1/ Please ensure that the notes section is read and understood.
- 2/ Columns A, B, C and D describe the current luminaire combinations. These contribute to the relevant SLUOS charge. Please see the notes section for a description of each tariff class.
- 3/ Column E is the number of each combination within your LGA.
- 4/ Column F is the amount of unrecovered capital. This only applies to tariff code 1 lights (see notes).
- 5/ Column G describes the energy efficient luminaire that will produce an equivalent amount of light. "0" means that the current luminaire is the most energy efficient type available and will therefore not be upgraded.
- 6/ Column H is the total cost of the luminaires for each combination. This is the amount council would fund if the upgrade were to be done during the bulk replacement program.
- 7/ Columns I, J and K provide a total energy consumption comparison for each light combination, between the existing luminaire and the replacement luminaire.
- 8/ Columns L, M and N provide a similar comparison to 7/ above for energy costs. The energy costs are based on Country Energy's street lighting tariffs and will vary depending on which energy retailer council is with.
- 9/ Columns O, P and Q are as above for NUOS.
- 10/ Columns R, S and T are as above for SLUOS.
- 11/ Because council is partially funding the upgrade, all tariff class 1 lights will be changed to tariff class 4, which does not have a capital recovery component and therefore may be less expensive. Similarly all tariff class 2 lights will be moved to tariff class 4 and since tariff class 4 lights are newer, they may be slightly more expensive than tariff class 2.
- 12/ Lights that do not undergo an energy efficiency upgrade will remain on their existing tariff. However, council may wish to negotiate a tariff change.





**Energy Efficient Luminaire Replacement Report  
2010 - 2011**

**North Coast**

**Lismore City Council**

Current Luminaire	Pole Type	No. of Luminaires	Tariff Class	Qty	Unrecovered Capital	Replacement Luminaire	Replacement Cost	Current MWh/Yr	Replace MWh/Yr	MWh/Yr Variance	Current Energy \$	Replace Energy \$	Energy /Yr Variance \$	Current Network \$	Replace Network \$	Network /Yr Variance \$	Current SLUOS \$	Tariff 3 SLUOS \$	SLUOS Variance Tariff 3	Tariff 4 SLUOS \$	SLUOS Variance Tariff 4	
Compact Fluorescent	Shared/NoPole	1		1	0.00	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Compact 40	Shared/NoPole	1		4	308.27	Compact Fluorescent 42	648.08	0.87	0.81	-0.06	78.68	73.02	-5.67	141.73	131.53	-10.20	243.57	426.71	183.15	140.02	-103.54	
High Pressure Sodium	Shared/NoPole	1		28	0.00	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
High Pressure Sodium	Wood Pole	1		2	0.00	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
High Pressure Sodium	Shared/NoPole	1		101	0.00	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
High Pressure Sodium	Steel Pole	2		12	0.00	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
High Pressure Sodium	Shared/NoPole	1		3	0.00	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
High Pressure Sodium	Wood Pole	1		3	0.00	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Compact Fluorescent 60	Shared/NoPole	1		1	71.07	Compact Fluorescent 42	162.02	0.26	0.20	-0.06	23.61	18.25	-5.35	42.52	32.88	-9.64	90.39	106.68	16.29	35.01	-55.38	
Mercury Vapour 400	Shared/NoPole	2		8	2,436.14	High Pressure Sodium 250	1,889.12	14.96	9.50	-5.46	1,363.37	859.24	-494.14	2,437.76	1,547.69	-890.06	966.38	1,537.71	571.33	301.17	-665.21	
Mercury Vapour 400	Shared/NoPole	1		358	54,487.24	High Pressure Sodium 250	75,588.12	689.64	425.14	-244.50	60,563.49	38,450.77	-22,112.72	109,089.55	69,259.18	-39,830.37	36,653.42	53,303.51	16,650.09	13,477.55	-23,175.87	
Mercury Vapour 400	Roundabout	4		4	2,423.84	High Pressure Sodium 250	844.56	7.48	4.75	-2.73	876.89	429.62	-247.07	1,218.88	773.85	-445.03	1,339.46	2,650.00	1,310.54	190.58	-1,148.89	
Mercury Vapour 250	Wood Pole	2		2	602.17	High Pressure Sodium 150	406.00	2.35	1.51	-0.84	212.45	136.12	-76.32	382.67	245.19	-137.48	325.46	313.72	-11.76	94.65	-230.83	
Mercury Vapour 250	Wood Pole	1		11	1,661.11	High Pressure Sodium 150	2,233.00	12.92	8.28	-4.64	1,168.47	748.68	-419.78	2,104.89	1,348.56	-756.13	1,589.75	3,117.13	1,527.38	520.59	-1,069.16	
Mercury Vapour 250	Steel Pole	1		1	150.23	High Pressure Sodium 150	203.00	1.17	0.75	-0.42	106.22	68.06	-38.16	191.34	122.60	-68.74	180.24	358.65	178.41	46.19	-133.75	
Mercury Vapour 250	Shared/NoPole	2		2	601.06	High Pressure Sodium 150	406.00	2.35	1.51	-0.84	212.45	136.12	-76.32	382.67	245.19	-137.48	209.36	380.36	-71.01	72.99	-136.37	
Mercury Vapour 250	Shared/NoPole	1		34	5,119.38	High Pressure Sodium 150	6,902.00	39.93	25.59	-14.35	3,811.62	2,314.11	-1,297.51	6,505.41	4,168.28	-2,337.13	2,939.67	5,008.17	2,068.49	1,240.77	-1,698.90	
Mercury Vapour 125	Steel Pole	1		1	75.98	High Pressure Sodium 70	135.77	0.62	0.37	-0.24	55.87	33.83	-22.03	100.63	60.94	-39.68	161.76	340.26	178.50	44.25	-117.51	
High Halids (Reactor Gear) 400	Shared/NoPole	1		3	0.00	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Mercury Vapour 80	Wood Pole	2		4	612.18	Compact Fluorescent 42	648.08	1.67	0.81	-0.86	151.07	73.02	-78.06	272.12	131.53	-140.60	490.56	1,085.61	297.46	183.26	-307.20	
Mercury Vapour 80	Wood Pole	1		52	3,988.76	Compact Fluorescent 42	8,425.04	21.72	10.50	-11.22	1,963.97	649.25	-1,014.72	3,537.58	1,709.83	-1,827.75	5,895.17	12,623.21	6,728.05	2,363.42	-3,511.55	
Mercury Vapour 80	Steel Pole	1		79	6,002.26	Compact Fluorescent 42	12,799.58	32.99	15.95	-17.05	2,983.72	1,442.13	-1,541.59	5,374.40	2,597.63	-2,776.77	12,746.51	27,138.80	14,392.30	3,555.24	-9,191.26	
Mercury Vapour 80	Shared/NoPole	2		8	1,228.68	Compact Fluorescent 42	1,296.16	3.34	1.61	-1.73	302.15	146.04	-156.11	544.24	263.05	-281.19	516.62	1,087.42	570.79	280.65	-236.57	
Mercury Vapour 80	Shared/NoPole	1		805	62,038.94	Compact Fluorescent 42	130,426.10	336.17	162.48	-173.69	30,403.71	14,695.12	-15,708.58	54,764.46	26,469.49	-28,294.97	44,522.07	85,875.53	41,353.46	28,179.65	-16,342.43	

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Report Number: LR05  
Report Name: Energy Efficient Luminaire Replacement 2010-2011

COMMERCIAL-IN-CONFIDENCE

countryenergy																						Energy Efficient Luminaire Replacement Report 2010 - 2011									
Current Luminaire	Pole Type	No. of Luminaires	Tariff Class	Qty	Unrecovered Capital	Replacement Luminaire	Replacement Cost	Current MWh/Yr	Replace MWh/Yr	MWh/Yr Variance	Current Energy /Yr \$	Replace Energy /Yr \$	Energy /Yr Variance \$	Current Network /Yr \$	Replace Network /Yr \$	Network /Yr Variance \$	Current SLUOS \$	Tariff 3 SLUOS \$	SLUOS Variance Tariff 3	Tariff 4 SLUOS \$	SLUOS Variance Tariff 4										
Mercury Vapour 50	Steel Pole	1		1	75.86	Compact Fluorescent 42	162.02	0.28	0.20	-0.08	25.57	18.25	-7.32	46.06	32.88	-13.18	161.06	343.53	182.47	45.00	-116.05										
Mercury Vapour 50	Shared/NoPole	1		54	4,161.62	Compact Fluorescent 42	8,749.05	15.27	10.90	-4.37	1,380.91	985.76	-395.15	2,487.36	1,775.59	-711.77	2,970.89	5,760.59	2,789.71	1,890.31	-1,080.57										
Mercury Vapour 400	Wood Pole	2		4	1,219.18	High Pressure Sodium 250	844.56	7.48	4.75	-2.73	616.89	429.62	-247.07	1,218.88	773.85	-445.03	715.44	1,315.16	597.72	193.92	-521.52										
Mercury Vapour 400	Wood Pole	1		80	12,211.92	High Pressure Sodium 250	16,891.20	149.64	95.00	-54.64	13,533.74	8,592.35	-4,941.39	24,377.55	15,478.91	-8,900.64	12,835.64	22,797.52	9,961.87	3,675.39	-6,957.25										
High Pressure Sodium 30	Shared/NoPole	1		3	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00									
High Pressure Sodium 30	Steel Pole	1	1	5	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00									
High Pressure Sodium 30	Wood Pole	1		10	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00									
High Pressure Sodium 30	Steel Pole	1		32	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00									
High Pressure Sodium 30	Roundabout	4		12	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00									
High Pressure Sodium 30	Steel Pole	1		10	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00									
Fluorescent 80	Shared/NoPole	1		2	154.13	Compact Fluorescent 42	324.04	0.78	0.40	-0.38	70.82	36.51	-34.31	127.56	65.76	-61.79	121.78	213.36	91.57	70.01	-51.77										
<b>Total Tariff 1</b>				<b>1,740</b>	<b>\$159,630.14</b>		<b>269,783.53</b>	<b>1,321.90</b>	<b>781.01</b>	<b>-540.89</b>	<b>119,555.26</b>	<b>\$70,635.90</b>	<b>-\$48,919.36</b>	<b>215,348.04</b>	<b>127,232.40</b>	<b>-\$88,115.64</b>	<b>125,675.20</b>	<b>225,784.03</b>	<b>\$100,108.83</b>	<b>56,823.82</b>	<b>-\$68,851.59</b>										
Compact Fluorescent 2	Shared/NoPole	1		4	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00									
Metal Halide (Reactor Gear) 400	Steel Pole	1		1	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00									
Metal Halide (Reactor Gear) 400	Shared/NoPole	1		1	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00									
Metal Halide (Reactor Gear) 250	Shared/NoPole	1		1	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00									
Mercury Vapour 80	Wood Pole	1		14	0.00	Compact Fluorescent 42	0.00	5.85	2.83	-3.02	528.76	255.57	-273.19	952.43	460.34	-492.09	590.94	0.00	0.00	0.00	641.74	50.80									
Mercury Vapour 80	Steel Pole	1		491	0.00	Compact Fluorescent 42	0.00	205.04	99.10	-105.94	18,544.37	8,963.11	-9,581.26	33,402.92	16,144.74	-17,258.17	20,312.03	0.00	0.00	22,096.52	1,784.49										
Mercury Vapour 80	Shared/NoPole	2		3	0.00	Compact Fluorescent 42	0.00	1.25	0.61	-0.65	113.31	54.76	-58.54	204.09	98.84	-105.45	93.92	0.00	0.00	105.02	11.10										
Mercury Vapour 80	Shared/NoPole	1	2	440	0.00	Compact Fluorescent 42	0.00	183.74	88.81	-94.93	16,618.17	8,032.12	-8,586.06	29,933.37	14,467.79	-15,465.57	13,774.22	0.00	0.00	15,402.54	1,628.32										
Mercury Vapour 50	Steel Pole	1		38	0.00	Compact Fluorescent 42	0.00	10.74	7.67	-3.07	971.75	693.68	-278.07	1,750.37	1,249.46	-500.87	1,560.97	0.00	0.00	1,710.12	149.15										
Mercury Vapour 50	Shared/NoPole	1		36	0.00	Compact Fluorescent 42	0.00	10.18	7.27	-2.91	920.61	657.17	-263.44	1,658.24	1,183.73	-474.51	1,116.52	0.00	0.00	1,260.21	143.68										
Mercury Vapour 400	Steel Pole	2		2	0.00	High Pressure Sodium 250	0.00	3.74	2.38	-1.37	338.34	234.81	-123.53	609.44	386.92	-222.52	134.08	0.00	0.00	0.00	0.00										
Mercury Vapour 400	Steel Pole	1		116	0.00	High Pressure Sodium 250	0.00	216.98	137.76	-79.22	19,623.92	12,458.91	-7,165.01	35,347.45	22,441.52	-12,905.93	7,776.88	0.00	0.00	5,526.72	-2,250.16										
Mercury Vapour 400	Shared/NoPole	1		9	0.00	High Pressure Sodium 250	0.00	16.83	10.69	-6.15	1,522.55	966.64	-555.91	2,742.47	1,741.15	-1,001.32	512.81	0.00	0.00	398.82	-173.98										
Mercury Vapour 250	Steel Pole	1		13	0.00	High Pressure Sodium 150	0.00	15.27	9.78	-5.49	1,380.91	884.81	-496.11	2,487.36	1,593.75	-893.61	667.11	0.00	0.00	604.38	-62.73										
Mercury Vapour 250	Shared/NoPole	1		2	0.00	High Pressure Sodium 150	0.00	2.35	1.51	-0.84	212.45	136.12	-76.32	382.67	249.19	-137.48	82.50	0.00	0.00	72.89	-9.52										

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Report Number: LR05  
Report Name: Energy Efficient Luminaire Replacement 2010-2011

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Countryenergy		Energy Efficient Luminaire Replacement Report 2010 - 2011																				
Current Luminaire	Pole Type	No. of Luminaire #s	Tariff Class	Qty	Unrecovered Capital	Replacement Luminaire	Replacement Cost	Current MWh/Yr	Replace MWh/Yr	MWh/Yr Variance	Current Energy /Yr \$	Replace Energy /Yr \$	Energy /Yr Variance \$	Current Network /Yr \$	Replace Network /Yr \$	Network /Yr Variance \$	Current SLUOS \$	Tariff 3 SLUOS \$	SLUOS Variance Tariff 3	Tariff 4 SLUOS \$	SLUOS Variance Tariff 4	
	No Pole					Sodium 150																
cury Vapour 125	Steel Pole	1		1	0.00	High Pressure Sodium 70	0.00	0.62	0.37	-0.24	55.87	33.83	-22.03	100.63	60.94	-39.68	41.78	0.00	0.00	44.25	2.47	
Pressure Sodium	Steel Pole	1		8	0.00	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
Pressure Sodium	Shared/ No Pole	1		2	0.00	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
Pressure Sodium	Wood Pole	1		2	0.00	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
Pressure Sodium	Steel Pole	1		1	0.00	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
Pressure Sodium	Shared/ No Pole	1		1	0.00	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
Pressure Sodium	Roundabout	4		4	0.00	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
Pressure Sodium	Wood Pole	1		2	0.00	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
Pressure Sodium	Steel Pole	2	2	13	0.00	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
Pressure Sodium	Steel Pole	1		33	0.00	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
ndescent 150	Shared/ No Pole	1		1	0.00	High Pressure Sodium 70	0.00	0.65	0.37	-0.28	59.01	33.83	-25.18	106.30	60.94	-45.35	69.39	0.00	0.00	34.25	-35.14	
Pressure Sodium	Wood Pole	1		9	0.00	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
Pressure Sodium	Steel Pole	2		5	0.00	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
compact Fluorescent	Steel Pole	1		3	0.00	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
Pressure Sodium	Shared/ No Pole	1		8	0.00	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
Pressure Sodium	Shared/ No Pole	1		17	0.00	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
Pressure Sodium	Steel Pole	1		45	0.00	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
compact Fluorescent	Wood Pole	1		1	0.00	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
<b>Total Tariff 2 Summary</b>				<b>1,327</b>	<b>\$0.00</b>		<b>0.00</b>	<b>673.25</b>	<b>369.14</b>	<b>-304.11</b>	<b>60,890.03</b>	<b>\$33,385.38</b>	<b>-\$27,504.65</b>	<b>109,677.73</b>	<b>60,135.17</b>	<b>-\$49,542.56</b>	<b>46,739.15</b>	<b>0.00</b>	<b>\$0.00</b>	<b>47,932.83</b>	<b>\$1,199.68</b>	
				<b>3,067</b>	<b>\$159,630.14</b>		<b>269,783.53</b>	<b>1,995.15</b>	<b>1,150.14</b>	<b>-845.01</b>	<b>180,445.29</b>	<b>104,021.28</b>	<b>-\$76,424.01</b>	<b>325,025.77</b>	<b>187,367.57</b>	<b>-\$137,658.20</b>	<b>-</b>	<b>172,408.36</b>	<b>225,784.03</b>	<b>\$100,108.83</b>	<b>104,756.45</b>	<b>-\$67,851.91</b>
(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)	(I)	(J)	(K)	(L)	(M)	(N)	(O)	(P)	(Q)	(R)	(S)	(T)	(U)	(V)	

Notes:  
 Please refer to caveats documented in report Summary page.  
 For any further enquiries on the above please contact Ramke Verschuif - Country Energy Public Lighting Customer Liaison Representative on 02 6589 8688.

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Report Number: LR05  
 Report Name: Energy Efficient Luminaire Replacement 2010-2011

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Energy Efficient Luminaire Replacement Report

Indicative Change over of Annual Running Costs for Replaced Luminaires

Lismore City Council

	Current Luminaire	Replacement Luminaire	Variance
Unrecovered Capital (Tariff 1 only)	\$159,630	\$269,784	
Replacement Cost (Tariff 1 only)			
MWh /Year	1,995	1,150	-845
Ghg Emissions Co2 (Tonne)	2,115	1,219	-896
Energy Consumption (J)	\$180,045	\$104,021	-\$76,424
NUOS Consumption (K)	\$325,026	\$187,368	-\$137,658
SLUOS Tariff 1 to SLUOS Tariff 3 (L)	\$125,675	\$225,784	100,108.83
SLUOS Tariff 1 to SLUOS Tariff 4 (M)	\$125,675	\$56,824	-\$68,852
SLUOS Tariff 2 to SLUOS Tariff 4 (N)	\$46,733	47,932.83	\$1,200

**Notes:**  
 Direct replacement of luminaires using the sizes shown may not be suitable if existing light types in a particular street are mixed.  
 The Franchise Energy rate is 9.04c/kWh, NUOS rate is 16.29/kWh and are based on the 10/11 prices and are indicative only.  
 The tariff prices shown in this schedule are cost reflective tariffs currently being charged and are the same for all Country Energy customers.  
 The tariffs applicable to individual accounts can be calculated by the customer by multiplying the cost reflective tariff from this table by a Tariff Factor which each Council will be advised of individually.  
 The Greenhouse Gas Emission factor used in the calculation is 1.06kg CO2-e/kWh based on the National Greenhouse Accounts (NGA) factors (Department of Climate Change - Australian Government).  
 P/L Load table ratings are taken from the National Electricity Market Load Tables (NEMMOD) for Unmetered Connection Points.  
 The blank fields in the replacement table represents that Country Energy have not modelled an alternative energy efficient luminaire as Country Energy believe this is currently the most effective luminaire.  
 The burning hours used in this model are 4350 hours and are representing the average burning hours in ideal conditions.  
 Country Energy is currently seeking approval from the AER for the Compact Fluorescent 32W Lamp to be added to our approved materials list.  
 The Replacement Cost is based on RAW materials only and do not contain any installation costs.  
 Tariff Class 2 - Constructed before 1 July 2009 (Column D). Funded and maintained by Country Energy. AER determined to continue capital recovery for 10 years (Column F) is capital owing on Country Energy funded streetlights. Normal life is 20 years, some of the lights in Tariff Class 1 will be older than 10 years whilst others considerably newer. The decision is based on the average. If replacement is sought before the 10 year expiry un-recovered capital will be required with the light becoming either Tariff Class 3 or 4 as per negotiations.  
 Tariff Class 2 - Constructed before 1 July 2009 (Column D). Customer funded and maintained by Country Energy. AER has determined that Country Energy is responsible for funding the next replacement at the end of their useful life. When a light on Tariff Class 2 is replaced it will be placed on a Tariff Class 4.  
 Tariff Class 3 - Constructed after 1 July 2009 (Column E). Funded and maintained by Country Energy. SLUOS charges incorporate a capital recovery component.  
 Tariff Class 4 - Constructed after 1 July 2009 (Column F). Customer funded and maintained by Country Energy. SLUOS charges do not incorporate a capital recovery component.  
 Column J - Energy variance resulting from changing to more efficient luminaires. Negative numbers indicate proposed reduction in \$, Positive numbers indicate proposed increase in \$  
 Column K - Network Use of System Charge variance since less kWh being passed through network. Negative numbers indicate proposed reduction in \$, Positive numbers indicate proposed increase in \$  
 Column L - Sluos variance when replacement funded by Country Energy. Negative numbers indicate proposed reduction in \$, Positive numbers indicate proposed increase in \$.  
 Column M - Sluos variance when replacement funded by Customer. Negative numbers indicate proposed reduction in \$, Positive numbers indicate proposed increase in \$.  
 For any further enquiries on the above please contact Femko Verschuur - Country Energy Public Lighting Customer Liaison Representative on 02 6589 8688.

# Report

<b>Subject</b>	<b>Rekindling The Spirit - Request for Financial Assistance</b>
<b>TRIM Record No</b>	BP10/721:P30744
<b>Prepared by</b>	Manager - Assets
<b>Reason</b>	To advise Council of a request for financial support towards the Rekindling the Spirit Project.
<b>Community Strategic Plan Link</b>	Social Inclusion and Participation

## Overview of Report

Council has received an approach from the Rekindling the Spirit Organisation for further financial support towards its project at Goonellabah. Construction of the new community facility has not yet commenced due to significant cost increases associated with the project. It is recommended that Council consider the request as part of the 2011/12 budget and operational plan processes.

## Background

The Rekindling the Spirit (RTS) organisation has been operating since 1999, initially as a pilot program. The need for an Aboriginal anti-violence program was established based on statistics available to government agencies. Since RTS' inception as a primarily anti-violence program, its services have expanded to include: support workers for the Bringing them Home (funded by Dept Health & Aging); provision of training for Aboriginal anti-violence workers (funded by Office of ATSI Health), and holistic family based service provision (funded by Brighter Futures). RTS program objectives are:

- to promote healing and well being for men, women, families and communities;
- address unhealthy attitudes and behaviours;
- encourage self-determination for and by Aboriginal people;
- enhance family functioning and relationships;
- reduce rates of drug and alcohol misuse;
- reduce the occurrence of domestic and family violence;
- reduce the occurrence of child abuse; and
- reduce the rate of Aboriginal men repeatedly offending in the criminal justice system.

In 2006 the Australian Government Department of Families, Housing, Community Services and Indigenous Affairs (FaHCSIA) signed an agreement with DoCS (NSW) under which \$500,000 was provided to enable the purchase of a property at Uralba Street, Lismore, to enable RTS to deliver its services. Upon professional inspection, this property was deemed unsuitable due to termite infestation and office space size inadequate to deliver the programs, thus resulting in major expenditure, in excess of existing budget, required to bring the building up to standards and meet the needs of clientele e.g. disabled access and parking requirements.

After much searching for suitable office space and program delivery space in a location central to Lismore City as the regional centre of the Northern Rivers, it was determined that Lismore City Council be approached for the availability of land options. The parcel of land at 20 Gordon Blair Drive was subsequently donated by Council to RTS in the 2007/08 financial year. A legal instrument has been created to protect Council's investment in the project should the property be sold in the short to medium term future.

It is an unfortunate reality that the RTS project for Goonellabah has been delayed for so long due to decision making requirements at the state and federal levels. Consequently, the time frames have seen the gap widen between grant budget and actual project costs rising year by year.

Council has previously agreed to provide land at 20 Gordon Blair Drive for construction of a new community facility from which the RTS programs can be delivered. Development Consent No. 09/461 was issued and operated from 20 January 2010.

The project has not proceeded in the timelines originally planned, largely due to funding issues. There have been issues between the Federal and State Governments in regard to the provision of the funding and in particular the relevant state government agencies have raised concerns with RTS about management of the construction phase of the project and asset ownership and responsibility. The construction of the new facility has been estimated to cost substantially more than originally estimated, with a substantial part of the increase associated with cost increases over the time since the project was first proposed.

The funding that RTS is to receive from the Federal Government is \$500,000 with the estimated project cost now approximately \$900,000.

Council staff provided RTS with engineering and project management assessment of the project in order to assist the organisation in its discussions with the State and Federal Governments. A fee proposal to project manage construction of the building has also been provided as an option for RTS to satisfy the concerns of the funding body.

The major issue to be resolved for RTS is the overall funding of the project. A request has been received for Council to provide further financial assistance to the project in the form of a waiver of various fees and charges associated with the development consent issued for the building. A copy of the letter is attached to this report.

The fees and charges requested to be waived are:

- Planning and assessment fees associated with the project.
- Section 94 levies.
- Section 64 levies.
- Subdivision connection costs.

Essentially this is a request for financial assistance and must be treated in accordance with Council's relevant policies. The matter of the fees and charges associated with the development consent are dealt with in the Staff Comments section of this report by the Manager - Development and Compliance.

In regard to the subdivision connection costs, these are estimated at approximately \$60,000 and are those involved in connecting water, sewer and electricity services to the land. Council, as the "developer" of the land in terms of subdividing the parcel off such that it could be used for this project, has paid a bond (to itself) to cover these costs. This was necessary to allow the subdivision to proceed in accordance with the development consent. However, it was always intended that these costs would be met by RTS as part of their overall project budget, given that Council has effectively donated the land for the project.

## Sustainability Assessment

### Sustainable Economic Growth and Development

Construction of the new community facility in Goonellabah is considered to have a positive effect on sustainable economic growth and development. The facility will be larger than RTS' current premises and allow the organisation to expand its programs. The location of the facility close to the Goonellabah Sports and Aquatic Centre and the Goonellabah Youth Plaza is also regarded as a potentially positive outcome for those facilities.

### Social Inclusion and Participation

Rekindling The Spirit (RTS) already operates successful programs for indigenous people in the Lismore area. The proposal to construct a new, larger facility in Goonellabah will allow their programs to expand and will provide a facility that is more closely located to much of the indigenous population in Lismore. The location is also immediately adjacent to the Goonellabah Sports and Aquatic Centre and the Goonellabah Youth Plaza and will allow strong links to be formed with programs operating out of those facilities, particularly Council's "Changing The Tune" project.

### Protect, Conserve and Enhance the Environment and Biodiversity

The proposal is not regarded as having any positive or negative impacts on the environment or biodiversity. These matters were considered as part of the development application process with appropriate conditions included in the development consent.

### Best-Practice Corporate Governance

The request for financial assistance is not regarded as having any positive or negative effects on best-practice corporate governance.

## Comments

### Finance

Rekindling The Spirit has requested Council provide financial support associated with the Development Application for construction of a community facility in Goonellabah. Lismore City Council has already donated the parcel of land for the facility. Considering the accumulated budget deficit reported in the December 2010 Quarterly Budget Review Statement, the only option available is to treat the request as a submission to the 2011/12 Operational Plan. The request would then be assessed along with any other requests for support that may be received.

## Other staff comments

### Manager - Development and Compliance

Development Application DA09/461 proposing construction of a community facility at 20 Gordon Blair Drive, Goonellabah, was approved with the consent operating from 20 January 2010. The development involves the construction of a community facility on the subject site.

Upon lodgement of the Development Application, Rekindling the Spirit paid \$2,542.64 in Development Application fees. In addition to this amount already paid, the conditions of consent required to the following contributions to be paid, which are subject to CPI increases every 1 June:

Section 94 Contributions	\$11,905.00
Section 64 Contributions	\$12,693.00



It should be noted that the above fees are those which applied at the time the development consent was issued. The actual amount payable will be calculated in line with Council's adopted fee structure at the time they are paid and may be subject to variation.

Council fees associated with the future lodgement of a Construction Certificate application are as follows:

Construction Certificate and Inspections	\$ 8,260.00
Plumbing approvals and inspections	\$ 734.00

The actual amount payable will be calculated in line with Council's adopted fee structure at the time they are paid and may be subject to variation.

The total estimated amount of Council fees and charges already paid and likely to be required to progress the development therefore totals \$33,592.00.

Council's Section 94 and Section 64 Contributions (for water and sewer headworks) do not provide for waiving of the applicable charges, and only provide for works in kind to offset any contributions required (not applicable to the proposed development), or to make deferred or periodic payments of the contributions on terms satisfactory to Council.

Council Policy 1.4.7 - *Section 356 Donations - Development and Other Application Fees* states that, '...a donation under Section 356 of 30% of the above fees payable by community based non-profit organisations shall be made by Council.' Given that site development may not be pursued despite development consent being granted, Council may wish to give consideration to varying the provisions of Council Policy 1.4.7 in this circumstance, and make a donation greater than the nominated 30% amount.

Given the social benefits associated with the proposed development Council may also wish to give favourable consideration to enabling deferral of the applicable Section 94 and Section 64 contributions for a period of three years from the date of the consent, or paying the s.94 and s.64 contributions on behalf of Rekindling the Spirit and making a contribution towards the Council fees applying to construction of the proposed development, which would total \$33,592.00 (subject to CPI increases).

## Aboriginal Community Development Officer

Favourable consideration is supported for the RTS application for financial support towards the proposed construction of purpose built office space and group program delivery rooms. The completion of the planned building will not only enable onsite group work and further development to include community use of facilities with a focus on Aboriginal youth and Eldership, but importantly be centrally located and accessible to the Goonellabah Sports and Aquatic Centre and Goonellabah Youth Plaza. RTS' physical presence has the potential to have a positive influence on the Goonellabah Aboriginal community. The relocation of Rekindling the Spirit to Goonellabah and the intent to broaden its services to Aboriginal youth is an opportunity that Council's Community Services team would welcome and be quick to strengthen existing relationships and further develop capacity to work collaboratively within the Goonellabah precinct and Lismore LGA.

## Public consultation

Not applicable at this time. Should Council choose to support the requested assistance in principle, an advertising process would be required before Council made a final decision.



## Conclusion

The request for financial assistance from Rekindling the Spirit has arisen due to significant cost increases in delivering its project. It would appear that there is a real prospect that the project may not proceed unless additional funding can be secured. The request for financial assistance is a way in which Council could provide further support to the project. The total amount of financial support requested is approximately \$93,500.

It is considered that the most appropriate way for Council to deal with this request is for it to be considered as part of the 2011/12 budget and operational plan process. This would allow Council to consider the request in the context of the many other priorities that Council has and in particular, for public input to be sought as part of that process.

## Attachment/s

1. Rekindling the Spirit - Request to waiver fees

## Recommendation

That Council consider the request for financial assistance from Rekindling The Spirit as part of the 2011/12 budget and operational plan process.



**Rekindling the Spirit**  
ABN: 62 120 924 967  
PO Box 535  
LISMORE, NSW 2480  
Email:  
rekindlingthespirit@nrg.com.  
au  
Phone: 02 66 22 5534

19 October 2010

The General Manager  
Lismore City Council  
Oliver Avenue  
LISMORE NSW 2480

Dear Sir,

Rekindling the Spirit Limited  
Project Reference Trim Ref: P30744

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#### Project Update

Recently there was a meeting with the Department of Community Services (NSW Human Services), FaHCSIA representatives, RTS board and Lismore City Council. There was a lot of discussion regarding the actual land ownership provisions which council presented to RTS last year via their Solicitors. This proposal is being considered by FaHCSIA and we are awaiting their response to the provisions for the land ownership as this will decide the funding provisions for the Gordon Blair Drive project. As soon as we obtain details and firm arrangements we will advise council.

#### DA Approval process

We refer to the letter dated 29 July 2010 and seek the Councils consideration to waiver of the Council fees for this project in line with councils section 356 Donations-Development and other application fees.

More specifically this would include;

- The planning and assessment fees for the project
- Section 94 levies
- Section 64 levies
- Subdivision connection costs (or the actual cost as provided by the contractors in due course). This request is due to the fact that the property has the actual sewer line dividing the land on the eastern end, Telstra lines are also on site and we presume that electrical to the site would be nowhere near the bond provisions as there is power to neighboring blocks.

Yours faithfully,

*Signed Lindsay Clarke*  
Lindsay Clarke  
Director

# Report

<b>Subject</b>	<b>December 2010 Quarterly Capital Works Program Update</b>
<b>TRIM Record No</b>	BP11/10:EF09/1392
<b>Prepared by</b>	Manager - Works
<b>Reason</b>	To provide Council with an update on the progress of the approved Capital Works Program.
<b>Community Strategic Plan Link</b>	Improve Roads, Cycleways and Footpaths

## Overview of Report

This report provides Council with an update on progress of the major elements of the Capital Works Program for Roads and Water infrastructure.

## Background

The following summary provides Council with an overview on the progress of the approved major components of the Capital Works Program for Roads and Water infrastructure.

## Urban Roads Capital Works

1. Winterton Parade (Simes Bridge to Alexandra Parade) - \$490,200  
Stormwater construction, earthworks and pavement works are nearing completion for the upgrade of Winterton Parade, which also involved raising the existing road levels by approximately 1.0m. Works still to be completed include shaping and profiling of the earth embankments, cement stabilisation of pavement materials and the application of the wearing surface. This work is currently scheduled to be completed during February/March 2011, weather permitting.
2. Bridge Street, North Lismore (Fawcett Bridge to Terania Street) - \$475,000  
The upgrade of Bridge Street, North Lismore, is partly funded by the NSW Roads & Traffic Authority under the Regional Roads REPAIR program. The replacement of the existing water mains was included in this project due to their age and negating the requirement to undertake future repairs within a new road pavement. The upgrade of the stormwater drainage system has also been completed. This work was essential as the existing stormwater drainage system was not adequate. Roadworks are continuing through February, with a planned completion date during March 2011.
3. Wyrallah Road (Dalley Street to Oliver Street) - \$418,400  
The majority of works have now been completed with the only outstanding works involving the installation of the roundabout at the Dalley Street intersection and the application of the final asphalt wearing surface at this location. This work will commence within the next two (2) months following the relocation of Country Energy infrastructure.

## 4. New Ballina Road (Rotary Drive to Milton Street) - \$480,000

Works completed to date include the construction and upgrade of the stormwater drainage system. This work involved the installation of 275m of underground stormwater pipes, and the construction of 18 stormwater inlet pits. Roadworks are currently programmed to commence during March 2011.

## 5. Avondale Avenue - Stage 1 (Wyrallah Road to First Avenue) - \$360,000

This project is at the design and investigation stage. Works are currently scheduled to commence during April 2011.

## 6. Bellevue Avenue (Donnans Road to Weemala Street) - \$399,100

This project is at the design and investigation stage. Works are currently scheduled to commence during May 2011.

## 7. Conway Street - Stages 1 & 2 (SH16 Ballina Road to Keen Street) - \$750,000

This project is pending the completion of Sewer Rising Main No. 3 replacement. Works are currently planned to commence during May/June 2011.

## 8. Footpaths Reconstruction - \$116,800

The urban footpaths are inspected and condition rated on an annual basis, providing a risk rating score. This inspection is a condition placed on Council by its insurer to reduce Council's liability in this area. The risk rating system takes into account pedestrian use, size of trip points and surface condition.

The footpaths recently reconstructed based on this assessment process include; Parkes Street, Esmonde Street and Laurel Avenue.

## 9. Cycleways - RTA - \$104,000

The NSW Roads and Traffic Authority (RTA) has funded the widening of the existing footpath along Ballina Road (SH16) in two (2) locations. The first section is from Kellas Street to Rotary Drive, and the second section is from the Goonellabah Public School to the Rous Road intersection. This work is currently under construction and is planned to be completed towards the end of February 2011.

Further cycleway funding will be sought from the RTA to match Council's cycleway funding within the current budget.

## 10. Drainage Construction - \$250,000

The drainage construction program will involve upgrading the stormwater drainage system in Bridge Street, North Lismore (nearing completion) and Stage 1 in Phyllis Street, South Lismore, scheduled to commence during May 2011.

## Rural Roads Capital Works

### 1. Whian Whian Road - Stage 1 - \$306,000

The reconstruction of Whian Whian Road was completed by contract (NSW Roads and Traffic Authority) during October 2010. The work extended for 700m north of Simes Bridge.

### 2. Numulgi Road - \$435,000

The upgrade of Numulgi Road was completed towards the end of December 2010. This work also included the installation of a cattle underpass located on the southern side of Griffin Road. The installation of the underpass was a joint project between Council and the adjoining property owner.

3. Dorrroughby Road - Stages 1 & 2 (North of Corndale Road) - \$642,000  
Design and investigation work has been completed for these two stages. Roadworks are now scheduled to commence during February/March 2011. The work will include upgrading the stormwater drainage systems and reconstructing 700m of Dorrroughby Road from the Corndale Road intersection.
4. Rous Road - Stage 1 (Taylors Road to Muller Road) - \$520,000  
Design and investigation work is nearing completion for this project. Construction work is scheduled to commence during March/April 2011.
5. Caniaba Road (West of Fredericks Road) - \$430,000  
It is proposed to engage an external contractor to undertake this project. Engineering plans and specifications are currently being finalised in preparation for a public tender. Works are planned to commence during May 2011, subject to the engagement of a suitably qualified contractor.
6. Newton Drive (Tuntable Falls Road) - \$390,000  
This project is at the design and investigation stage with roadworks scheduled to commence during May 2011.
7. Mountain Top Road - \$100,000  
Works have recently commenced on the bitumen sealing of Mountain Top Road, south of the Stony Chute Road intersection. This work is expected to be completed by March 2011.
8. Kyogle Road Realignment - \$217,000  
Road realignment works have been completed on Kyogle Road, west of Leycester Road. This work was funded by the National Blackspot program.

## Regional Roads REPAIR Program

1. MR306 Dunoon Road (South of Craiglea Court) - \$336,000  
Road reconstruction works have recently been completed. This work involved the reconstruction and widening of a 600m section, including the upgrade of all stormwater facilities.
2. MR306 Dunoon Road (North of Borton Road) - \$346,000  
Road reconstruction works are complete on this 400m section north of Borton Road, Tullera. The pavement was widened to accommodate an 8.0m bitumen seal.
3. MR306 Dunoon Road Initial seal (Ch 25.4km to 26.6km) - \$266,400  
The final stage of this work is scheduled to be completed towards the end of June 2011.

## Regional Roads Bridge Capital Works

1. Southwell Bridge, Blue Knob Road (Goolmangar Creek) - \$1,400,000  
The replacement of Southwell Bridge is nearing completion with construction of the new structure comprising of two spans measuring a total length of 40m providing a carriageway width of 9.0m. The new sub-structure comprises a total of 15 pre-cast concrete driven piles and the super-structure features 32 pre-stressed concrete girders.

Works outstanding include the construction of the road approaches and laying of the final asphalt wearing surface. The new road approaches will incorporate the re-alignment of approximately 230m of Blue Knob Road accommodating the northern and southern approaches to the new bridge. The roadworks are currently scheduled for completion during February/March 2011.

2. Cullen Bridge, Blue Knob Road (Mulgum Creek) - \$1,300,000

This new bridge will comprise of three spans measuring a total length of 42m providing a width of 9.2m. The new bridge structure will also include a dedicated 2.4m wide footpath for pedestrians, located on the eastern side of the new structure. The footpath will be connected to the existing footpath on Cullen Street via a new pedestrian refuge located on the southern side of the new bridge. Cullen Bridge is expected to be open to traffic during May 2011.

3. Ruthven Bridge, Coraki Road (Pelican Creek) - \$1,400,000

Staff have experienced delays to the construction of the side track due to the recent flood events. Once the side track is completed, demolition of the existing structure will commence. This work will be followed by the installation of the bridge piles. The new concrete bridge will consist of three spans for a total length of 45m with a width of 9.8m.

4. Myott Bridge, Repentance Creek Road (Coopers Creek) - \$1,300,000

Engineering design plans are currently being finalised for this structure. The new bridge will involve the construction of concrete blade piers, similar to the existing structure, which is scheduled to commence during May 2011. Tenders will shortly be called for the supply and delivery of the concrete girders. The new structure will comprise of three spans for a total length of 55m, and width of 9.2m.

## Wastewater Infrastructure Capital Works – Sewer Rising Main No. 3

- \$3,372,100

Works completed to date include the installation of approximately 4,000m of 500mmø PE pipe using horizontal directional drilling (HDD) technology, from the Dawson Street pump station to the levee bank on the western side of Caniaba Street, South Lismore. The installation of this main also necessitated under-boring the Wilsons River, adjacent to the Ballina Road Bridge, to a depth of 14m below the invert of the riverbed.

The new main has been laid in seven (7) separate sections with exit and entry points at each location. All sections have been hydro-statically pressure tested and inspected by CCTV equipment.

Works still outstanding include the construction of seven (7) scour and air valve pits prior to the new main being physically connected to the Dawson Street sewer pump station. This work is currently expected to be completed by the end of March 2011, weather permitting.

## Water Infrastructure Capital Works - \$2,355,400

Detailed below is a list of water main renewals completed to date for this financial year:

### Length and size of water mains installed

Item	Location	100mm	150mm	225mm	250mm	375mm
1	Foleys Road	152m				
2	Esmonde Street	130m	27m			
3	Dunoon Road	485m	286m			
4	High Street			49m	20m	39m
5	Winterton Parade	30m	505m			
6	Bridge Street, North Lismore	256m	235m			
	<b>Totals</b>	<b>1,053m</b>	<b>1,053m</b>	<b>49m</b>	<b>20m</b>	<b>39m</b>

## Sustainability Assessment

### Sustainable Economic Growth and Development

The replacement and upgrade works will reduce the ongoing maintenance liabilities for these assets. The projects will also have a positive affect on Lismore's transport, water and wastewater infrastructure by providing an improved level of service to the community.

### Social Inclusion and Participation

The projects will improve the quality of service provided in the transport, water and wastewater infrastructure area.

### Protect, Conserve and Enhance the Environment and Biodiversity

Environmental impacts are addressed through the REF (review of environmental factors) process. Existing pavement materials and poor sub-grades will be modified where possible to reduce the volumes of imported materials.

### Best-Practice Corporate Governance

All projects have been designed and constructed to industry standards to ensure the life of the new asset is realised.

## Comments

### Finance

All capital works commenced in 2010/11 for Rural and Urban Roads, Regional Roads REPAIR Program and the Regional Roads Bridge Capital Works, are funded from various sources, including grant funds and revenue funds as part of the current approved works program.

### Other staff comments

Not required.

## Public consultation

The progress on Council's Capital Works program is reported to and discussed by the Infrastructure Assets Policy Advisory Group on a quarterly basis.

## Conclusion

Staff are constantly monitoring the progress on the delivery of the Capital Works program for roads infrastructure to ensure timely completion within the constraints of weather events and emergency works. The completion of one project by public tender has resulted in the delivery of a successful outcome for Council. Contracts have also recently been let for the repair and restoration works associated with major landslips on Oakey Creek Road, Jiggi Road, Rock Valley Road and Quilty Road resulting from the May 2009 flood event.

## Attachment/s

There are no attachments for this report.

## Recommendation

That the December quarter Capital Works progress report be received and noted.



# Report

<b>Subject</b>	<b>Delivery Plan Progress Report - December Quarter 2010</b>
<b>TRIM Record No</b>	BP11/6:EF10/18
<b>Prepared by</b>	Manager - Corporate Services
<b>Reason</b>	To advise Councillors of the Progress Toward the Implementation of the Delivery Plan
<b>Community Strategic Plan Link</b>	Whole of Council Corporate Planning

## Overview of Report

This report provides an update to Council on the progress with implementation of the Delivery Plan.

## Background

At the end of each quarter it is Council practice to report the progress on the implementation of Delivery Plan.

The attachment to the report contains the schedule for completion of all Delivery Plan milestones. Each milestone has a status of green, yellow or red. These statuses are defined:

- **Green.** The project has either been completed or is on schedule to meet its scope, budget and time targets.
- **Yellow.** There is likely to be some slippage on the timeline or budget but the project is being actively managed and will be completed within the period of the Delivery Plan.
- **Red.** The project is considerably behind schedule or circumstances have occurred that will prevent the completion of the project within the period of the Delivery Plan.

## Sustainability Assessment

### Sustainable Economic Growth and Development

This report will assist the implementation of the Delivery Plan projects that relate to this guiding principle.

### Social Inclusion and Participation

This report will assist the implementation of the Delivery Plan projects that relate to this guiding principle.

### Protect, Conserve and Enhance the Environment and Biodiversity

This report will assist the implementation of the Delivery Plan projects that relate to this guiding principle.

### Best-Practice Corporate Governance

Regular monitoring of Council's key initiatives represents best-practice corporate governance.

## Conclusion

This report provides an update to Council on the progress of the Delivery Plan projects. Council will note that following projects or project milestones will not meet their specific targets. Where this is the case an explanation is contained with the schedules.

- Carpark Shade Coverings.
- Completion of Lismore, Nimbin and Villages Visitor Guide 2011 (Part of the Tourism Strategic Plan).
- Asset Management.
- Asphalt Plant Upgrades.

## Attachment/s

1. Delivery Plan Schedule

## Recommendation

That report be received and noted.

Strategic Plan	Delivery Plan Project	Milestone	Completion Date	Status	Progress
Social inclusion and participation	Development of Reconciliation Action Plan	Training for RAP development	Dec-10	Green	Training completed for Community Services.
		Development of RAP	Feb-11	Yellow	Adopted by ExCom. Formation of steering committee pending.
		Aboriginal Cultural Education Program (ACEP)	Mar-11	Green	On track. Reconciliation Australia (RA) visit scheduled for February 2011. RA scheduled visit has been programmed to coincide with LCC general staff meetings where Aboriginal cultural awareness training will be given.
		Aboriginal Employment Strategy (AES) review and re-development	Jun-10	Yellow	Under review pending the outcome of RAP development as above.
		NAIDOC Week	July (annually)	Green	Completed and successful.
	Social inclusion	Social well-being committee established	Aug-10	Yellow	Project currently being restructured to meet guidelines of recently allocated Federal Attorney General's Department 'Safer Suburbs' funds. Therefore this step is behind time as a result.
		Training delivered to community leaders	Feb-11	Green	Villagewell training conducted in November 2010 with key stakeholders and community leaders
		'World Cafe' deliberations conducted	2011 Goonellabah 2013 Nimbin	Green	On track. Planning scheduled to commence in February 2011.
		Events	2010-2014	Green	Events supported by Integrated Planning and grant funding and services in kind from relevant agencies completed up to 2010 on track. Activities included Youth Plaza events, seniors week, international day for people with disability, youth week, NAIDOC and Goonellabah community Christmas party.
	Access and Inclusion Plan implementation	Implement AIP	Jun-14	Green	Completed.
	Lismore Tourist Caravan Park relocation	Investigation of options for relocation of the park	Mar-11	Green	Options reported to Council 11 May 2010. Council decision was to investigate physical measures that might assist in extending evacuation times.
		Selection of preferred option to relocate the residents	Jun-11	Green	No preferred option identified as yet. GHD examined options for physical measures to increase evacuation time as per Council resolution from May and outcome reported to Council in December 2010. Council deferred the matter. Advice from Council's insurer and legal advice has been sought as input to the next report to Council which is due for the March 2011 meeting.
		Implement preferred option	August 2011-June 2014	Green	Matter to be reported to the March 2011 Council meeting for decision. Working group has been established by relevant agencies to put in place a plan to house/relocate residents in the event that the park does close.

Strategic Plan	Delivery Plan Project	Milestone	Completion Date	Status	Progress	
Sustainable growth and development	Airport 20-year pavement plan	Tenders called	Jun-11		Not yet commenced	
		Works completed	Oct-11		Not yet commenced	
		Airport beacon replacement	Beacon Replaced	Jun-12		Not yet commenced
	Sustainable Economic Development Strategy 2020	Develop a consultancy brief	Develop a consultancy brief	Sep-10		Preparatory work has been undertaken on the SEDS consultancy brief. Consultants on the BRE (Business retention and expansion survey) have commenced (important, as the SEDS project relies heavily on the BRE) with an expected completion date of 28 Feb 2011. The SEDS is planned to be completed by December 2011 as outlined in the Delivery Plan.
			Review and analyse quotes	Nov-10		See above
			Alliance/key stakeholders	Dec-10		See above
			Business/community consultation	Jan-11		See above
			Surveys developed	Mar-11		See above
			Surveys completed	May-11		See above
			Draft report, including action plans	Aug-11		See above
			Report of findings and draft action plans to stakeholders	Oct-11		See above
			Report to Council with draft Sustainable Economic Development Strategy, including actions	Dec-11		See above
			Lismore Investment Prospectus created	Jan-12		See above
			Implement the SEDS and actions.	Jun-14		See above
			Monitoring and ongoing feedback	Jun-14		See above
	Aspect North Hangar	Site Sold	Aug-10		While the project has run behind time a resolution has now been agreed. The EOI process took longer than expected and was reported to the September council meeting. Consequently a selective tender process was completed and reported to the November Council meeting. The Rescue Helicopter group was the successful bidder. Contracts are currently being drawn up. Sale to be settled 30 June 2011.	
	Wholesale produce markets	Determine and consult community leaders and stakeholders in the development of a co-operative	Start process	March 2010		Discussions have occurred with EcoMart and the Foodlinks Project. There is \$25,000 shown against this project in the Delivery Plan. The Ecomart project is a community initiative that has been being developed for some years and has an excellent team. It also has modelled its business plan off an existing and very successful operational produce market in rural USA. Subject to the finalities of the Foodlinks funding approval the Project Manager believes this Delivery Plan project to be satisfied from both a seed-funding and a community engagement standpoint.
			Secure project seed funding	Sep-10		Completed
			Secure links with Food Miles	Sep-10		Completed
			Business plan	Dec-10		Completed
Co-operative launch			By December 2011		Completed	

Strategic Plan	Delivery Plan Project	Milestone	Completion Date	Status	Progress
<b>Protect, conserve and enhance the environment and biodiversity</b>	Development and implementation of Lismore Biodiversity Management Strategy	Flora and fauna study	Jun-11		On track. Discussion was needed to finalise components of this milestone. Flora and fauna study may be incorporated as part of the 'Mapped products' as shown below which allows a focus on accurate vegetation mapping and as a cost saving measure..
		Mapped products, including key habitats and corridors, environmental assets, etc	Jan-12		On track. A proposal consistent with budget was agreed and consultants have been engaged. Some field work was brought forward to address LEP zoning concerns.
		Biodiversity Management (BM) Strategy	Jun-12		On track. Engaged consultants to undertake vegetation mapping. Currently undertaking aerial photo interpretation. Field work commencing in February 2011. Preliminary discussion with stakeholders around formation of Stakeholder Reference Group commenced.
		Koala Plan of Management	Jun-12		On track. Consultation workshop to be held in February 2011. Applications have been received for the Stakeholder Reference Group.
		Implementation of BM Strategy	Ongoing from July 2012		On track. See Biodiversity Management (BM) Strategy comments above.
<b>Best-practice corporate governance</b>	Professional development for staff and councillors	Complete Training	Jun-11		Completed. Security guards no longer employed. Youth Plaza is now staffed by youth workers at peak times.



Strategic Plan	Delivery Plan Project	Milestone	Completion Date	Status	Progress
Foster youth development	Nimbin Skate Park	Federal Government funding approval	Mar-10	Complete	Complete
		Call tenders for design and construction of the facility	Mar-10	Complete	Complete
		Close tenders, assess and award contract	Apr-10	Complete	Complete
		Conduct community consultation process	May-10	Complete	Complete
		Lodge development application and construction certificate	Jul-10	Complete	Complete
		Receive development consent	Aug-10	Complete	Complete
		Commence construction	Sep-10	Complete	Construction has commenced
		Complete construction	Nov-10	Delayed	Construction progress has been significantly delayed by wet weather. Completion of the project is now not likely to be until April 2011, weather permitting.
	Goonellabah Youth Plaza	Security guards engaged	Jul-10	Complete	Completed. Security guards no longer employed, Youth Plaza is now staffed by youth workers at peak times.
		Programs and events are delivered to local young people	Dec-10	Complete	Project planning currently being undertaken to enable programs and events to be delivered under the recently allocated 'Changing the Tune' Federal Attorney General's Proceeds of Crime funding.
Support an ageing population	Pedestrian access and mobility improvements	Magellan Street	Jun-11	On track	On track for 2011
		Molesworth Street	Jun-11	On track	On track for 2011
		Kadina Street	Jun-11	On track	On track for 2011
		Carrington Street	Jun-12	On track	On track for 2012
		Wyrallah Road	Jun-12	On track	On track for 2012
		Union Street	Jun-12	On track	On track for 2012
		Dibbs Street	Jun-12	On track	On track for 2012
		Union Street	Jun-12	On track	On track for 2012
		Esmonde Street	Jun-12	On track	On track for 2012
		Dalley Street	Jun-12	On track	On track for 2012
		Uralba Street	Jun-12	On track	On track for 2012
		Laurel Avenue	Jun-13	On track	On track for 2013
		Lake Street	Jun-14	On track	On track for 2014
		John Street	Jun-14	On track	On track for 2014
		Hunter Street	Jun-14	On track	On track for 2014
	New Ballina Road	Jun-14	On track	On track for 2014	
Richmond River Historical Society lift	Installation of a lift at the old Council chambers	Jun-13	On track	Project for 2013	

Strategic Plan	Delivery Plan Project	Milestone	Completion Date	Status	Progress
Provide sustainable land-use planning	Finalise draft comprehensive Local Environmental Plan	Receive public exhibition certificate	Mar-10	Complete	Complete.
		Executive Committee endorse Community Engagement Plan	Mar-10	Complete	Complete.
		Public exhibition of draft LEP	Jun-10	Complete	Completed. Extended exhibition period closed on 30 August 2010.
		Public hearing (land reclassifications)	Jun-10	Complete	Completed. Public hearing held on 22 September 2010 following the extended exhibition period.
		Council workshop/s to review/advise on issues raised in submissions	Aug-10	On Track	The extension of the submission period and the high number of submissions received has extended the time needed to review and prepare options. Submission reviewed commenced in November 2010 and the preparation of responses is ongoing subject to Council Briefing programs. Briefings commencing February 2011.
		Review submissions and prepare responses	Aug-10	On Track	As above. The Council workshops will follow the phase of developing options and responses to issues raised in submissions. Reviewed completion date April 2011.
		Council adoption of LEP	Sep-10	On Track	This timeframe will not be met due to the extension of the submission period, the very high number of submissions and the need for a number of submitters/Council workshops. This time period will be indicatively July/August 2011, subject to matters of possible re-exhibition which will only be resolved post Briefing sessions. If re-exhibition is required this date may be put back.
		Report to Department of Planning	Oct-10	On Track	See above. The report to DoP will occur after Council adoption.
		Gazettal and notification of LEP	Jan-11	On Track	See above. DoP estimates their reporting and gazettal process will take up to 2 months.
	Land-use planning - Growth Management Strategy	Prepare GMS post completion of key contributing strategies e.g. Integrated Sustainable Housing Strategy, etc	Jun-11	On Track	It is noted that the brief for the Business and Retention Expansion, includes a requirement for information on the market/economic drivers that effect the supply of housing in Lismore. This information will make an important contribution towards the development of the Sustainable Housing Strategy. The timing for the completion of the draft Housing Strategy has been extended to Feb 2012 so this impacts on the timeline for the GMS.
		GMS completed	Jun-12	On Track	See above
		Ongoing monitoring and review	June 2012 and ongoing	Complete	NA at this point.
	Land-use planning - Integrated City Transport Strategy	Review of existing transport studies and relevant information	Aug-10	Complete	This has been completed. A review was undertaken to inform consultants brief that was sent out for EOI from consultants in December 2010. It is planned that this will be completed by mid-2011 at the latest.
		Development of strategy scoping document, including strategy framework and deliverables	Dec-10	Complete	Completed. Consultants brief released December 2010.
		Preparation of external consultancy brief for any necessary external inputs	Dec-10	Complete	Completed. See comments above.
		Establishing interaction and correlation with delivery plans for infrastructure, housing, economic growth, and other input factors	Aug-11	On Track	On track. Working groups have been established for Housing Strategy and City Transport Strategy with cross referencing incorporated.
		Draft strategy	Jan-12	On Track	On track. See comments above.
		Consultation and exhibition	Feb-12	On Track	On track. See comments above.
		Revised strategy based on consultation/feedback adopted	Mar-12	On Track	On track. See comments above.
		Delivery plans for infrastructure updated to reflect strategy	May-12	On Track	On track. See comments above.
		Land-use planning - Sustainability Strategy	Drafting of document	Jan-11	On Track
	Consultation		Apr-11	On Track	See above.
	Sign-off by Council and partners		Jul-11	On Track	See above. The indicative signoff is still around mid-year but will depend upon partner agreement given this is not just a Council document.

Strategic Plan	Delivery Plan Project	Milestone	Completion Date	Status	Progress
Revitalise the CBD	Business Promotion	Ongoing activities	Jun-14	Green	The 2010/11 Lismore Business Promotion business plan is being implemented by the City Centre Manager (CCM). Establishing markets and events in the CBD are a major priority in that Plan. Several markets have been established and there have been some very successful events e.g. the speedway promotion of their National Championship in Magellan Street.
	CBD footpath renewals	Woodlark Street	Jun-12	Green	On track for 2012
		Molesworth Street	Jun-13	Green	On track for 2013
		Keen Street	Jun-14	Green	On track for 2014
Carpark shade coverings	Complete Carpark Shade Coverings	Jun-10	Red	Staff resignations in the Assets team have meant this project has been delayed. Project is to be prioritised now that the Assets Engineer has commenced work with Council. Likely that significant progress will not be made until June 2011.	
Integrated waste cycle management	Landfill cell capping and revegetation	Review of alternatives	Aug-10	Green	Consultant engaged to undertake collation of research data for the local site and other Australian and international programs. They have compiled a report to form part of DECCW application for approval of the alternative phytocapping process.
		Development of plans	May-11	Green	Request for variation to licence sent to DECCW. Once approved will commence engineering drawings.
		Capping complete	Jun-18	Green	Not yet commenced



Strategic Plan	Delivery Plan Project	Milestone	Completion Date	Status	Progress
Improve roads, cycleways and footpaths	Road rebuilding four-year forward plan urban	Winterton Parade	Jun-11		Stormwater and Earthworks completed.
		Conway Street Stage 1	Jun-11		Developing consultation plan. Currently scheduled to commence Feb 2011
		Conway Street Stage 2	Jun-11		Developing consultation plan
		New Ballina Road Stage 2	Jun-11		Stormwater construction completed. Roadworks to commence March 11
		Avondale Avenue Stage 1	Jun-11		Design commenced.
		Elizabeth/College Street	Jun-11		Roadworks Stage 1 completed.
		Bellevue Avenue	Jun-11		Under investigation
		Diadem Street Stage 1	Jun-12		On track for 2012
		Conway Street Stage 3	Jun-12		On track for 2012
		New Ballina Road Stage 3	Jun-12		On track for 2012
		Jubilee Street	Jun-12		On track for 2012
		Rous Road/Oliver Avenue RAB	Jun-12		On track for 2012
		Gaggin Lane	Jun-13		On track for 2013
		Avondale Avenue Stage 2	Jun-13		On track for 2013
		Centre Street	Jun-13		On track for 2013
		Phyllis Street	Jun-13		On track for 2013
		Diadem Street Stage 2	Jun-13		On track for 2013
		Cooling Street	Jun-14		On track for 2014
		Bounty Street	Jun-14		On track for 2014
		Dawson Street	Jun-14		On track for 2014
	Kareela Avenue	Jun-14		On track for 2014	
	O'Flynn Street Stage 1	Jun-14		On track for 2014	
	McKenzie Street	Jun-14		On track for 2014	
	Road rebuilding four-year forward plan rural	Numulgi Road – (Griffin Road)	Jun-11		Road upgrade works completed, including installation of cattle underpass
		Whian Whian Road	Jun-11		Works completed
		Dorroughby Road – (Corndale Road)	Jun-11		Design completed
		Rous Road Stage 1	Jun-11		Design completed
		Dorroughby Road Stage 2	Jun-11		Design completed
		Caniaba Road – (Fredericks Road)	Jun-11		Design 80% completed
		Newton Drive – (Tuntable Falls Road)	Jun-11		Under investigation
		Rous Road Stage 2	Jun-12		On track for 2012
		Cawongla Road Stage 3	Jun-12		On track for 2012
		Cowlong Road Stage 1	Jun-12		On track for 2012
		Boatharbour Road Stage 1	Jun-12		On track for 2012
		Cowlong Road – (Palmer's Road)	Jun-13		On track for 2013
		Boatharbour Road – (Alexander Lane)	Jun-13		On track for 2013
		Whian Whian Road – (MR306)	Jun-13		On track for 2013
		Numulgi Road – (Lockton Road)	Jun-13		On track for 2013
		Cowlong Road – (Lavis Road)	Jun-14		On track for 2014
		Boatharbour Road – (Camerons Road)	Jun-14		On track for 2014
		Whian Whian Road – (Ashlin Road)	Jun-14		On track for 2014
	Tucki Road Stage 1	Jun-14		On track for 2014	
	Replacement of galvanised culverts (Hel-Cor)	Milgate Road	Jun-11		Design commenced
		Oliver Avenue	Jun-12		On track for 2012
		McBrien Road	Jun-13		On track for 2013
Rock Valley Road No 1		Jun-14		On track for 2014	
Outer CBD road upgrades	Keen Street (Magellan to Conway streets)	Jun-12		On track for 2012	
	Molesworth Street (Magellan to Conway streets)	Jun-14		On track for 2014	

Strategic Plan	Delivery Plan Project	Milestone	Completion Date	Status	Progress
	Urban arterial link roads design and construction	Pineapple Road Link Stage 1	Jun-12		The integrated planning section are currently in the process of engaging a consultant to determine the funding and timing priorities for these roads
		Pineapple Road Link Stage 1	Jun-13		As above
		Pineapple Road Link Stage 2	Jun-14		As above
		Trinity Drive Link	Jun-12		As above
		Trinity Drive Link	Jun-13		As above
		Trinity Drive Link	Jun-14		As above
		Invercauld Road /Ballina Road	Jun-13		As above
		3rd Wilson River Crossing	Jun-12		As above
		3rd Wilson River Crossing	Jun-13		As above
		3rd Wilson River Crossing	Jun-14		As above
		Skyline/University link road	Jun-14		As above
	Implement Cycleway Strategy	Cycleways Completed	Jun-14		On track for 2014
Mitigate climate change at a local level	Methane emissions reduction	Finalisation of a plan	Jul-11		Conducted a small in-situ gas monitoring program to evaluate necessity for gas capture. Very low levels of gas release were present confirming previous desk top studies. Will assess options to further reduce the gas generation or mitigate it and await Federal government move on carbon tax.
		Implementation of remediation action	Jul-13		Not yet commenced
	Energy efficiency	Reassess viability of photovoltaic system at GSAC	Jun-11		Contractor has been appointed to undertake the work and will be undertaken in February 2011. Note that it is not photovoltaic cells but an expansion of the solar water heating panels for the pool.
Develop and support art, cultural, sporting and tourism activities	Implementation of Lismore City Council Tourism Strategic Plan	Development of web site for Nimbin and surrounds	Dec-10		Commenced planning. Website site map developed. Could not be completed by December due to staff giving priority to the redevelopment of the Lismore Vli rainforest walk. Anticipate completion prior to the end of the financial year.
		Re-development of Lismore web site	Dec-10		Content on website updated. Completed.
		Completion of Lismore, Nimbin and Villages Visitor Guide 2011	Mar-11		Council as part of the 2010/11 budget round funded the Byron/Lismore/Nimbin touring map (\$12,000) but not the visitor guide (\$20,000). The \$20,000 is on a short list for review if our financial position improves. Therefore this project was included in the delivery plan on the basis of being fully advertiser/grant funded. That funding has not been secured and hence it has not yet commenced. It is highly unlikely without some Council funding that this will proceed.
		Development of three new attractions/activities for visitors in the Nimbin village	Jun-11		Staff (including the Business Facilitator) are working with various operators etc to develop attractions/activities. Given Council has a facilitation role having these activities/attractions in place by June 2011 is dependant upon other parties.
		Events strategy for Lismore, Nimbin and Villages	Mar-11		The Festival and Events Strategy plus the Events Contribution Policy is being developed by the Events Unit. The Draft Strategy and Policy will be presented to the March 2011 Council meeting at the latest for consideration.
		Interpretative signage and development at specific Indigenous tourism sites e.g. Slaters creek, Nimbin Rocks	Apr-11		The Nimbin Rocks interpretive signage has had the approval of the Ngulingah Land Council. Ensuring it happens requires final approval from Elders. Planning for signage at Slaters Creek has commenced.
	Production of touring route brochure linking Byron, Nimbin and Lismore	Feb-11		Project commenced. Draft preferred touring route developed. Selling of the Prospectus has commenced. Draft text and touring route confirmed.	



Strategic Plan	Delivery Plan Project	Milestone	Completion Date	Status	Progress
Integrated water cycle management	Water infrastructure four-year forward plan	Sewer Rising Main No 3	Feb-11		Works delayed due to recent weather conditions. Completion date now end March 2011.
		Clunes Pressure Booster Pump Station	Mar-11		Further work on hold pending result of legal action against fluoridation of water supply.
		Southern Trunk Main	Dec-11		Investigation nearing completion. Commencement of project to be achieved, through construction of access road to pump station, prior to end of 2010 calendar year. Major construction contracts to commence early in 2011. This project will remain on a critical timeline till its completion. The revised cost estimate will be received in the near future once the alignment and concept design is finalised.
		North Woodburn Wastewater	Dec-11		Progress with this project has been limited over the last 12 months as staff have concentrated on the Southern Trunk Main Project. A meeting is to be held in the next month with Richmond Valley Council Council and the department of Public Works to explore opportunities for this project to be progressed in conjunction with Richmond Valley Council's Broadwater Sewer Project. Both projects involve the use of a pressure sewer system and there would appear to be some cost and other benefits in progressing both projects together.
		Upgrade of Nimbin Water Supply	Dec-12		On track for 2012
		Upgrade of South Lismore STP – completion of investigation and concept design	Jun-12		On track for completion by this date. Brief is currently being prepared for a consultant to undertake an investigation into options for the proposed upgrade.
		Review of wastewater and tradewaste charging policies	Jun-12		On track for 2012
		Review of Strategic Business Plan and development servicing plans	Jun-12		On track for 2012
		Australian drinking water guidelines gap analysis and strategy	Jun-12		On track for 2012
		Asset management plans	Dec-12		On track for 2012
		Integrated Demand Management Plan	Jun-13		On track for 2013
		Nimbin Water Supply Drought Management Plan	Jun-14		On track for 2014
		Clunes Wastewater	Jun-15		The timing of this project is currently under review in light of other major infrastructure projects that Council has committed to in the wastewater area, especially the Southern Trunk Main. A report to Council is outstanding on the overall priority and timing of all projects in the water and wastewater area and is to be presented to Council in the first half of 2011.
Provide greater housing choices	Land-use planning - Integrated Sustainable Housing Strategy	Draft strategy developed	Feb-11		New planner commenced in January 2011 with sole focus on completing the draft Strategy within 12 months. Also see comments above re information coming over from BRE/SEDS research. Note the draft will require consultation with the community so this time may be extended further. Revised completion date December 2011.
		Strategy signed-off by the Executive Committee	Mar-11		See above. Revised completion date December 2011.
		Strategy adopted by Council	Jun-11		See above. Revised completion date December 2011.

Strategic Plan	Delivery Plan Project	Milestone	Completion Date	Status	Progress
Improve passive and active recreational facilities	Nesbitt Park – Stage 2	Half basketball court	Jul-10	Completed	Completed
		Jogging/walking track	Sep-10	On Hold	Project on hold pending advice on Round 3 Economic Stimulus Package application outcome.
		Carpark	Oct-10	On Hold	Pending advice on Round 3 Economic Stimulus Package funding.
		Amenities	Dec-10	On Hold	Pending advice on Round 3 Economic Stimulus Package funding.
		Landscaping	Mar-11	Completed	Completed
	Sport and Recreation Plan	Brief Completed	Mar-10	Completed	Completed
		Project Team in place	Apr-10	Completed	Internal working party in place. EOI were called for consultant. The successful consultant is now in place and has commenced work on the process. The draft report is expected by April 2011.
		Community Consultation completed	Sep-10	Completed	Community consultation plan completed. Consultations commenced October 2010 and will continue as per consultants instructions.
		Analysis of present facilities completed	Oct-10	Completed	Completed.
		Consultant completes trend analysis	Oct-10	Completed	Consultants have completed the trends analysis
		Consultant completes analysis demographic information	Oct-10	Completed	Consultants have completed the analysis demographic information
		Consultant/Recreation Planner complete draft report	Oct-10	Completed	Following the decision to engage a consultant, a revised completion date is now approximately April 2011. The consultation engagement process delayed the process by two months.
		Public Comment	Nov-10	Completed	During the period of Feb/March 2011 a public consultation process will be undertaken. There will be a formal public exhibition period of twenty eight days.
		Final Report available	Dec-10	Completed	It is expected the final report will be available mid 2011.
		Report to Council	Dec-10	Completed	There will be two reports submitted to Council along with a Councillor Briefing. The draft report will be submitted to Council, seeking a period of public exhibition with a resubmission to Council at the close of the submission period. It is anticipated the final report to Council will be submitted by an indicative date of September 2011.

Strategic Plan	Delivery Plan Project	Milestone	Completion Date	Status	Progress
Efficient use of Council resources	Asset management	Asset management plan for bridges and unsealed roads	Dec-10	Red	Staff resignations in the Assets team have meant this project has not commenced. New Assets Engineer has now commenced and priorities and revised schedule for this project will be determined in January 2011.
		Asset management plan for properties and buildings	Jun-11	Red	Staff resignations in the Assets team have meant this project has not commenced. New Assets Engineer has now commenced and priorities and revised schedule for this project will be determined in January 2011.
		Asset management plan for parks and open space	Dec-11	Red	Staff resignations in the Assets team have meant this project has not commenced. New Assets Engineer has now commenced and priorities and revised schedule for this project will be determined in January 2011.
		Asset management plan for water and wastewater assets	Jun-12	Green	On track for 2012
		Purchase of software, installation and staff training	Jun-12	Green	On track for 2012
	IT Infrastructure Replacement Strategy	PCs, servers, storage and network devices replaced in 2010–2011	Aug-10	Green	On track. New PC leasing agreement in place. PC's ordered and delivered. Now being deployed across the organisation. Servers have now been bought. Not all hardware is in service yet, awaiting appropriate time to decommission of equipment.
		PCs, servers, storage and network devices replaced in 2010–2011 replaced in 2011–2012	Aug-11	Green	On track for 2011/12
		PCs, servers, storage and network devices replaced in 2010–2011 replaced in 2012–2013	Aug-12	Green	On track for 2012/13
		PCs, servers, storage and network devices replaced in 2010–2011 replaced in 2013–2014	Aug-13	Green	On track for 2013/14
	Asphalt plant upgrades	Installation of mixer drum	Sep-10	Red	The addition of a requirement for the development of a full financial plan prior to the commencement of this project has significantly delayed commencement schedules. Consultants were engaged in late November and are near completion of their investigations. Expect the report to be delivered in early February.
		Installation of hot storage bins	Jan-12	Green	Progress will be part of the financial review as well.
		Installation of additional bitumen storage tanks	Dec-12	Green	Not yet commenced
		Upgrade of ancillary items, including lime silo	Dec-13	Green	Not yet commenced
	Purchase tertiary crusher	Purchase of crusher	Jul-12	Green	Not yet commenced
	Plant Replacement Program	Complete Plant Replacement Program		Yellow	Minor items are on schedule. Currently collating specifications for a major plant items tender ASAP. The light vehicle review has put the replacement schedule behind time but resources will be increased to catch the program up before the end of the year.
	Blakebrook Quarry Part 3A Compliance	Plans established	Aug-10	Green	Draft environmental management plans covering the various aspects of the approval were lodged on time with the Dept of Planning for their review. Initial Response was received in December and revised plans are being prepared for resubmission in January.
		Road works completed	Mar-12	Green	Not yet commenced
		Land purchases complete	Jun-14	Green	Not yet commenced
		Groundwater studies	Jun-13	Green	Not yet commenced
	Development Applications online	Online Development Applications live	2010/11	Green	Expected to be funded from internal resources and completed before June 2011



Strategic Plan	Delivery Plan Project	Milestone	Completion Date	Status	Progress
Promote a constructive corporate culture	Performance management	Development of KPIs	Jan-11		A list of corporate KPI has been developed.
		Development of management reporting	Apr-11		This process is approximately 40% complete and is within timeline and budget at the present time. There is a small risk that this process may overrun its budget but the progress to date has been encouraging.
		Development of performance appraisal system signed off by Executive Committee	Apr-11		This has been completed for 2010 and includes cascading goals and a KPIs for customer service and OH&S. This will be further updated for 2011 once all KPI reports have been developed.
		Completion of staff training			Staff training in the 2010 performance appraisal process will be completed by September 2010. This training will be updated and repeated in 2011
		New performance appraisal kits issued to staff by supervisors	Jun-11		2010 kits along with supervisor 360 degree feedback have been delivered to staff.
		All appraisals completed	Dec-11		On track for 2011
	Project completed	Dec-11		On track for 2011	
Workforce Plan	Complete Workforce Plan	Jun-14		Workplace requirements being analysed based on feedback from 2010 annual staff review documentation.	
Whole of Council corporate planning	Community Strategic Plan and Delivery Plan development	Complete community survey	Jun-12		Not yet commenced
		Complete service level review	Sep-12		Not yet commenced
		Complete Community Strategic Plan	Feb-13		Not yet commenced
		Development of Delivery Plan	Jun-13		Not yet commenced
Providing excellent customer service	Web site re-development	Agreed inclusion list of functionality in web site	Oct-11		Currently undertaking a budget makeover with a complete redevelopment scheduled in 2011 subject to future funding. Budget makeover nearing completion. Expected to be complete first quarter 2011.
		Home page, look and feel agreed	Dec-11		On track subject to resourcing being available in 2011/12
		Prototype completed	Mar-12		On track subject to resourcing being available in 2011/12
		Web site live	Apr-12		On track subject to resourcing being available in 2011/12

# Report

<b>Subject</b>	<b>Integrated Planning and Reporting - Future Improvements</b>
<b>TRIM Record No</b>	BP11/4:EF10/363
<b>Prepared by</b>	Manager - Corporate Services
<b>Reason</b>	To advise council and the community of plans to improve Lismore City Council's implementation of the Integrated Planning and Reporting Framework.
<b>Community Strategic Plan Link</b>	Whole of Council Corporate Planning

## Overview of Report

This report outlines the process required to improve Council's implementation of the Integrated Planning and Reporting Framework (IP&R). The report recommends a comprehensive community engagement process in the development of the 2013-2025 Community Strategic Plan and outlines how the resourcing strategy will be completed and integrated into the IP&R framework.

## Background

In July 2009 Council adopted its Community Strategic Plan (CSP) followed by its Delivery and Operational Plans in June 2010. The Integrated Planning and Reporting framework offers Council many advantages especially in promoting whole of Council corporate planning. With a significant change in Council's priorities following the 2008 election it was thought beneficial to implement the reform before the final guidelines were confirmed in legislation.

As a result of this decision there were a number of key requirements in the final guidelines that were not known to Council at the time of the CSP development. To bring Council up to a level of compliance with the legislation it is necessary to make some improvements. This will be done as part of the review of the CSP in 2012.

The two main areas of required improvement are the development of asset management plans and a much greater focus on community engagement during the development of the CSP. The following report describes how these improvements will be made.

## Community Engagement

The legislation makes it clear that the CSP is owned and developed by the community with the Council playing a facilitation role. The Community Consultation Practical Guide has been used to develop the community engagement plan. The community engagement will commence in January 2012 and be completed by August 2012. For the review of the CSP in 2012 the following process is proposed:

### Community Survey

A full community survey will be conducted. This will be available via mail, online and at Council offices, libraries, community centres and at selected local shops. This survey will be used to gain an overview of the community's opinion of Council and Council services, and ask residents to describe their priorities for the future of Lismore. The community survey will commence in January 2012.

## Place Based World Café Events

Following the survey a number of place based world café events will be held. During these sessions detailed visions for the future of Lismore will be gained. Council will also work with schools and community organisations to ensure that every section of the community has the opportunity to participate. The place based world café events will commence in April 2012.

## Community Panel

To form a community panel 450 members of the Lismore community will be randomly selected to join. A membership of 450 represents 1% of Lismore's population and can be considered a credible sample size. The panel will provide their feedback through an online communication portal.

This panel will also be asked to provide their vision for Lismore. They will then be asked to further develop the detail of the community strategic plan. The community panel will be open to people who wish to self nominate. There will however be a requirement for self nominated members to supply the same information as provided by those randomly selected. The community panel will start in April 2012.

The community panel will not finish at the completion of the CSP. It will continue on to provide a permanent conduit to the community.

To ensure that the whole community is able to get involved internet access will be made available at the Lismore Library branches and at Council offices. Assistance will be provided to those that require it. It should be noted that the community panel is only a component of the community engagement and those not comfortable with using the internet will have ample opportunity to contribute through the survey and the world café events.

## Media and Communications Campaign

The success of the community engagement is dependant on how well it is promoted. Council will conduct an extensive media campaign, advertise on the Council website and at all Council offices. Council will also use its community networks to fully promote the development of the CSP. The media and communications campaign will run throughout the community engagement.

## Community Strategic Plan

The CSP is the centre piece of the IP&R framework. The following section outlines the proposed changes to this key document. The current CSP has a 10 year time frame. For the revised CSP it is proposed that this timeframe be extended to 12 years. This will align the period of the CSP with the four yearly review cycle and Council terms of office.

## Council's Role in the Development of the Community Strategic Plan

The 2008 – 2018 CSP was developed in the main by Councillors. The final guidelines from the DLG require that the CSP is developed by the community and facilitated by Council. The Council role is not to develop the CSP but to oversee its implementation. This distinction must be clearly visible in the final CSP.

## Level of Detail in the Community Strategic Plan

The new CSP will not only contain the high level aspirational objectives for the community but it will also contain details of how these objectives will be implemented. The CSP will contain the expected outcomes of the delivery of each objective, how these will be measured and how they will be implemented. This will give the community a clear view of Council's future activity.



## Community Partnerships

The new CSP will make far more acknowledgement that Council can only deliver what the community needs through partnerships with other public, private and not for profit organisations. Under the IP&R framework Council is to act as an advocate for the community's vision by promoting its implementation through the work of other key organisations. The development of the CSP will identify and create these partnerships.

One of the most important partnerships is with the State Government. With reference to the State Plan Council will start a dialogue with key State agencies. This dialogue will ensure that the CSP is developed with consideration to the State Plan and the strategic intent of the key State agencies.

## Resourcing Strategy

The resourcing strategy brings together asset management, a long term financial plan and a workforce management plan. It articulates how Council will manage its resources in the delivery of the CSP. The resourcing strategy has already begun with considerable work occurring in all three components of the strategy. The resourcing strategy will be completed by September 2012.

## Asset Management

Asset management plans must be fully integrated into the IP&R framework. To complete the asset management plans the level of service for assets must be established. This requires engagement with the community and will be completed as part of the overall community engagement process.

The development of asset management plans will clearly inform the Council and the community about the funding requirements for assets. These funding requirements will be considered alongside the funding requirements of all other Council services when finalising the CSP. An asset management strategy and the suite of asset management plans will be completed by September 2012. This will support the finalisation of the CSP by February 2013.

## Long-Term Financial Plan

A long-term financial plan is the point where the community's aspirations are tested against the financial realities. Council will have completed its long-term financial plan in good time for the development of the 2012 CSP.

## Workforce Plan

The Workforce Plan enables the organisation to be confident that adequate levels of staff with appropriate skills and necessary capabilities to undertake council's work program, are in place and can be sustained into the future.

The solutions identified in the phases of the plan's implementation will enable achievement of the community's vision, mission and values as articulated in the CSP. The workforce plan has already started and will be completed concurrent with the development of the CSP.

## Delivery Plan

The development of the 2013 – 2017 Delivery Plan will follow on directly from the CSP. The Delivery Plan will be developed as a direct response to the CSP and will outline exactly how the CSP will be implemented over the four year period. The 2013 - 2017 Delivery Plan will include all Council activity and detail key performance indicators that will be used to establish the success of Council's service provision. The Delivery Plan will also contain a hierarchy of initiatives that stem from the CSP but are not able to be funded through the long term financial plan. Should grants become available throughout the term of the Delivery Plan then this hierarchy will be used to determine how this additional funding will be assigned.

## Sustainability Assessment

### Sustainable Economic Growth and Development

Through the improvement of corporate planning and the increased involvement of the community this initiative will improve all aspects of sustainability.

### Social Inclusion and Participation

The in-depth community engagement process recommended in this report will ensure that all parts of the community are involved in Council business. This should improve social inclusion and participation.

### Protect, Conserve and Enhance the Environment and Biodiversity

Through the improvement of corporate planning and the increased involvement of the community this initiative will improve all aspects of sustainability.

### Best-Practice Corporate Governance

The improvements to Council's IP&R reform implementation not only ensure Council's continued compliance with the legislation but also improve management through more holistic corporate planning.

## Comments

### Finance

Council's 2010/11 Operational Plan included a Long Term Financial Plan (LTFP) that satisfied reporting requirements, however to meet the future reporting requirements of the Division of Local Government and Councillors the need for a more robust and comprehensive LTFP was identified. As part of the 2011/12 Operational Plan process a new LTFP reporting package will be developed with a report and workshop planned for Councillors in June 2011.

### Assets

In mid 2010 Council completed its first asset management plan, being that for sealed roads. The development of asset management plans for other groups of assets has been severely impacted by staff resignations in the second half of 2010. No further progress has been made on developing plans for buildings and properties, water and wastewater infrastructure, parks and reserves and bridges and unsealed roads.

The Infrastructure Services Review draft report has identified a resource shortage in the assets area and when the final report has been received, senior staff will consider its recommendations in conjunction with the many others that are made in the report.

In the interim, recruitment processes have been conducted for the staff vacancies with an Assets Engineer commencing duties in January 2011. One of the first tasks is to review the timelines for preparation of the required asset management plans and report through the Infrastructure Assets PAG on a revised timeline and strategy to complete those plans.

### Organisational Development

The organisation's Workforce Plan was completed in 2009 and subsequently reported to the Executive Committee in March 2010 for endorsement. That report particularly emphasised the strategies that would need to be put in place to support succession planning, due to the high percentage of the workforce in the 40 – 69 yr age bracket (68% as at May 2008). The Human Resources section has worked closely with section managers to put a range of measures in place to address issues arising from the ageing workforce and has linked succession planning to the performance management systems.

Progress to date has been in line with the identified timelines and project outputs in the Delivery Plan. The emphasis has been on recruitment of trainees and apprentices in skills shortage areas; transition to retirement opportunities with one successful trial implemented in 2010; annual review documentation highlighting and encouraging open discussions with staff on retirement and career planning; and enhancing internal promotion opportunities to ensure transfer and retention of knowledge/skills.

## Public consultation

No required.

## Conclusion

The process as outlined above will make the improvements necessary to bring Council IP&R implementation into line with the legislation. The process will begin in January 2012 with the community survey. Community engagement is scheduled to continue until August 2012. The resourcing strategy will be completed by September 2012. This will support the completion of the CSP in February 2013 and the 2013 – 2017 Delivery Plan by June 2013.

## Attachment/s

There are no attachments for this report.

## Recommendation

That Council adopt the process contained in the report to improve Council implementation of the IP&R framework and satisfy the requirements of the DLG for a group one Council.

# Report

<b>Subject</b>	<b>December 2010 Quarterly Budget Review Statement</b>
<b>TRIM Record No</b>	BP11/2:EF09/2202
<b>Prepared by</b>	Principal Accountant
<b>Reason</b>	In accordance with Clause 203, Local Government (General) Regulation, Council approval is required to amend the 2010/11 Budget to reflect actual or anticipated results.
<b>Community Strategic Plan Link</b>	Best-Practice Corporate Governance

## Overview of Report

The 2010/11 Budget has moved from an opening deficit of (\$11,800) to an accumulated deficit of (\$226,500) in September 2010, and now an accumulated deficit at December of (\$267,200). The operating deficit for the December Quarter was (\$40,700).

Major items that have contributed to the December operating deficit are:

- Legal Expenses Champions Quarry – (\$170,000)
- NSW Fire Brigade Levy (\$105,300)

These expenses have been offset by:

- Interest on investments \$155,300
- Revenue from sale of closed road Wyrallah \$38,800.
- Savings in contributions Rural Fire Service Levy \$29,500
- HIH Insurance distribution - \$21,600

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

In addition, the estimated depreciation expense for all Council operations has been increased by \$312,000. This adjustment results in the estimated depreciation expense for 2010/11 being similar to actual depreciation expense for 2009/10. While depreciation is a non cash expense and therefore not included in the cash based financial reporting above, it is relevant to Council's overall financial position and performance for 2010/11.

## Background

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

The objective of the December review is to revise all budgets based on actual for the first six months, anticipated trends and additional information received subsequent to the preparation of the original Operational Plan. At the same time, where variations can be reliably quantified or substantial risk is associated with the situation, these are also reported.

The following summary highlights all changes impacting the result for the December 2010 Quarter:-

<b>Budget Movements for Quarter Summary</b>	<b>Amount \$</b>
<b>Adopted Budget - (Deficit)</b>	<b>(226,500)</b>
Add – Interest revenue on investment - Refer Note 1	155,300
Add – Sale of closed road Wyrallah	38,800
Add – Savings re contribution to Rural Fire Service Levy	29,500
Add – HIH Insurance distribution	21,600
Add – Insurance incentives	2,300
Less – Legal expenses - Refer Note 2	(170,000)
Less – Contribution NSW Fire Brigade – Refer Note 3	(105,300)
Less – Planning assessment assistance with work volume	(10,000)
Less – Audit fees additional fees relating to 2009/10	(2,900)
<b>Closing Budget – 31 December 2010 (Deficit)</b>	<b>(267,200)</b>

## Note 1: Interest on investments

A review of interest revenues has been undertaken based on the projected composition of Council's investment portfolio and the known changes to interest rates. Overall, interest revenue is anticipated to be \$1,053,500 more than the adopted Operational Plan due to a larger investment portfolio and higher returns in investments.

The adopted interest was based on Council's known portfolio balance of \$26,000,000 at the time the Operational Plan was prepared, and a forecast interest rates of 4.0%. Council's investment portfolio increased substantially subsequent to the preparation of the Operational Plan to average approximately \$ 41,000,000 for the first six months of 2010/11. The major items contributing to this movement were an interest free loan for the Southern Trunk Main \$6,000,000, repayment of internal reserve loans as a result of land sales \$3,500,000 and the receipt of 2009/10 loan program funds \$6,830,000. The majority of these funds have not been spent in the reporting period.

In addition Council's return on investments has averaged 5.34% in the first six months due to greater than forecast rises in the cash rate.

There is an estimated positive impact on General Fund of \$155,300, being the increased return on unrestricted investments, increase in Reserve Funds interest as in accordance with policy (25% of all interest on reserves to be used in General Fund), return on unexpended grant and loan funds.

For Reserve Funds, Section 94 and Water & Section 64 Funds, the amounts transferred to reserve have been increased to reflect the anticipated growth in interest revenues so there is no impact on the operating result.

Summary:	Current Budget	Proposed Budget	Change Increase/ (Decrease)
General Fund (unrestricted)	149,200	304,500	155,300
Reserves Funds (unrestricted)	80,900	247,500	166,600*
Section 94 (restricted)	170,300	378,300	208,000
Wastewater & Section 64 Funds (restricted)	499,200	953,500	454,300
Water & Section 64 Funds (restricted)	31,100	100,400	69,300
<b>Total</b>	<b>930,700</b>	<b>1,984,200</b>	<b>1,053,500</b>

\*Note:- in accordance with policy (25% of all interest on reserves to be used in General Fund).

## Note 2: Legal Expenses

It is estimated that Council's costs for legal action related to Champions Quarry (Champions Quarry Pty Ltd and Reavill Farm Pty Ltd) is \$871,000. Further costs are anticipated for future hearing dates.

It is acknowledged that some costs incurred to date will also be recovered from Champions Quarry. While court orders in Council's favour are estimated at \$219,500, the exact amount is yet to be determined. As such it is conceded the 2010/11 Legal Expenses budget is insufficient. Based on the information available, a conservative increase of \$170,000 is recommended.

### Note 3 - Contribution NSW Fire Brigade

Council has been advised of a revised levy contribution for the NSW Fire brigade of \$105,300. The revised contribution includes a contribution adjustment of \$78,700 for the cost of eight fire fighters at Lismore fire station and a reduction of one fire fighter at Goonellabah fire station, effective 1<sup>st</sup> October 2010.

### Note 4 – Northern Rivers Quarry and Asphalt

The continuous wet weather being experienced is beyond any expectations. As a direct result there has been a reduction in demand and an impact on production efficiencies. As a result the pro-rata budget is not balanced and so continued poor weather will put the year end result at risk.

### Note 5- Lismore Regional Airport

Passenger numbers are behind expectations for the first six months of the 2010/11 budget year. This, coupled with increased maintenance costs due to the wet weather, has impacted the operating result. Savings have been identified in operating expenses in the first six months however should the current trends continue there is potential for a negative impact to the full year result.

### Note 6 - Depreciation

The estimated depreciation expense for all (General, Water & Wastewater) Council operations has been adjusted in December by \$312,400 based on actuals included in the 2009/10 Financial Reports. Depreciation is treated as a non cash item and thus there is no impact on the cash based operating result. However, the increased depreciation expense does negatively impact on the net "operating result from continuing operations" as outlined within Change in Net Assets section of this report.

The following is recommended to partially fund the anticipated \$267,200 deficit:

- Council reduces the allocation of interest to general fund reserves held for 2010/11. Council policy 1.5.10 Reserves (Internally Restricted Assets) provides that interest is applied to reserve balances. For the current year this equates to \$247,500. It is recommended that Council vary this policy for the current year.

### Program Summary

Information on each Program with significant variances of \$10,000 or more is provided below. This excludes variances that impact on the operating result reported in the summary above.

The following variations have no impact on the overall operating result. Please refer to the Individual Programs attachment for a summary of all budget movements.

### Corporate Management

There was an increase in the operational expense of \$50,000 being for the Enterprise Hub grant project transferred from the Art Gallery program. The project is funded from unexpended grants. This adjustment is for reporting purposes only and the purpose is to transfer the project into the delegated program responsible for completion.

The Business Rate Variation Levy (SBRVL) operational expenses have been increased by \$51,200 in line with the 2010/2011 Business Plan Budget amendments as recommended at the 29 October 2010 LBPP meeting. There has been corresponding transfer from the SBRVL reserve.

## Finance

Operating revenues have increased by \$443,100 being additional interest on investments \$438,100 and additional archive fees revenue.

The revenue increase and corresponding offsets is summarised as follows:

Interest on Reserve funds held	\$166,600	transferred to General reserves
Interest on sec 94 funds held	\$208,000	transferred to Sec 94 funds held
Interest on trust funds held	\$ 63,500	increase in interest payable on refunding of Security Bonds
Archive fees	\$ 5,000	transferred to Records Management reserves

## Organisational Development

Operating revenues have been increased by \$40,100 being additional operating grants received for the development and training of Council trainees and apprentices. There has been a corresponding increase in the operational expenses to offset this additional revenue.

## Asset Management and Support

Road Safety Officer expenses have been increased by \$49,500 for projects planned in 2010/11. The major projects included are: Driving Stories \$7,000, Car pooling \$5,000, Getting the Mob Home \$13,000, Lismore L2P \$20,000 and the Late Nighter \$4,500. The increase was funded by increased grants and contributions \$36,500 and unexpended grants \$13,000.

Capital works have been reduced by (\$6,000,000) due to the Margaret Olley Art Centre project not proceeding. There has been corresponding reduction in revenue from grants and contributions \$5,000,000 and reserve funds \$1,000,000. The reserve funding was an internal loan for 2009/10 only and will not be required.

## Bridges

The capital vote for Bridges has been increased by \$80,000 being for the Dungarruba Wharf & Boat Ramp replacement. Funding for this project is on a 50/50 basis and has been sourced from unexpended grants \$40,000 and a transfer from the bridge maintenance program \$40,000, this being Council's matching contribution.

## Lismore Water

There has been an increase in revenue from interest on investments \$69,300 (Refer note 1), with a corresponding increase in the transfer to Water fund reserves. A correction to the funding sources for Water Capital works has been made in the quarter with an increase in the loan funds used and a reduction in the proposed reserve funds to be utilised in the period.

The estimated depreciation expense has been increased by \$197,100. This adjustment results in the estimated depreciation expense for 2010/11 being similar to actual depreciation expense for 2009/10.

## Lismore Wastewater

There has been an increase in revenue from interest on investments \$454,300 (Refer note 1), with a corresponding increase in the transfer to Wastewater fund reserves.

Capital works of \$28,000 and operating expenses \$32,000 have been increased with funding from reserves. The additional capital works include OH&S Upgrades \$21,000 and small plant purchases \$7,000, with the operational expenses being adjusted to reflect proposed administration expenses.

In addition, the estimated depreciation expense has been increased by \$32,000. This adjustment results in the estimated depreciation expense for 2010/11 being similar to actual depreciation expense for 2009/10.

## Parks and Recreation

Capital works of \$225,700 have been included. These works relate to the Nesbitt Park Upgrade \$200,000, Dunoon & District Sports and Recreation Club \$ 30,800 and an adjustment to the opening vote for the Lismore Master Plan (\$5,100).

The Nesbitt Park project is funded from new grant funding received from the Commonwealth's Regional & Local Community Infrastructure Program (R&LCIP) Round 3 (in total \$450,000 has been allocated for three separate projects).

Project funding for the Dunoon & District Sports and Recreation Club has been sourced from the Rural Sports Facility fund reserve \$20,000 and contributions from the Dunoon & District Sports and Recreation Club \$10,800.

There has been a reduction in the vote for the Lismore Master Plan (\$5,100) to reflect available reserves carried forward from 2009/10 with a corresponding reduction in funds transferred from Community Services reserves.

## Properties and Community Facilities

Capital works have been increased by \$200,000 for the upgrade of the Lismore City Hall Dance Studio. This has been funded from new grant funding received from the Commonwealth's Regional & Local Community Infrastructure Program (R&LCIP) Round 3 (in total \$450,000 has been allocated for three separate projects).

## Roads

In accordance with Council resolution at the December 2010 meeting the following works have been included with funding from Contractors reserves:

Capital works - Winterton Parade \$150,000, Operational Expenses - Outdoor staff training \$25,000 and Heavy Patching of roads \$100,000

Operating expenses have been increased by \$230,300 and capital works increased by \$2,026,700 with funding from additional grant revenues \$1,909,300 (2009 Flood restoration grants \$1,899,000, October 2009 storm damage grant \$32,300 and correction to the Regional Roads Construction grant (\$22,000)), contractor's reserves \$220,000 and developer contributions of \$126,800.

The major movements in operating expenses for the period being: October 2009 Storm Damage restoration work \$32,300 and the Regional Roads Construction Program \$198,000.

The major movements in capital works for the period being: 2009 Flood restoration work \$1,899,000, Cullen street drainage \$86,800 and Oliver Ave footpath construction \$35,000.

In addition, there has been recognition of anticipated increased surplus from RTA ordered works \$343,600. This increase has been utilised to fund works already approved by Council (refer Council Business paper December 2010).

## Traffic & City Safe

Capital work of \$ 92,200 has been included for works associated with the bus shelters and lighting for Lismore and Gundurimba with funding sourced from the 2010/11 Country Passenger Transport Infrastructure Grants Scheme.



## Art Gallery

Capital expenditure has been reduced by (\$110,000) relating to the Margaret Olley Art Centre project not proceeding. There is also an adjustment that reduces the unexpended grants income from the State Government in 2009/10 for the Margaret Olley Art Centre (\$110,000). Council is in discussion with the funding body as to the treatment of grant funds received.

There was a decrease in the operational expense of (\$50,000) being for the Enterprise Hub grant project transferred to the Corporate Management program. The project is funded from unexpended grants. This adjustment is for reporting purposes and to transfer the project into the delegated program responsible for completion.

In addition operational expenditure has been increased by \$5,000 to reflect increased sponsorship revenue received.

Rental income received for the Café premises has been revised down as the premises are not occupied. There has been a corresponding reduction in the amount transferred to the Art Gallery building reserves.

## Community Services

Operational expenses have been increased by \$32,000 with funding from operating grants \$ 18,400, a transfer from Community Services reserves \$13,100 and unexpended grants \$500. The major movements in operating expenses for the period were for the following projects: Sisters On About Resilience \$17,400 (grant funded), Crime Prevention Plan \$5,600 (reserve funded), International Women's Day \$1,000 (grant funded) and Village Well \$ 7,500 (reserve funded).

## Information Services

Operating expenses have been increased by \$23,700 and capital expenses by \$66,000, with a corresponding transfer from the Information Services reserves. The increase relates to an upgrade to Authority Version 6 \$66,000, back scanning of records \$14,000 and the enhancement of reports from the corporate system \$9,700.

## Integrated Planning

Operating expenses have been increased by \$173,500. This has been funded by additional operating grants \$90,000, transfer from reserves \$61,000 and unexpended grants \$22,500.

The major movements in operating expenses for the period were:

- LEP Acceleration Fund \$90,000 (grant funded) - assist with the implementation of the LEP.
- Investigating three new land releases \$21,500 (Integrated planning reserves).
- Biodiversity Management Strategy study \$34,000 (Integrated planning reserves). This project was included in the Delivery Plan as a 2011/12 project, however has been brought forward to 2010/11 with funding from an internal loan from reserves. The loan will be repaid in 2011/12 as funding has been provided in that year.
- Slaters Creek regeneration \$22,500 (unexpended grants from participating Councils)

## Public Libraries

Capital works have been increased by \$50,000 for the upgrade of the Library Access Ramp. This has been funded from new grant funding received from the Commonwealth's Regional & Local Community Infrastructure Program (R&LCIP) Round 3 (in total \$450,000 has been allocated for three separate projects).

## Rangers Compliance Services

The operating budgets associated with paid parking at the Lismore Base Hospital have been reviewed with an additional \$14,500 estimated to be received in 2010/11. The total amount of \$14,500 has been transferred to the Compliance - Enforcement reserve.

## Tourism & Events

Operating expenses have been increased by \$122,800 being for the continuation of the Wilson River Experience Walk (stage 2 \$95,000 and stage 3 \$27,800). These amounts were carried forward from 2009/10 and are funded from Tourism Projects reserves.

## Change in Net Assets

The 2010/11 Operational Plan showed an Operating result from Continuing Operations of (\$155,500). The September review reduced this by (\$3,129,200) to (\$3,284,700) and the December review shows a further decline of (\$4,266,300) to (\$7,551,000). The major component of the December movement relates to the removal of the Margaret Olley Art Centre project from the 2010/11 budget and the associated grants and contributions (\$5,000,000).

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

## 2010/11 Operation Plan - Additional Projects Reconsideration

When adopting the 2010/11 Operational Plan, Council resolved that the following projects (in no priority order) be considered for inclusion in the 2010/11 Operational Plan should funding become available:

- \$40,000 for City Hall asbestos removal\*;
- \$40,000 for Development Application Online Project\*\*;
- \$40,000 for sports ground funding;
- \$10,000 for estuary management fund; and
- \$20,000 for Tourism Plan (brochure).

\*The City Hall asbestos removal has been included in the 2010/11 Budget.

\*\* Development Application Online Project – funding has been sourced from existing program budgets.

Given the budget deficit is (\$267,200) at 31 December 2010, no further projects are recommended for inclusion in the 2010/11 Budget at this time. This will be revisited with the March 2011 Quarterly Budget Review report.

## Comments

### Finance

From an overall perspective, the Budget is in reasonably good order with the largest unfavourable variances being for legal expenses and the increase in the NSW Fire Brigade Levy.

In regards to managing the deficit, the recommendation to not apply interest to reserve funds under Council policy 1.5.10 Reserves (Internally Restricted Assets) would be prudent. By not applying this policy the allocation of interest to general fund reserves held for the 2010/11 year would reduce the reported deficit by \$247,500.

## Conclusion

The 2010/11 Budget has moved from an opening deficit of (\$11,800) to an accumulated deficit of (\$226,500) in September 2010, and now an accumulated deficit at December being (\$267,200). The operating deficit for the December Quarter was (\$40,700).

The objective of the December review is to provide an accurate estimate of operations to June 30, 2010 based on year to date revenues and expenses to December 31, 2010 and anticipated trends over the remaining six months of the year.

There has been additional expenditure and revenues recognised for operations and capital projects which have impacted on Council's deficit. In some cases, additional expenses have been offset by the additional revenue, reserves, loans and grants.

Council Policy 1.5.10 Reserves (Internally Restricted Assets) provides that interest is applied on reserve balances. This would equate to \$247,500 for the 2010/11 year. It is recommended that for the 2010/11 year Council does not apply this policy and uses the additional funds to partially offset the reported deficit. This approach will infer an accumulated deficit of \$19,700 as at 31 December 2010.

## Attachment/s

1. 2010/11 Estimates of Income and Expenditure to June 2011
2. 2010/11 Estimates of Income and Expenditure for Quarter Ended December 2010- Individual Programs

## Recommendation

That:

1. Council adopt the December 2010 Quarterly Budget Review Statement for General, Water and Wastewater Funds.
2. Council does not apply Council policy 1.5.10 Reserves (Internally Restricted Assets) with respect to allocation of interest to general fund reserves held for the 2010/11 year.
3. Council recognise an accumulated deficit of \$19,700 as at 31 December 2010.
4. This report be forwarded to Council's Auditor for information.

<b>2010/11 Estimates of Income and Expenditure To June 2011</b>				
<b>BUDGET ITEMS</b>	<b>Original 2010/11 \$'000</b>	<b>September Quarter \$'000</b>	<b>December Quarter \$'000</b>	<b>Total Budget \$'000</b>
<b>OPERATING REVENUES</b>				
General Manager/Chief Executive	27,320	282	662	28,265
Infrastructure Services	51,757	309	5,660	57,726
Sustainable Development	10,315	242	69	10,625
<b>TOTAL OPERATING REVENUES</b>	<b>89,392</b>	<b>834</b>	<b>6,391</b>	<b>96,617</b>
<b>OPERATING EXPENSES</b>				
General Manager/Chief Executive	4,441	195	371	5,006
Infrastructure Services	55,440	2,623	5,209	63,272
Sustainable Development	17,523	301	317	18,141
<b>TOTAL OPERATING EXPENSES</b>	<b>77,404</b>	<b>3,119</b>	<b>5,897</b>	<b>86,419</b>
<b>OPERATING RESULT BEFORE DEPRECIATION</b>	<b>11,988</b>	<b>(2,285)</b>	<b>495</b>	<b>10,197</b>
<b>Less</b>				
<b>DEPRECIATION</b>	<b>24,012</b>	<b>969</b>	<b>312</b>	<b>25,293</b>
<b>OPERATING RESULT BEFORE CAPITAL AMOUNTS</b>	<b>(12,024)</b>	<b>(3,254)</b>	<b>182</b>	<b>(15,096)</b>
<b>Add: Capital Grants and Contributions</b>				
Non-cash Developer Contributions	750	0	0	750
Capital Grants and Contributions	9,061	125	(4,449)	4,737
Section 94 Contributions (incl. interest)	1,660	0	0	1,660
Gain / (Loss) on Disposal of Assets	398	0	0	398
<b>Operating result from continuing operations</b>	<b>(156)</b>	<b>(3,129)</b>	<b>(4,266)</b>	<b>(7,551)</b>
<b>AVAILABLE FUNDS RECONCILIATION</b>				
<b>Add Expenses Not Involving a Flow of Funds</b>				
Depreciation	24,012	969	312	25,293
<b>Subtract Income Not Involving a Flow of Funds</b>				
Non-cash Developer Contributions	(750)	0	0	(750)
<b>Add Non-operating Funds Employed</b>				
Loan Funds Used	8,550	(57)	1,380	9,872
Unexpended Specific Purpose Grants Used	1,350	2,440	(31)	3,759
Developer Contributions (Section 94) Used	40	0	(81)	(41)
Repayments by Deferred Debtors	46	0	0	46
<b>Subtract Funds Deployed for Non-operating Purposes</b>				
Acquisition of Assets	(36,618)	(7,123)	5,115	(38,625)
Repayment of Principal on Loans	(2,436)	0	0	(2,436)
<b>Subtract Unexpended Grants and Contributions Received During Year</b>				
Developer Contributions Net Movement	0	0	0	0
<b>Cash Surplus / (Deficit)</b>	<b>(5,961)</b>	<b>(6,901)</b>	<b>2,429</b>	<b>(10,433)</b>
<b>Equity Movements</b>				
Reserve Funds - Increase / (Decrease)	(5,949)	(6,687)	2,470	(10,166)
Reserve Funds - Operating Surplus Reserve	0	0	0	0
Working Capital - Increase / (Decrease)	(12)	(215)	(41)	(267)

QtrReview 2010-11.xls - 25/01/2011

2010/11 Estimates of Income and Expenditure for Quarter Ended December 2010 - Individual Programs													31-Dec-10
Program	Operating Revenue	Operating Expense	Depreciation Expense	Capital Grants and Contributions	Loan Funds Used	Capital Purchases	Unexpended Developer Contributions	Transfers from Reserves	Transfers to Reserves	Unexpended Grants	Depreciation Contra	Other Profit on Assets	Net Change
<b>General Manager/Chief Executive</b>													
Corporate and Community Relations	-	(5,000)	(4,600)	-	-	-	-	-	-	7,000	-	-	(2,600)
Corporate Management	-	271,200	-	-	-	-	-	(51,200)	-	(50,000)	-	-	170,000
Finance	(620,000)	64,400	-	-	-	-	208,000	-	171,600	-	(83,300)	-	(259,300)
Organisational Development & Human Resource	(42,400)	40,100	-	-	-	-	-	-	-	-	-	-	(2,300)
<b>Total General Manager/Chief Executive</b>	<b>(662,400)</b>	<b>370,700</b>	<b>(4,600)</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>208,000</b>	<b>(51,200)</b>	<b>171,600</b>	<b>(43,000)</b>	<b>(83,300)</b>	<b>-</b>	<b>(94,200)</b>
<b>Infrastructure Services</b>													
Asset Management and Support	(36,500)	49,500	-	5,000,000	-	(5,996,000)	-	996,000	-	(13,000)	-	-	-
Bridges	-	(40,000)	11,200	(40,000)	-	80,000	-	-	-	-	-	-	11,200
Commercial Property Management	-	-	62,800	-	-	-	-	-	-	-	-	-	62,800
Emergency Services	-	-	600	-	-	-	-	-	-	-	-	-	600
Lawn Cemetery and Crematorium	-	-	1,800	-	-	-	-	-	-	-	-	-	1,800
Lismore Regional Airport	-	-	2,400	-	-	-	-	-	-	-	-	-	2,400
Lismore Water	(69,300)	-	32,000	-	(1,379,800)	-	-	1,379,800	69,300	-	(32,000)	-	-
Lismore Wastewater	(454,300)	32,000	197,100	-	-	28,000	-	(60,000)	454,300	-	(197,100)	-	-
Miscellaneous Properties	-	3,000	(59,300)	-	-	-	-	-	-	-	-	-	(56,300)
Northern Rivers Quarry and Asphalt	-	-	(28,500)	-	-	-	-	-	-	-	-	-	(28,500)
Northern Rivers Waste	-	-	(242,300)	-	-	-	-	-	-	-	-	-	(242,300)
Parks and Recreation	-	-	62,700	(218,200)	-	225,700	-	(14,900)	7,400	-	-	-	62,700
Properties & Community Facilities	-	-	(246,800)	(200,000)	-	200,000	-	-	-	-	-	-	(246,800)
Roads - Rural	-	-	-	-	-	62,800	(91,800)	(220,000)	-	-	-	-	(249,000)
Roads - Urban	(74,100)	157,300	-	(900)	-	185,900	(35,000)	(275,000)	343,600	-	-	-	301,800
RTA Works	(5,025,900)	4,931,300	-	-	-	-	-	-	-	-	-	-	(94,600)
Rural Fire Services	-	75,800	(25,400)	-	-	-	-	-	-	-	-	-	50,400
Traffic & City Safe	-	-	-	(92,200)	-	92,200	-	-	-	-	-	-	-
Workshop and Fleet Operations	-	-	(8,200)	-	-	-	-	-	-	-	-	-	(8,200)
<b>Total Infrastructure</b>	<b>(5,660,100)</b>	<b>5,208,900</b>	<b>(239,900)</b>	<b>4,448,700</b>	<b>(1,379,800)</b>	<b>(5,121,400)</b>	<b>(126,800)</b>	<b>1,805,900</b>	<b>874,600</b>	<b>(13,000)</b>	<b>(229,100)</b>	<b>-</b>	<b>(432,000)</b>
<b>Sustainable Development</b>													
Art Gallery	12,500	(45,000)	1,300	-	-	(110,000)	-	-	(17,500)	160,000	-	-	1,300
Community Services	(18,400)	32,000	-	-	-	-	-	(13,100)	-	(500)	-	-	-
Development & Compliance	-	10,000	-	-	-	-	-	-	-	-	-	-	10,000
Goonellabah Sports and Aquatic Centre	-	-	454,600	-	-	-	-	-	-	-	-	-	454,600
Information Services	-	23,700	82,100	-	-	66,000	-	(89,700)	-	-	-	-	82,100
Integrated Planning	(90,000)	173,500	-	-	-	-	-	(61,000)	-	(22,500)	-	-	-
Public Libraries	-	-	-	-	-	50,000	-	-	-	(50,000)	-	-	-
Rangers Compliance Services	(14,500)	-	14,600	-	-	-	-	-	14,500	-	-	-	14,600
Richmond Tweed Regional Library	41,500	-	-	-	-	-	-	-	(41,500)	-	-	-	-
Swimming Pools	-	-	4,800	-	-	-	-	-	-	-	-	-	4,800
Tourism & Events	-	122,800	(500)	-	-	-	-	(122,800)	-	-	-	-	(500)
<b>Total Sustainable Development</b>	<b>(68,900)</b>	<b>317,000</b>	<b>556,900</b>	<b>-</b>	<b>-</b>	<b>6,000</b>	<b>-</b>	<b>(286,600)</b>	<b>(44,500)</b>	<b>87,000</b>	<b>-</b>	<b>-</b>	<b>566,900</b>
<b>Council Total</b>	<b>(6,391,400)</b>	<b>5,896,600</b>	<b>312,400</b>	<b>4,448,700</b>	<b>(1,379,800)</b>	<b>(5,115,400)</b>	<b>81,200</b>	<b>1,468,100</b>	<b>1,001,700</b>	<b>31,000</b>	<b>(312,400)</b>	<b>-</b>	<b>40,700</b>

# Report

<b>Subject</b>	<b>Information Services' Strategic Plan 2010 - 2012</b>
<b>TRIM Record No</b>	BP10/737:EF09/1750
<b>Prepared by</b>	Manager - Information Services
<b>Reason</b>	In line with Council's Community Strategic Plan, Delivery Plan and Operational Plan, Information Services (Information Technology) creates a three year strategic plan to support the operational needs of Council.
<b>Community Strategic Plan Link</b>	Best-Practice Corporate Governance

## Overview of Report

The Information Services Strategic Plan (ISSP) identifies key strategies and initiatives for the Information Services (Information Technology - IT) Program Area of Council. The plan reviews the previous Strategic Plan, assesses the current IT infrastructure, security and disaster recovery procedures in place. It identifies potential risks to Council's technology based operations and makes recommendations through both strategic and practical initiatives.

The ISSP contains an Executive Summary.

## Background

Information Services is a Program Area of Lismore City Council. It has four areas of responsibility including:

1. Information Technology
2. Records Management
3. Telecommunications
4. Business Improvement.

Every three years Information Services develops a three year Strategic Plan. It is based around the NSW Government Chief Information Office's Information Management and Technology Strategic Plan Template. This report does not summarise what is in the ISSP as the document itself has an executive summary.

This plan as presented contains a number of exclusions. They are:

- Richmond Tweed Regional Library (RTRL). The RTRL has been administered by Lismore City Council since 1 July 2010. At present future strategic planning for the ongoing support of RTRL IT systems has not been completed. A three year vision for RTRL technology and systems will be developed and eventually incorporated into this plan.
- Following an organisational restructure in 2010, the Records Management function was moved under the auspices of Information Services. A Records Management Strategic Plan incorporating Council's new Electronic Document Management System is being developed and will be included in this plan once complete.

The plan contains six major and thirty-one minor initiatives.

Initiatives with identified funding have been included in the Lismore City Council Delivery Plan 2010 – 2014.

This plan contains strategies/initiatives that have already commenced i.e. in the 2010/11 year. This is as a result of the following:

- The development of the Plan was held-up while the integration of Richmond Tweed Regional Library took place.
- The previous plan came to a conclusion in June 2010.
- Some strategies/activities are time critical (replacement of IT Infrastructure) and needed to commence at the start of financial year 2010/11
- Some strategies/activities received funding this financial year through the Delivery Plan.

## Sustainability Assessment

### Sustainable Economic Growth and Development

The ISSP strengthens the technology framework that supports much of Council operations thus enabling it to achieve the growth and development described in its Community Strategic Plan.

### Social Inclusion and Participation

The plan references activities including the development of online content for its web sites that facilitates access for those with visual difficulties or limited keyboard skills. It also highlights technology initiatives that will enable greater online interaction between Council and the community.

### Protect, Conserve and Enhance the Environment and Biodiversity

Not applicable.

### Best-Practice Corporate Governance

The existence of a Strategic Plan, Disaster Recovery/Business Continuity plans for Information Technology and Systems is considered essential and best practice for all government bodies.

## Comments

### Finance

It is necessary to maintain reliable and effective systems to ensure information can be delivered to end users in a timely and reliable manner. There is funding for the initiatives in the current Information Services Strategic Plan included in the 2010-2014 Delivery Plan.

### Other staff comments

Not sought as this Plan has been to the Information Services Steering Group (a cross-organisational group of program managers) and the Executive Committee.

### Public consultation

Not sought as this is a 'corporate' or internal services plan.

## Conclusion

The ISSP focuses on maintaining an IT Infrastructure that meets the expectations of the organisation as well as identifying opportunities for improving corporate efficiency and leveraging new technologies particularly for delivering services to the Community.

## Attachment/s

1. Information Services Strategic Plan 2010-2012 (Over 7 pages)

## Recommendation

That Council adopt the Information Services' Strategic Plan 2010 – 2014.



# Report

<b>Subject</b>	<b>Proposed new road name - Development Application 5.2004.970.2</b>
<b>TRIM Record No</b>	BP11/11:DA04/970-02
<b>Prepared by</b>	Property Data Analyst
<b>Reason</b>	To provide Council with relevant information to enable the determination of the naming of a new road.
<b>Community Strategic Plan Link</b>	Best-Practice Corporate Governance

## Overview of Report

Council is in receipt of an application for a proposed new road name within an approved rural residential subdivision development. In accordance with the Roads Regulation 2008 Council's endorsement is required.

## Background

Council is in receipt of an application from Allen Muir (the Applicant and landowner) to name a new road, in connection with Development Application 5.2004.970.2. The following name has been provided by the Applicant as preferred name for the new road:

Tulsi Lane, Nimbin

Tulsi (Indian basil) is venerated and worshiped in the Hindu religion and the goddess Tulsi is regarded as the "Mother of the World". The Nimbin locality has for decades embraced environmental protection and sustainability and therefore this name is not inappropriate.

Council officers have reviewed the guidelines associated with the road naming process and advise the proposed naming option complies with the guidelines of the Geographical Names Board and is suitable for use within the Lismore Local Government area.

In accordance with the Roads Regulation 2008 part 2 Division 2 – Naming of Roads, Council is required to resolve to commence the notification process of proposed road name.

## Sustainability Assessment

### Sustainable Economic Growth and Development

The name proposed for the new road is compatible with the existing road names in the vicinity and reflects the emphasis on sustainability in development within this region.

### Social Inclusion and Participation

The community will be provided an opportunity to participate in the process at the commencement of advertisement period subject to Council's endorsement of this report.

## Protect, Conserve and Enhance the Environment and Biodiversity

The proposed name for the new road, is that of a plant with high symbolic importance in the Hindu religion, itself strongly associated with conservation and protection of the environment.

## Best-Practice Corporate Governance

Policy 5.2.4 Naming of New Roads.

## Comments

### Finance

Not required.

## Other staff comments

### Manager Development and Compliance

No further comments required.

## Public consultation

The consultation process will occur as a result of the endorsement of the recommendations of this report and will include an advertisement and notification to various Government bodies and agencies. The public consultation period will be from 17 February 2011 up until close of business 18 March 2011 for a period of twenty eight days.

Should any submission opposing the proposal be received, a report will be presented to Council for further consideration, otherwise the matter will be determined by the General Manager in accordance with the advertised proposal.

## Conclusion

Due to the character of the Nimbin area and its strong association with the environmental movement, the name Tulsi is not considered inappropriate for a roadway in the Nimbin locality.

## Attachment/s

1. Application Form for new road name including plan - 156 Gungas Road Nimbin
2. Locality Map - 156 Gungas Road Nimbin
3. Geographical Names Board (GNB) Guidelines for the naming of roads

## Recommendation

That:

1. Council approve public exhibition for a period of 28 days as per Roads Regulation 2008 of the proposed road name within the rural residential development known as Development Application 5.2004.970.2, being Tulsi Lane, Nimbin.
2. Any submission opposing the proposal be reported to Council prior to determination of the naming.
3. In the absence of any submissions the application be determined under delegated authority by the General Manager.



# NAMING OF NEW ROADS

DA 04/970

Date: 1/1/11

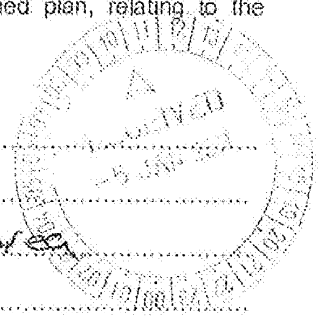
Approval is sought for the name of a new road/roads on the attached plan, relating to the abovementioned subdivision of:

Lot 252 DP 1051142

Proposed name Tulsi Lane

Locality Nimbin

Reason for choice in keeping with the area  
eg Gungas Rd.



Compliance with Geographical Names Board 'Guidelines for the Naming of Roads'

*[Signature]*  
Surveyor/Applicant/Owner

**OFFICE USE ONLY**

Road No. .... Map Ref. .... Urban/Rural

Type: Main Rural Urban Village

Classification: Feeder Local Cul-de-sac

Comments .....

Subdivision Plan TCC ..... DP .....

Name approved by ..... Date .....

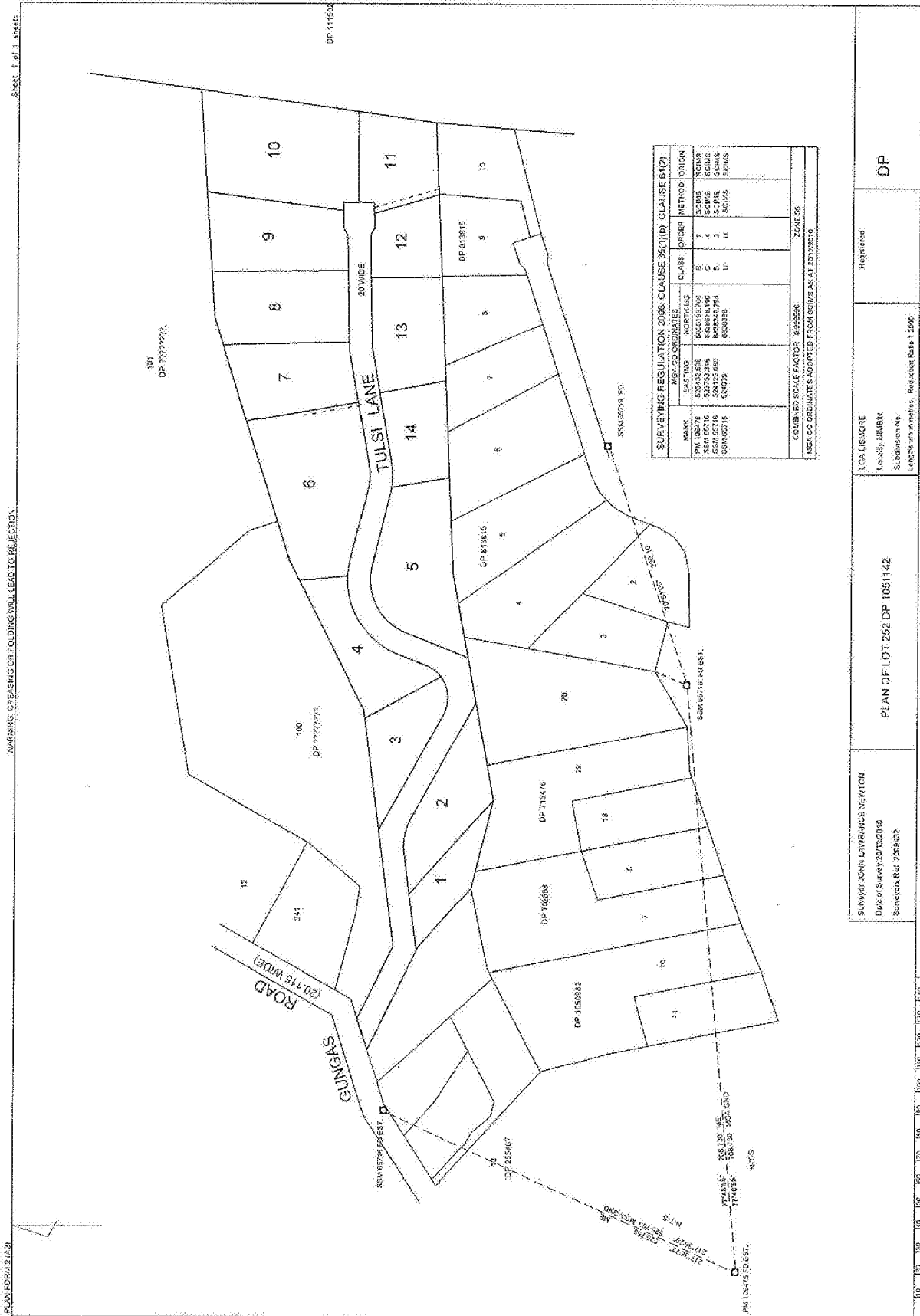
Entered into computer road register by ..... Date .....

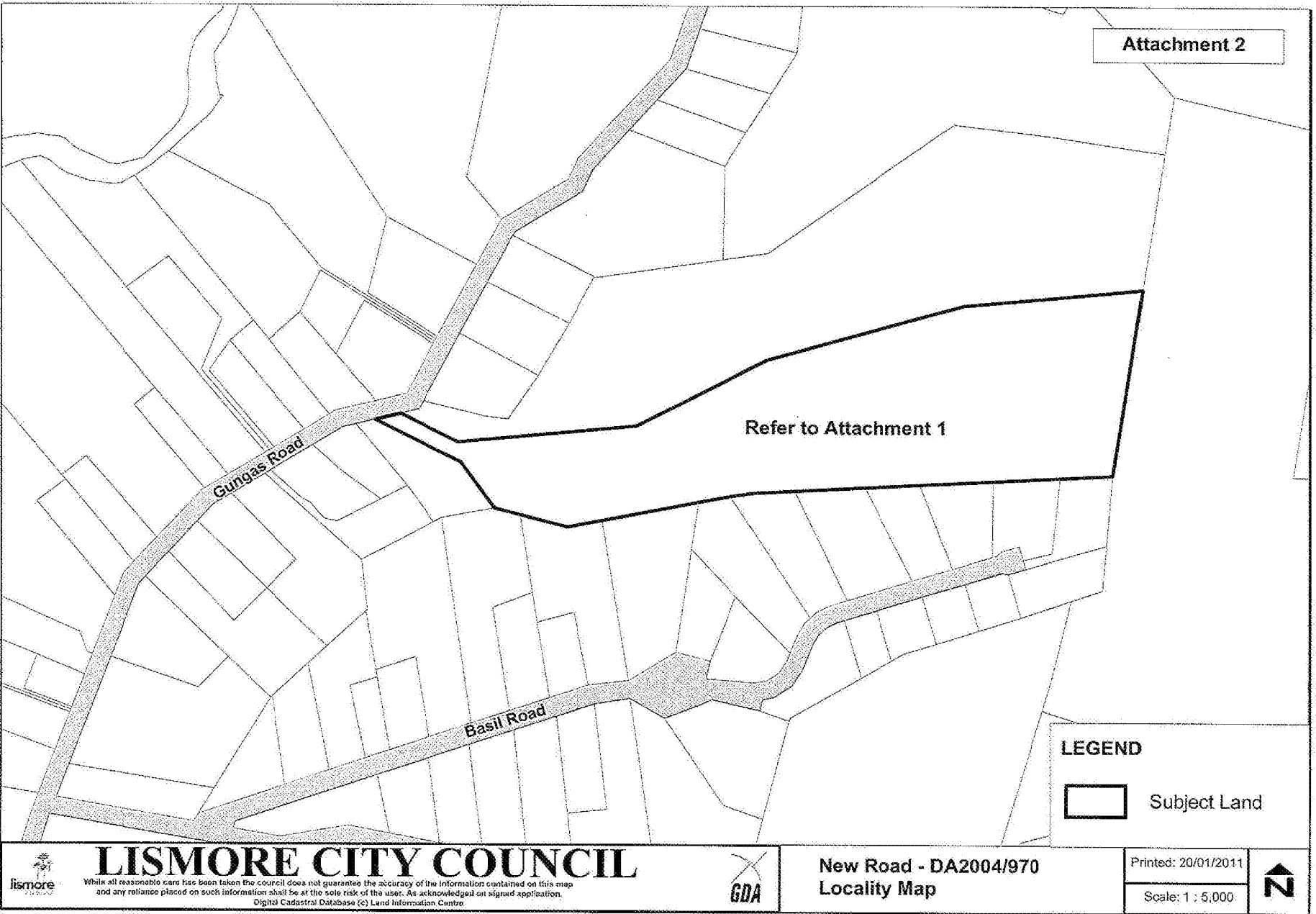
Entered into Engineer's register by ..... Date .....

Road map updated by ..... Date .....

Records file created by ..... Date .....

(\*plandev/forms/naming of new roads)





Attachment 2

Refer to Attachment 1

Gungas Road

Basil Road

LEGEND

Subject Land



**LISMORE CITY COUNCIL**

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



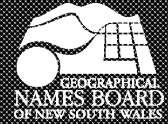
New Road - DA2004/970  
Locality Map

Printed: 20/01/2011

Scale: 1 : 5,000.



# Guidelines for the naming of roads



Land and Property  
Management Authority

## Road names

When naming and renaming of roads and streets the following guidelines should be observed.

## Uniqueness

- 1.1 Name duplication within a local government area should be avoided. If possible duplication of names in proximity to adjacent local government areas should also be avoided. Similarity in road names within these areas is also discouraged (eg. White Street and Whyte Street).
- 1.2 However, roads crossing council boundaries should have a single and unique name.

## Sources

- 2.1 Preferred sources for road names include:
  - Aboriginal names
  - local history
  - early explorers, pioneers, settlers and other eminent persons
  - war/casualty lists
  - thematic names such as flora, fauna or ships.
- 2.2 Names should be appropriate to the physical, historical or cultural character of the area concerned.
- 2.3 The origin of each name should be clearly stated and subsequently recorded.
- 2.4 The Local Aboriginal Land Council should be consulted when choosing Aboriginal names unless the road naming authority already has an agreed list of appropriate names.

## Propriety

- 3.1 Names of living persons should not be used.
- 3.2 Names which are characterised as follows are to be avoided.
  - Offensive or likely to give offence.
  - Incongruous – out of place.
  - Commercial or company.

## Communication

- 4.1 Names should be reasonably easy to read, spell and pronounce in order to assist both service providers and the travelling public.
- 4.2 Unduly long names and names composed of three or more words, including the road type, should be avoided. Roads names should be limited to less than 40 characters which include any spaces and the road type.
- 4.3 A given name should only be included with a family name where it is essential to identify an individual or where it is necessary to avoid ambiguity. The use of given names should generally be avoided.
- 4.4 Roads with double destination names should be progressively renamed.

## Spelling

- 5.1 Where it is intended that a road have the same name as a place or feature with an approved geographical name, then particular care should be taken to ensure that the correct spelling is adopted.
- 5.2 Where names have been changed or corrupted by long established local usage, it is not usually advisable to attempt to restore the original form.



- 5.3 Spelling which is sanctioned by general usage should be adopted.
- 5.4 Generally road names proposed or approved should not contain abbreviations e.g. the Creek in Wallaby Creek Road must not be abbreviated. There is, however, one exception. ST should always be used in place of Saint.

**Form**

- 6.1 The apostrophe mark ‘ must be omitted in the possessive case e.g. Smith’s Road should be Smiths Road.
- 6.2 It is further preferable to deter a possessive S unless the euphony becomes harsh e.g. Smith Road.
- 6.3 The use of hyphens, slashes and other diacritical marks should be avoided if possible.
- 6.4 The use of numbers and roman numerals in a road name should be discouraged, when numbers are applied to a name it should be in alpha rather than numeric form.
- 6.5 No spaces should be embedded in words within the road name, single spaces only are allowed between words and no spaces are allowed to surround hyphens.

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**Road type**

Proposals for road names should include an appropriate road type suffix.

Road type suffixes are grouped into three categories, Culs-de-sac, Open ended and Either. The use of appropriate types is strongly encouraged to assist the travelling public, delivery companies and emergency services. Existing exceptions to these rules are often the result of particular circumstances, and similar use is not encouraged.

Road types in the singular or plural form (e.g. GARDEN or VIEWS etc) to those included in these lists are strongly discouraged except in presently existing cases.

Road types should not be abbreviated when being proposed, advertised and gazetted. It is acceptable to use Road Type Codes on mail, road signs and maps.

**Culs-de-sac**

The types of cul-de-sac and a description are as follows.

Road type	Code	Description
BRAE	BRAE	A roadway running along a hill area.
CLOSE	CL	A short enclosed roadway.
COURT	CT	A short enclosed roadway.
COURTYARD	CTYD	An enclosed area
COVE	COVE	A short enclosed roadway
CUL-DE-SAC	CSAC	A street or road with only one entrance and exit.

END	END	A roadway that has a definite finishing point.
GREEN	GRN	A roadway often leading to a grassed public recreation area.
GROVE	GR	A roadway which features a group of trees standing together.
LOOKOUT	LKT	A roadway leading to or having a view of fine natural scenery.
MEWS	MEWS	A roadway having houses grouped around the end.
NOOK	NOOK	A short, secluded roadway with limited frontage indicating privacy.
PLACE	PL	A short sometimes narrow enclosed roadway.
PLAZA	PLZA	A roadway enclosing the four sides of an area forming a market place or open space.
POCKET	PKT	A short roadway leading to an intimate village environment.
POINT	PNT	A roadway leading to a focal point or river frontage.
PORT	PORT	A small roadway abutting a harbour, inlet, marina etc. in a coastal development.
REST	REST	A short roadway with limited residential frontage creating a quiet secluded environment.
RETREAT	RTT	A roadway forming a place of seclusion.
SHUNT	SHUN	A short, dead-end track used in State Forests only.
TARN	TARN	A roadway surrounding or leading to a lake or some other water feature.
TOP	TOP	A roadway constructed at the highest part of an area.
TOR	TOR	A roadway along a rocky height or hillside.

**Open ended streets**

The type of open ended street and a description are as follows.

Road type	Code	Description
APPROACH	APP	A roadway leading to an area of community interest i.e. public open space, commercial area, beach etc.
ARCADE	ARC	A passage having an arched roof, or any covered passageway, especially one with shops along the sides.

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ARTERIAL	ARTL	A major roadway within a city, generally of high capacity and providing connectivity between collector roads and limited access freeways.	FAIRWAY	FAWY	A short open roadway between other roadways.
ARTERY	ARTY	A major roadway within a city, generally of high capacity and providing connectivity between collector roads and limited access freeways.	FOLLOW	FOLW	A roadway meandering through wooded or undulating country.
AVENUE	AV	A broad roadway, usually planted on each side with trees.	FORMATION	FORM	A formed surface, once a timber railway which now provides vehicular access.
BANAN	BA	Aboriginal word meaning 'Street' or 'Path'.	FREEWAY	FWY	An express, multi-lane highway, with limited or controlled access.
BEND	BEND	A roadway containing a bend.	GATE	GTE	A roadway leading into an estate, main entrance to a focal point, public open space.
BOULEVARD	BVD	A wide roadway, well paved, usually ornamented with trees and grass plots.	GRANGE	GRA	A roadway leading to a country estate, or focal point, public open space, shopping area, etc.
BRACE	BR	A small roadway, which connects other roads or a major road to another feature.	HIGHROAD	HIRD	A main road; a highway.
BREAK	BRK	Vehicular access on a formed or unformed surface, which was originally prepared as a firebreak.	HIGHWAY	HWY	A main road or thoroughfare, a main route.
BYPASS	BYPA	An alternative roadway constructed to enable through traffic to avoid congested areas or other obstructions to movement.	INTERCHANGE	INTG	A highway or freeway junction designed so that traffic streams do not intersect.
CENTRE	CTR	A roadway, which runs into or around a group of buildings forming the central point of an area of activity i.e. commercial, community, public open space, etc.	JUNCTION	JNC	A roadway making a transition from a major to a minor road in an estate, etc. A through road leading from one minor road to another as a link.
CIRCLE	CIR	A roadway, which forms a circle or part of a circle.	LINE	LINE	A generally long and straight road.
CIRCUIT	CCT	A roadway enclosing an area.	LINK	LINK	A roadway which links similar land uses i.e. pockets of residential, other roadway, etc.
CIRCUS	CRCS	A circular open place where many roadways come together.	LOOP	LOOP	A roadway that diverges from and rejoins the main thoroughfare.
CONCOURSE	CON	A roadway which runs around a central area, e.g. public open space or a commercial area.	MALL	MALL	A sheltered walk, promenade or shopping precinct.
CRESCENT	CR	A crescent thoroughfare allowing traffic without many cross streets.	MEANDER	MNDR	A sinuous winding roadway, wandering at random through an area or subdivision.
DRIVE	DR	A wide thoroughfare allowing a steady flow of traffic without many cross streets.	MOTORWAY	MTWY	A highway, usually between cities, designed to carry large traffic volumes. Predominantly dual-carriageway, with three or more lanes in each direction and grade-separated access.
EDGE	EDGE	A roadway constructed along the edge of a cliff or ridge.	PARADE	PDE	A public promenade or roadway which has good pedestrian facilities along the side.
ENTRANCE	ENT	A roadway connecting other roads.	PARKWAY	PWY	A roadway through parklands or an open grassland area.
ESPLANADE	ESP	A level roadway, often along the seaside or a river.	PASS	PASS	A roadway connecting major thoroughfares or running through hills.
EXPRESSWAY	EXP	An express, multi-lane highway, with limited or controlled access.			

PATH	PATH	A roadway usually used for pedestrian traffic.
PATHWAY	PWAY	A narrow roadway of any length meandering through an estate.
PROMENADE	PROM	A roadway like an avenue with plenty of facilities for the public to take a leisurely walk, a public place for walking.
QUADRANT	QDRT	A loop road forming a circular path or a curved deviation from another road.
QUAYS	QYS	A roadway leading to a landing place alongside or projecting into water.
RAMBLE	RMBL	A roadway that meanders from place to place.
RIDGE	RDGE	A roadway along the top of a hill.
ROAD	RD	A place where one may ride, an open way or public passage for vehicles, persons and animals, a roadway forming a means of communication between one place and another.
ROTARY	RTY	An intersection of two or more carriageways at a common level where all traffic travels around a central island.
ROUTE	RTE	A roadway allowing steady traffic flow with limited cross streets.
ROW	ROW	A roadway with a line of professional buildings on either side.
RUE	RUE	French for street or road
STREET	ST	A public roadway in a town, city or urban area, especially a paved thoroughfare with footpaths and buildings along one or both sides.
SUBWAY	SBWY	An underground passage or tunnel that pedestrians or vehicles can use for crossing under a road, railway, river, etc.
TERRACE	TCE	A roadway usually with houses on either side raised above the road level.
THOROUGH-FARE	THFR	A main road or public highway.
TOLLWAY	TLWY	A road on which a toll authority collects a fee for use.
TRACK	TRK	A roadway with a single carriageway. A roadway through a natural bushland region. The interpretation for both Track and Trail is limited to roadways,

TRAIL	TRL	whereas in many areas (eg Tasmania) these are more often associated with walking rather than vehicular movement. See TRACK
TURN	TURN	A roadway containing a sharp bend or turn.
UNDERPASS	UPAS	A passage having an arched roof, or any covered passageway, especially one with shops along the sides.
VIADUCT	VIAD	A roadway which crosses a bridge consisting of several small spans.
WALK	WALK	A thoroughfare with restricted vehicle access used mainly by pedestrians.
WALKWAY	WKWY	A roadway on which traffic travels at a slow pace.
WAY	WAY	An accessway between two streets.
WYND	WYND	A short narrow roadway or alley.

### Either culs-de-sac or open ended streets

When these types are used for a cul-de-sac it is essential that a 'No Through Road' sign also be erected.

The types and descriptions are as follows.

Road type	Code	Description
ACCESS	ACCS	A minor road built specially to give access to a house, motorway, etc.
ALLEY	ALLY	A usually narrow roadway for people or vehicles in cities and towns. A minor roadway through the centre of city blocks or squares.
ALLEYWAY	ALWY	A narrow street or passageway between or behind city buildings.
AMBLE	AMBL	A public road with pavements and buildings at the side or sides, especially in a town.
BOARDWALK	BWLK	A promenade or path, especially of wooden planks, for pedestrians and sometimes vehicles, along or overlooking a beach or waterfront.
BROW	BROW	A roadway that runs along or over the top of a hill.
BYWAY	BYWY	A little travelled side road, usually in the country, not regularly used by people or traffic.
CAUSEWAY	CSWY	A road raised above water, marshland or sand.
CHASE	CH	A roadway leading down to a valley.

COPSE	CPS	A roadway running through or to a public open space or woodland area.	RISE	RISE	A roadway going to a higher place or position.
CORNER	CNR	A roadway containing a sharp bend or corner.	SERVICEWAY	SVWY	A narrow lane or access way to provide services or access to adjacent properties.
CREST	CRST	A roadway running along the top or summit of a hill.	SPUR	SPUR	A minor roadway running off at less than 45 degrees.
CROSS	CRSS	A roadway forming a 'T' or cross.	SQUARE	SQ	A roadway bounding the four sides of an area to be used as open space or a group of buildings.
CUTTING	CUTT	A road through a narrow excavation made through high ground.	VALE	VALE	A roadway along low ground between hills.
DALE	DALE	A roadway situated between hills.	VIEW	VIEW	A roadway commanding a wide panoramic view across surrounding areas.
DIP	DIP	Short roadway through a steep valley or gully.	VISTA	VSTA	A road with a view or outlook.
DRIVEWAY	DVWY	A private road that connects a house/s, or garage/s, or other buildings with the street.	WHARF	WHRF	A roadway running alongside a water feature creating a wharf-like impression.
ELBOW	ELB	A roadway containing a sharp bend or turn.			
FOOTWAY	FTWY	A walkway or path for pedestrians.			
FRONTAGE	FRTG	A roadway passage a point of interest or significance with lots fronting only one side e.g. public open space, coastline, etc.			
GAP	GAP	A roadway that traverses a passage or a pass through a ridge or hill.			
GARDENS	GDNS	A roadway with special plantings of trees, flowers etc. and often leading to a place for public enjoyment.			
GLADE	GLDE	A roadway usually in a valley of trees.			
GLEN	GLEN	A roadway usually in a valley of trees.			
HEIGHTS	HTS	A roadway traversing high ground.			
HILL	HILL	A roadway going up a natural rise.			
KEY	KEY	A roadway serving			
LANE	LANE	A narrow way between walls, buildings etc. a narrow country or city roadway.			
LANEWAY	LNWY	A narrow street or alley running between or behind urban buildings, especially houses or stores.			
OUTLOOK	OTLK	A roadway leading to an area which affords a view across surrounding areas.			
PASSAGE	PSGE	A narrow street.			
PIAZZA	PIAZ	A public square or paved open space, without grass or planting, often in front of shops or significant buildings.			

## Prefixes

Road name prefixes should not be used. A notional prefix that relates directly to a locality name may be included as part of a road name (e.g. Lower Plenty Road, where Lower Plenty is a gazetted locality). However, where a directional or similar device is used to uniquely define road extremities, it should be used as a road suffix (e.g. Palmerston Road West).

## Segments

While directionals (e.g. Smith Road East and Smith Road West) used to achieve uniqueness for segments of the same road name are acceptable, where such segments are unconnected, such as where an intervening segment of road is unconstructed or where they are separated by a barrier and are likely to remain unconnected for the foreseeable future, consideration should be given to renaming one or each of the unconnected segments.

## References

Standards Australia/Standards New Zealand, 26 October 2006, Amendment No. 1 to AS/NZS 4819:2003 Geographic information – Rural and urban addressing.

## Legislation

The Roads Act 1993 - Section 162 provides the authority for the naming of roads. The Roads (General) Regulation 2000 (Government Gazette No112) Part 2; Division 2 sets out the procedures to be observed when naming roads.

**For further advice or assistance on  
the naming of roads in NSW**

contact the GNB.  
Geographical Names Board  
Panorama Avenue  
Bathurst NSW 2795  
T 1800 025 700  
F 02 6332 8217  
E [gnb@lpma.nsw.gov.au](mailto:gnb@lpma.nsw.gov.au)  
[www.gnb.nsw.gov.au](http://www.gnb.nsw.gov.au)

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# Report

<b>Subject</b>	<b>Investments - December 2010 and January 2011</b>
<b>TRIM Record No</b>	BP11/9:EF09/586
<b>Prepared by</b>	Management Accountant
<b>Reason</b>	Required by Local Government Act 1993, Local Government (General) Regulation 2005 and Council's Investment Policy
<b>Community Strategic Plan Link</b>	Best-Practice Corporate Governance

## Overview of Report

Investments as at 31 January 2011 are estimated to be \$43,037,084 subject to final market valuations typically provided after month end.

The interest rate reported for January 2011 is estimated to be 5.10% which is above the Bank Bill Swap Rate for the period of 4.97%. The final interest return may vary due to actual returns achieved on investments advised after month end.

Investments as at 31 December 2010 were \$44,135,084. The interest rate for December 2010 was estimated to be 5.09% which was above the Bank Bill Swap rate for the same period of 5.03%.

## 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, investment portfolio performance for the 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 November 2010</i> | <i>\$40,881,014</i> |
| • <i>Confirmation of Investments – at Market Value – 31 December 2010</i> | <i>\$44,135,084</i> |
| • <i>Estimated Investments – at Market Value – 31 January 2011</i>        | <i>\$43,037,084</i> |

Investments increased by approximately \$3 million in December 2010. This is mainly due to the 2<sup>nd</sup> rates instalment due 30 November, 2010. Payments were still being received into early December. Funds received from the Roads and Traffic Authority for works completed in prior months also added to the increase in investments.

The current rate of return on investments for January 2011 is estimated to be 5.10% which is above the Bank Bill Swap Rate for the period of 4.97%. 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 a number of investments not paying coupons. These include investments in Blackrock Care & Maintenance Fund, Longreach – Series 25, Corsair (Torquay) and five other Lehman Brothers related investments that are terminating. These investments are shown on the 'Estimated Interest' attachment with an estimated interest rate and weighted interest for the period of zero.

In regards to the Blackrock Care & Maintenance Fund, as this fund is being independently managed with a view to its ultimate termination, the payment of a coupon is dependent on funds being available net of costs. For December 2010 and January 2011, no coupon payment has been recognised.

The estimated interest earned for the financial year to January 2011 is favourable to the pro rata annual Budget. This is attributable to a higher than anticipated level of investments due to funds received in advance of the planned works, e.g. Financial Assistance Grants and Southern Trunk Main Loan and reduction of internal loans, and higher than anticipated interest rates. A favourable variance to the Budget has been reported to Council as part of the December 2010 Quarterly Budget Review.

### **Richmond Tweed Regional Library**

To meet governance requirements associated with being the Executive Council for Richmond Tweed Regional Library, Council must report investments made by the Richmond Tweed Regional Library as part of its investment report. 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 January 2011 the estimated total value of investments held by Richmond Tweed Regional Library is \$400,000. The current rate of return on the library's investments for January 2011 is estimated to be 7.00%.

## Sustainability Assessment

### Sustainable Economic Growth and Development

Council's main objective in investing funds is to preserve the capital, i.e. prevent any loss to the amount invested, while gaining the most advantageous rate of return with minimum risk.

### Best-Practice Corporate Governance

The Local Government Act 1993, Local Government (General) Regulation 2005 and Council's Investment Policy require Council's investments to be reported monthly.

## Comments

### Finance

Relevant comments have been included in the report and the recommendation is supported.

## Conclusion

A report on investments is required to be submitted to Council monthly. This report meets that requirement. For 31 January 2011 investments total \$43,037,084 and the annualised rate of return was 5.10%.

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.

## Attachment/s

1. Capital Value Movements including name of institution, lodgement date and maturity date
2. Estimated Interest showing interest rate and estimated interest earned for the year
3. Total Investment Portfolio held by month with last year comparison - graphical
4. Weighted Average Interest Rate with bank bill swap rate and last year comparison - graphical
5. Investment by Type - graphical
6. Investment by Institution as percentage of total portfolio - graphical

## Recommendation

That the report be received and noted.



Capital Value Movements  
Summary of Investments held as at  
31 January 2011

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	Not Rated (Note 7)	High	15/10/2008	N/A	31/08/2010	\$ 1,987,755	\$ 2,076,360	Note 3
CBA Business On Line Banking A/C	Cash Management Account	Cash	High	N/A	N/A	21/01/2011	\$ 3,915,500	\$ 3,915,500	
Macquarie Cash Management Trust	Cash Management Account	Cash	High	1/9/2006	N/A	31/12/2010	\$ 259,750	\$ 259,750	
UBS Cash Management Trust	Cash Management Account	Cash	High	N/A	N/A	21/01/2011	\$ 83,100	\$ 83,100	
Newcastle Permanent	Term Deposit	A-2	High	30/9/2010	28/1/2011	30/09/2010	\$ 1,000,000	\$ 1,000,000	
Police & Nurses Credit Society Ltd	Term Deposit	Not Rated (Note 7)	High	30/9/2010	31/1/2011	30/09/2010	\$ 1,000,000	\$ 1,000,000	
New England Credit Union	Term Deposit	Not Rated (Note 7)	High	30/9/2010	31/1/2011	30/09/2010	\$ 1,000,000	\$ 1,000,000	
Bank of Cyprus Australia Limited	Term Deposit	Not Rated (Note 7)	High	30/9/2010	31/1/2011	30/09/2010	\$ 1,000,000	\$ 1,000,000	
IMB Banking & Financial Services	Term Deposit	A-2	High	26/8/2010	2/2/2011	26/08/2010	\$ 2,000,000	\$ 2,000,000	
Suncorp Bank	Term Deposit	A-1	High	18/8/2010	14/2/2011	18/08/2010	\$ 2,000,000	\$ 2,000,000	
Community CPS Australia Ltd	Term Deposit	Not Rated (Note 7)	High	18/8/2010	14/2/2011	18/08/2010	\$ 2,000,000	\$ 2,000,000	
ING Bank Australia Limited	Term Deposit	A-1	High	1/9/2010	1/3/2011	1/09/2010	\$ 2,000,000	\$ 2,000,000	
Credit Union Australia (CUA)	Term Deposit	A-2	High	6/9/2010	7/3/2011	6/09/2010	\$ 2,000,000	\$ 2,000,000	
Suncorp Bank	Term Deposit	A-1	High	9/11/2010	21/3/2011	9/11/2010	\$ 1,000,000	\$ 1,000,000	
Bank of Western Australia	Term Deposit	A1+	High	14/12/2010	13/4/2011	14/12/2010	\$ 2,000,000	\$ 2,000,000	
Community CPS Australia Ltd	Term Deposit	Not Rated (Note 7)	High	19/1/2011	19/4/2011	19/01/2011	\$ 1,000,000	\$ 1,000,000	
Defence Force Credit Union	Term Deposit	Not Rated (Note 7)	High	7/12/2010	10/5/2011	7/12/2010	\$ 2,000,000	\$ 2,000,000	
Westpac Banking Corporation	Term Deposit	AA	High	7/12/2010	7/6/2011	7/12/2010	\$ 2,000,000	\$ 2,000,000	
Savings & Loans Credit Union	Term Deposit	Not Rated (Note 7)	High	20/12/2010	20/6/2010	20/12/2010	\$ 1,000,000	\$ 1,000,000	
Credit Union Australia (CUA)	Term Deposit	A-2	High	11/1/2011	11/7/2011	11/01/2011	\$ 1,000,000	\$ 1,000,000	
Southern Cross Credit Union	Term Deposit	Not Rated (Note 7)	High	13/10/2010	13/7/2011	13/10/2010	\$ 2,000,000	\$ 2,000,000	
IMB Banking & Financial Services	Term Deposit	A-2	High	18/1/2011	19/7/2011	18/01/2011	\$ 1,000,000	\$ 1,000,000	
Bank of Queensland	Term Deposit	A-2	High	19/1/2011	19/7/2011	19/01/2011	\$ 1,000,000	\$ 1,000,000	
Bank of Queensland	Term Deposit	A-2	High	7/12/2010	8/8/2011	7/12/2010	\$ 2,000,000	\$ 2,000,000	
National Australia Bank	Term Deposit	A1+	High	7/12/2010	7/12/2011	7/12/2010	\$ 2,000,000	\$ 2,000,000	
Summerland Credit Union	Term Deposit	A-2	High	17/1/2011	17/1/2012	17/01/2011	\$ 1,000,000	\$ 1,000,000	
Deutsche Bank CG Yield Curve Note	Euro Bond	A+	High	1/9/2006	18/10/2011	30/06/2010	\$ 247,500	\$ 247,500	Note 5
Magnolia (Flinders)	Floating Rate CDO	BB-	Low	1/9/2006	20/3/2012	30/06/2010	\$ 255,000	\$ 255,000	Note 5
Omega (Herley)	Floating Rate CDO	CCC	Low	1/9/2006	22/6/2012	30/06/2010	\$ 280,000	\$ 280,000	Note 5
Beryl (Esperance 2)	Floating Rate CDO	Early Termination	Low	1/9/2006	20/3/2013	30/06/2010	\$ -	\$ -	Note 5
Corsair (Torquay)	Floating Rate CDO	CCC-	Low	1/9/2006	20/6/2013	30/06/2010	\$ 20,000	\$ 20,000	Note 5
Zircon (Merimbula)	Floating Rate Note	Early Termination	Low	1/9/2006	20/6/2013	30/06/2010	\$ -	\$ -	Note 5
Corsair (Kakadu)	Floating Rate CDO	CCC-	Low	1/9/2006	20/3/2014	30/06/2010	\$ 125,000	\$ 125,000	Note 5
Longreach - Series 25	Equity Linked Investment	A+	High	2/4/2007	4/4/2014	30/06/2010	\$ 759,450	\$ 759,450	Note 2
Helium (Scarborough)	Floating Rate CDO	CCC-	Low	1/9/2006	23/6/2014	30/06/2010	\$ 16,000	\$ 16,000	Note 5

**Capital Value Movements  
Summary of Investments held as at  
31 January 2011**

Name of Investment / & Counterparty	Type of Investment	Rating	Assessment of return of Capital	Purchase Date	Maturity Date	Las: Date Confirmed Valuation Available	Balance Sheet Valuation (Note 1)	Current Market Value (Note 4)	
Beryl (Global Bank Note)	Floating Rate Note	Early Termination	Low	1/9/2006	20/9/2014	30/06/2010	\$ -	\$ -	Note 5
Zircon (Coolangatta)	Floating Rate CDO	Early Termination	Low	1/9/2006	20/9/2014	30/06/2010	\$ -	\$ -	Note 5
Aphex (Glenslg)	Floating Rate CDO	CCC-	Low	1/9/2006	22/12/2014	30/06/2010	\$ 100,000	\$ 100,000	Note 5
Bendigo Bank FR Sub Debt	Subordinate Debt	BBB	Medium	1/9/2006	14/12/2015	31/08/2010	\$ 497,100	\$ 498,625	Note 5
Elders Rural Bank Sub Debt	Subordinate Debt	BBB-	Medium	1/9/2006	16/3/2016	31/08/2010	\$ 983,890	\$ 1,000,800	Note 5
Zircon (Miami)	Floating Rate CDO	Early Termination	Low	1/9/2006	20/3/2017	30/06/2010	\$ -	\$ -	Note 5
Commonwealth Bank of Australia - RTRL	Term Deposit	A1+	High	30/11/2009	29/11/2012	30/11/2009	\$ 400,000	\$ 400,000	
<b>Investment on Hand</b>							<b>\$ 42,930,044</b>	<b>\$ 43,037,084</b>	

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

UBS Cash Management Trust	Cash Management Account	Cash	High	N/A	N/A	21/01/2011	\$ 900,000	\$ 900,000
Community CPS Australia Ltd	Term Deposit	Not Rated (Note 7)	High	10/9/2010	11/1/2010	10/09/2010	\$ 1,000,000	\$ 1,000,000
Credit Union Australia (CUA)	Term Deposit	A-2	High	10/9/2010	10/1/2011	10/09/2010	\$ 1,000,000	\$ 1,000,000
Summerland Credit Union	Term Deposit	Not Rated (Note 7)	High	17/1/2010	17/1/2011	17/01/2010	\$ 1,000,000	\$ 1,000,000

**\$ 46,830,044    \$ 46,937,084**

Note 1: Balance Sheet Valuation is the value reported in Council's Financial Report as at 30 June 2010 or the purchase price for investments purchased post 30/06/10  
 Note 2: Capital Guaranteed note if held to maturity  
 Note 3: The Balance Sheet Valuation is the Market Value as at 30/6/10 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's Investment Order and require no minimum credit rating.

**"Indicative" Source of Funds**

Externally Restricted	32,936,281
Internally Restricted	<u>10,100,804</u>
	<u>\$ 43,037,084</u>

**Estimated Interest  
Summary of Investments held as at  
31 January 2011**

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	Not Rated	0.00%	\$ 2,076,360	\$ -	0.00%
CBA Business On Line Banking A/C	Cash Management Account	Cash	4.10%	\$ 3,915,500	\$ 13,635	0.35%
Macquarie Cash Management Trust	Cash Management Account	Cash	4.75%	\$ 259,750	\$ 1,048	0.03%
UBS Cash Management Trust	Cash Management Account	Cash	3.74%	\$ 83,100	\$ 264	0.01%
Newcastle Permanent	Term Deposit	A-2	5.96%	\$ 1,000,000	\$ 5,062	0.13%
Police & Nurses Credit Society Ltd	Term Deposit	Not Rated	6.01%	\$ 1,000,000	\$ 5,104	0.13%
New England Credit Union	Term Deposit	Not Rated	5.96%	\$ 1,000,000	\$ 5,062	0.13%
Bank of Cyprus Australia Limited	Term Deposit	Not Rated	6.05%	\$ 1,000,000	\$ 5,138	0.13%
IMB Banking & Financial Services	Term Deposit	A-2	6.00%	\$ 2,000,000	\$ 10,192	0.26%
Suncorp Bank	Term Deposit	A-1	6.35%	\$ 2,000,000	\$ 10,786	0.28%
Community CPS Australia Ltd	Term Deposit	Not Rated	6.03%	\$ 2,000,000	\$ 10,243	0.26%
ING Bank Australia Limited	Term Deposit	A-1	6.25%	\$ 2,000,000	\$ 10,616	0.27%
Credit Union Australia (CUA)	Term Deposit	A-2	6.08%	\$ 2,000,000	\$ 10,328	0.27%
Suncorp Bank	Term Deposit	A-1	6.25%	\$ 1,000,000	\$ 5,308	0.14%
Bank of Western Australia	Term Deposit	A1+	6.05%	\$ 2,000,000	\$ 10,277	0.27%
Community CPS Australia Ltd	Term Deposit	Not Rated	6.20%	\$ 1,000,000	\$ 2,038	0.05%
Defence Force Credit Union	Term Deposit	Not Rated	6.26%	\$ 2,000,000	\$ 10,633	0.27%
Westpac Banking Corporation	Term Deposit	AA	6.14%	\$ 2,000,000	\$ 10,430	0.27%
Savings & Loans Credit Union	Term Deposit	Not Rated	6.26%	\$ 1,000,000	\$ 5,317	0.14%
Credit Union Australia (CUA)	Term Deposit	A-2	6.20%	\$ 1,000,000	\$ 3,397	0.09%
Southern Cross Credit Union	Term Deposit	Not Rated	6.10%	\$ 2,000,000	\$ 10,362	0.27%
IMB Banking & Financial Services	Term Deposit	Not Rated	6.24%	\$ 1,000,000	\$ 2,222	0.06%
Bank of Queensland	Term Deposit	A-2	6.45%	\$ 1,000,000	\$ 2,121	0.05%
Bank of Queensland	Term Deposit	A-2	6.45%	\$ 2,000,000	\$ 10,956	0.28%
National Australia Bank	Term Deposit	A1+	6.60%	\$ 2,000,000	\$ 11,211	0.29%
Summerland Credit Union	Term Deposit	A-2	6.35%	\$ 1,000,000	\$ 2,436	0.06%
Deutsche Bank CG Yield Curve Note	Euro Bond	A+	6.99%	\$ 247,500	\$ 1,484	0.04%
Magnolia (Flinders)	Floating Rate CDO	BB-	6.24%	\$ 255,000	\$ 1,590	0.03%
Omega (Henley)	Floating Rate CDO	CCC	5.63%	\$ 280,000	\$ 1,913	0.03%
Beryl (Esperance 2)	Floating Rate CDO	Early Termination	0.00%	\$ -	\$ -	0.00%
Corsair (Torquay)	Floating Rate CDO	CCC-	0.00%	\$ 20,000	\$ -	0.00%
Zircon (Merimbula)	Floating Rate Note	Early Termination	0.00%	\$ -	\$ -	0.00%

Note 1,3

**Estimated Interest  
Summary of Investments held as at  
31 January 2011**

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
Corsair (Kakadu)	Floating Rate CDO	CCC-	6.14%	\$ 125,000	\$ 2,607	0.02%
Longreach - Series 25	Equity Linked Investment	A+	0.00%	\$ 759,450	\$ -	0.00%
Helium (Scarborough)	Floating Rate CDO	CCC-	6.63%	\$ 16,000	\$ 1,126	0.00%
Beryl (Global Bank Note)	Floating Rate Note	Early Termination	0.00%	\$ -	\$ -	0.00%
Zircon (Coolangatta)	Floating Rate CDO	Early Termination	0.00%	\$ -	\$ -	0.00%
Aphex (Glennelg)	Floating Rate CDO	CCC-	6.53%	\$ 100,000	\$ 2,773	0.01%
Bendigo Bank FR Sub Debt	Subordinate Debt	BBB	5.31%	\$ 498,625	\$ 2,255	0.06%
Elders Rural Bank Sub Debt	Subordinate Debt	BBB-	5.48%	\$ 1,000,800	\$ 4,651	0.12%
Zircon (Miami)	Floating Rate CDO	Early Termination	0.00%	\$ -	\$ -	0.00%
Commonwealth Bank of Australia - RTRL	Term Deposit	A1+	7.00%	\$ 400,000	\$ 2,378	0.06%
<b>Investment on Hand</b>				<b>\$ 43,037,084</b>	<b>\$ 194,963</b>	<b>4.88%</b>

Note 2,5

Note 4

**Investments Redeemed during period**

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
UBS Cash Management Trust	Cash Management Account	Not Rated	3.74%	\$ 900,000	\$ 1,937	0.05%
Community CPS Australia Ltd	Term Deposit	Not Rated	6.01%	\$ 1,000,000	\$ 1,811	0.05%
Credit Union Australia (CUA)	Term Deposit	Not Rated	6.01%	\$ 1,000,000	\$ 1,647	0.04%
Summerland Credit Union	Term Deposit	Not Rated	6.50%	\$ 1,000,000	\$ 3,027	0.08%

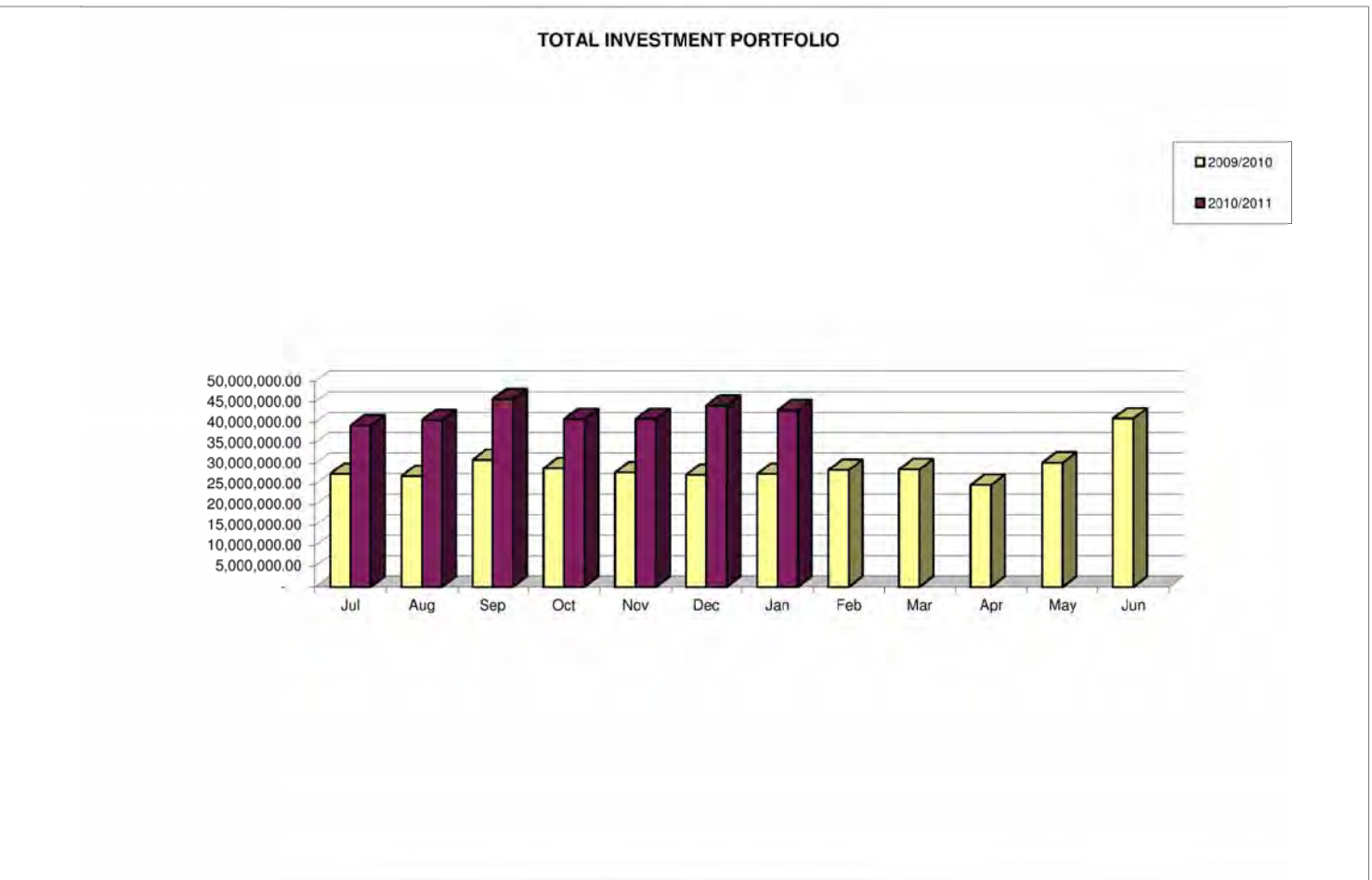
31/1/2011	
<b>\$ 46,937,084</b>	<b>\$ 203,385</b>

5.10%

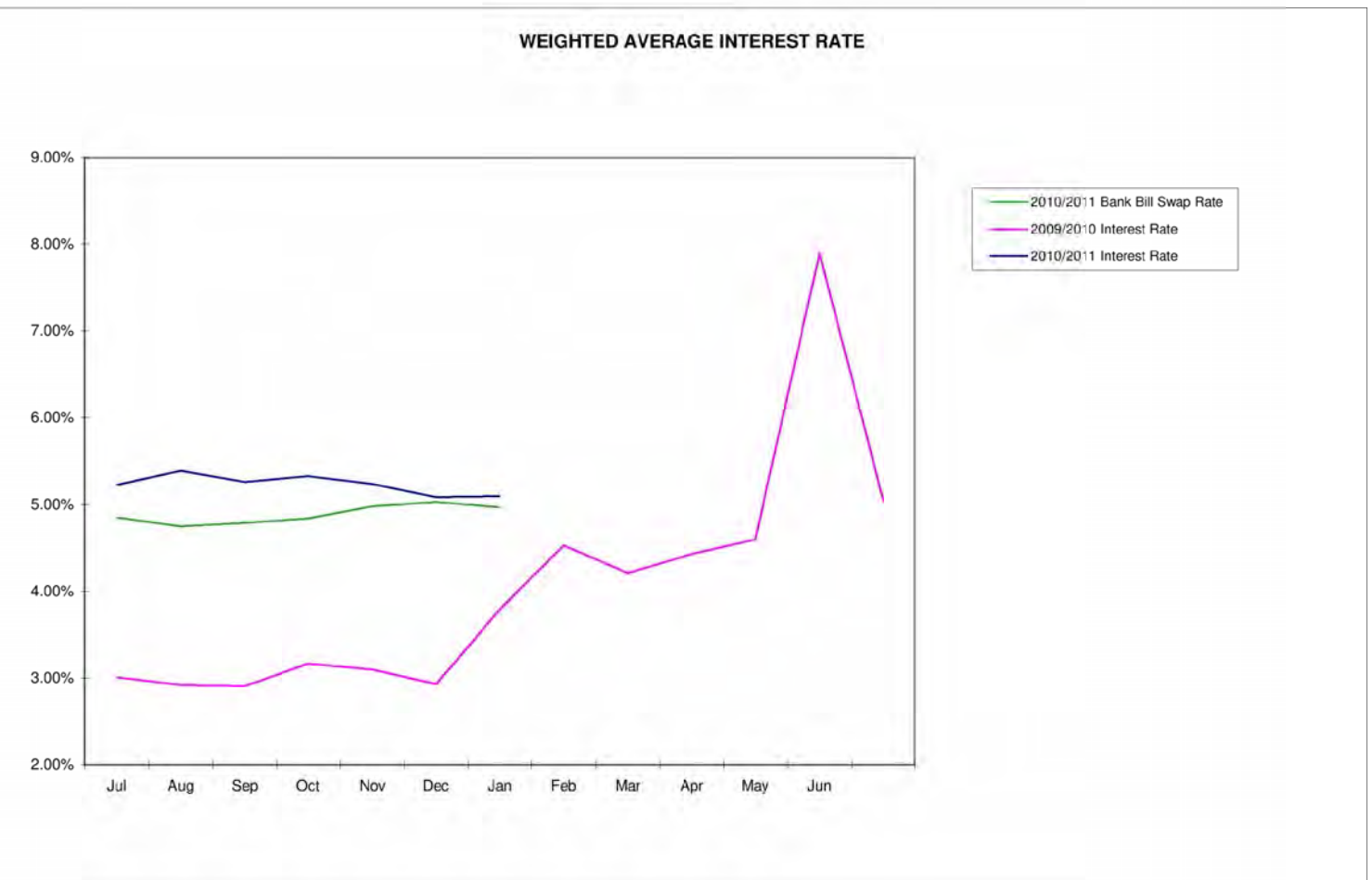
**Investment Income Earned vs. Budget Year to Date**

Estimated interest earned to date	\$ 1,397,641
Pro Rata annual budget	\$ 589,925

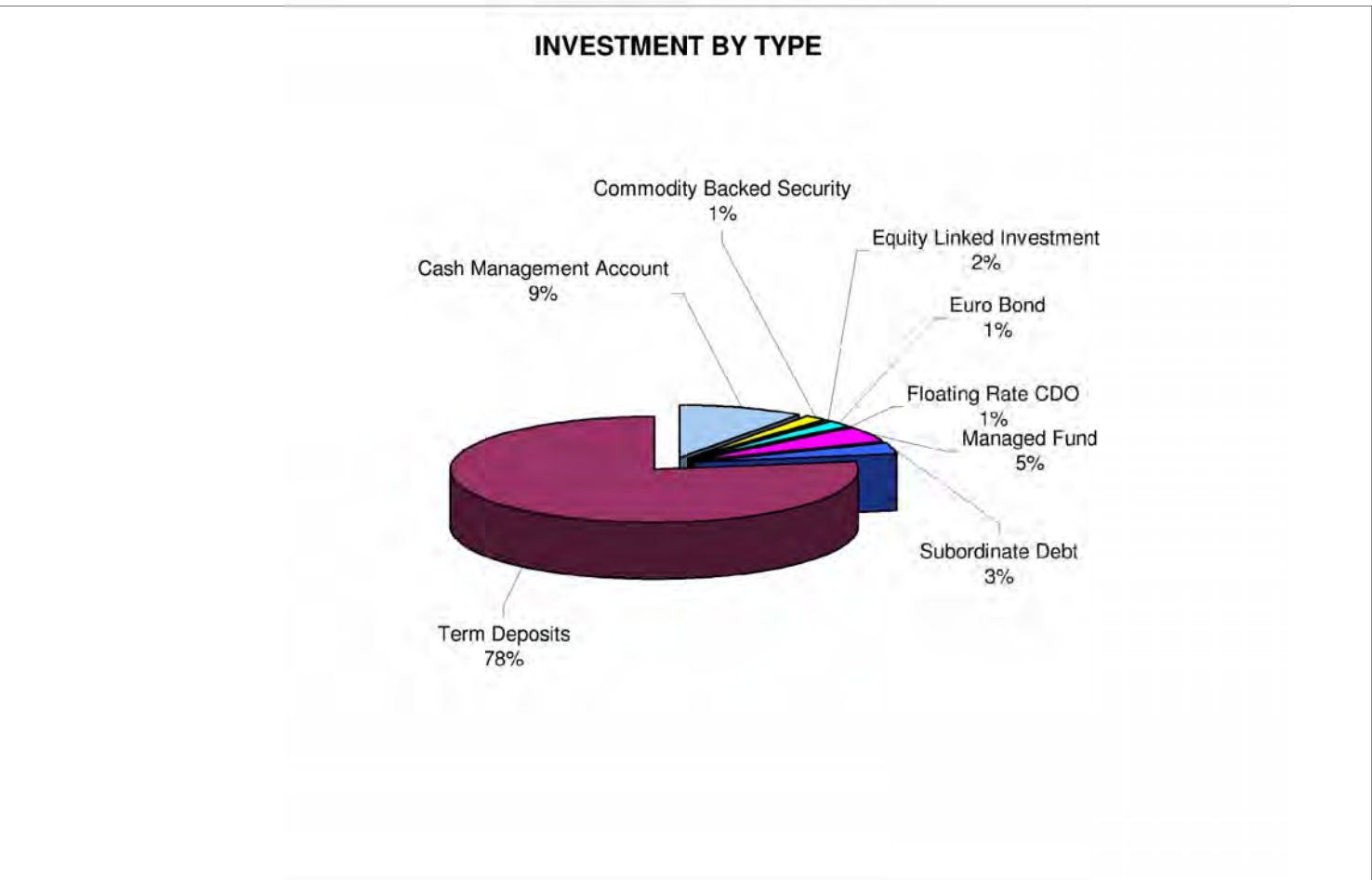
- Note 1: Interest return is calculated on (actual interest + accrued interest + realised gains - losses on disposal - expenses) / principal value
- Note 2: Capital Guaranteed note if held to maturity
- Note 3: Blackrock Care & Maintenance Fund interest rate is shown as zero as regular distributions 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.



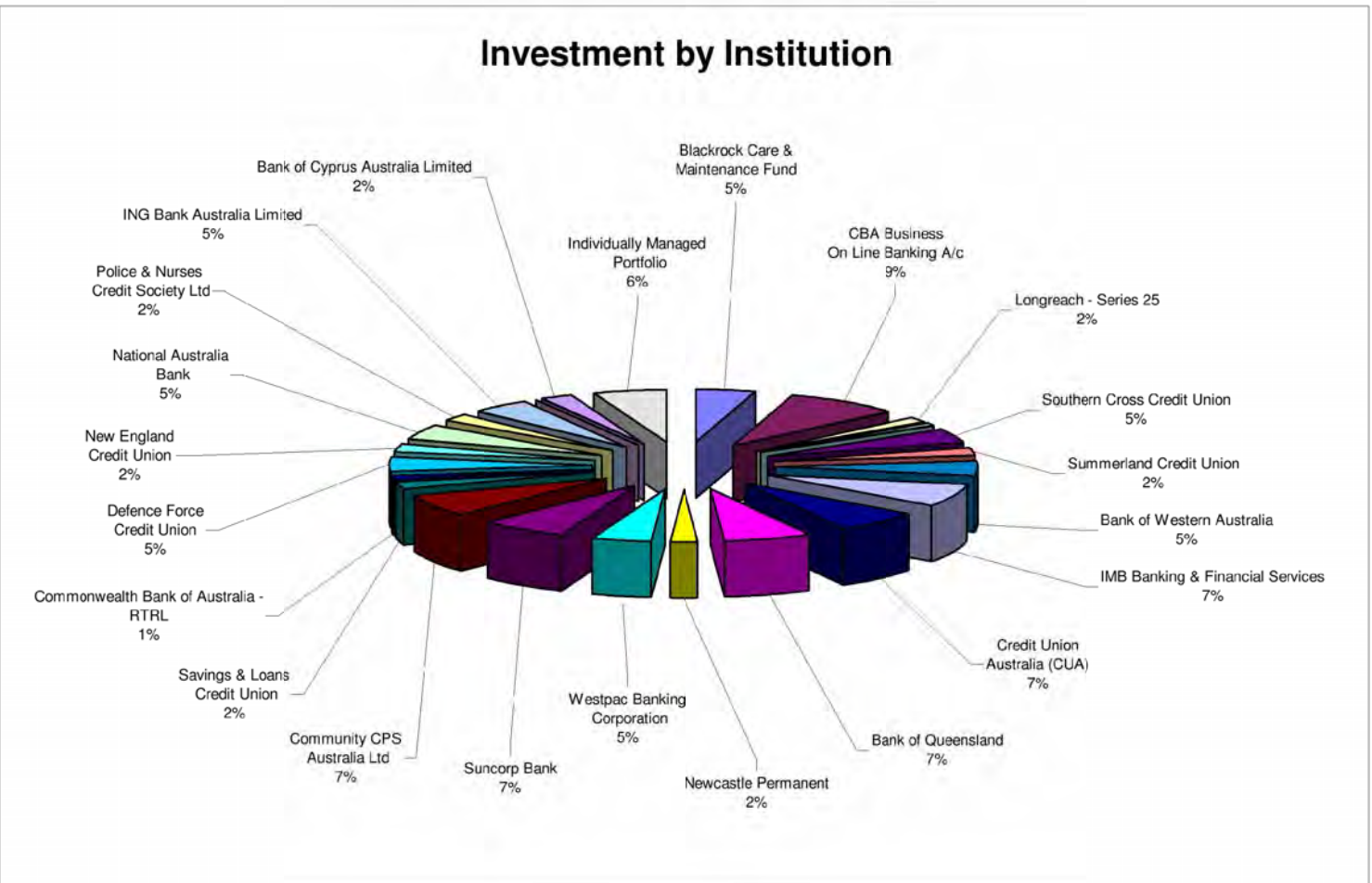
2010-11 Investment Report for council.xls



2010-11 Investment Report for council.xls







# Committee Recommendations

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# Committee Recommendation

**MINUTES OF THE TRAFFIC ADVISORY COMMITTEE HELD IN MAGELLAN ROOM, CBD CENTRE, 55 MAGELLAN STREET, LISMORE ON WEDNESDAY, 15 DECEMBER 2010 AT 10.00AM.**

## Present

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

## In Attendance

Garry Hemsworth (*Executive Director-Infrastructure Services*), Lisa Marshall (*Road Safety Officer*) and Bill MacDonald (*Traffic & Emergency Services Co-ordinator*).

## Apologies

**TAC107/10** An apology for non-attendance on behalf of Thomas George MP (*Member for Lismore*) was received and accepted.

## Confirmation of Minutes

**TAC108/10** The Committee was advised that the minutes of the Traffic Advisory Committee held on 17 November 2010 be confirmed by Council on 14 December 2010 excluding *TAC105/10 Sight Restriction, Exit from Leycester Road* and it be referred to the Traffic Advisory Committee and the Infrastructure Assets Policy Advisory Group.

Mr MacDonald advised that further survey and design investigations had been carried out and additional roadworks had now been planned which should resolve current concerns.

## Disclosure of Interest

NIL

## Part 'A' – Committee Recommendations

### **Twilight Markets - Carrington Street**

Council's City Centre Manager Moira Bennett – forwarding a proposed Traffic Management Plan to be used for regular twilight markets in Carrington Street for consideration of approval. (R7303)

It is proposed that a regular twilight market will be held in Carrington Street between Eggins Lane and County Lane on a Saturday night between approximately 4pm and 9pm. A trial market was to be held last Saturday night but inclement weather meant it did not proceed, however it had the support of adjoining businesses. This included the closure of Carrington Street.

# Committee Recommendation

## Twilight Markets – Carrington Street (Cont'd)

Rather than having to lodge a new application for each event it is proposed that approval be granted for the proposed road closure on an ongoing basis but subject to a number of conditions. The Traffic Management Plan will also need to be modified to include a detour via Eggins Lane, County Lane and the northern section of Carrington Street and into Larkin Lane.

- TAC109/10** That approval be granted for the temporary closure of Carrington Street between Eggins Lane and County Lane on an ongoing basis subject to no change in current conditions, that the closure be carried out in accordance with the approved plan that each closure be advertised and that the event has the ongoing support of businesses in the immediate area.

## Part 'B' – Determined by Committee

### Pinevale Villas Lismore - Request for Signage Vicinity 1 Star Avenue

Pointing out the danger to elderly residents of speeding vehicles and requesting on behalf of the residents a sign 'Elderly People Cross Here' to be erected at the front of Pinevale Villas at 1 Star Avenue on the kerb side and at the intersection of Ballina Road and Hillview Drive. (C110/35115:R6525, EF09/1562)

It would appear that the elderly residents of Pinevale are encouraged to walk from the shopping centre on the corner of Holland Street as part of their exercise regime and have raised concerns regarding the dangers of crossing Hillview Drive close to its intersection with Ballina Road.

The erection of a suitable warning sign on Ballina Road such as 'Aged Persons Cross Here – on Side Road' may assist in warning motorists who are westbound on Ballina Road wishing to turn into Hillview Drive. A significant hedge also borders the footpath in front of the house on the corner of Hillview Drive. If the first one or two shrubs could be removed this would also make a significant improvement to available sight distance.

There is one pedestrian symbol sign just within the Pinevale complex warning approaching motorists but it is hidden behind the gate. Relocation of this sign to a more prominent position and the addition of a further sign on the other side of the driveway would assist in highlighting pedestrian activity in that area as well.

- TAC110/10** **It was agreed** that an 'Aged Persons Cross Here – on Side Road' sign be erected on Ballina Road prior to the bus shelter for westbound motorists and that the writer be advised that the relocation of the existing pedestrian symbol sign and erection of a further sign on the other side of the driveway entrance to Pinevale would assist in reducing residents concerns.
- Further**, that the issue of shrub removal on the corner of Hillview Drive be referred to Council's Parks and Gardens Section for further investigation with a view to consulting with the adjoining property owner regarding the removal of the shrubs closest to the corner of Ballina Road and Hillview Drive to improve sight distance.

# Committee Recommendation

## **Christine Dowling – Speed Limit Reduction, Pearce Road, Pearce Creek**

Drawing attention to the excessive speed of cars and trucks on the stretch between the Pearce Creek bridge (Booyong end) and the corner of Houghlahan Road and Pearce Road and requesting the speed limit be reduced. (CI10/34873:R4006)

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Pearce Road from Houghlahan Road to the Bridge is approximately 1 km in length with the Creek being the Local Government boundary between Lismore City and Byron Shire. A significant portion of the road is currently being reconstructed with a predominately straight alignment.

Considering the rural nature of the roadside environment and the relatively short length of road in question a reduction in speed limit is not considered warranted.

Addressing the issue of access to No. 2 Pearce Road is considered to have more benefit and in this regard a warning sign 'Concealed Driveway over Crest' sign has recently been erected. Police are able to target times when excessive speeds are deemed to be most prominent and if times are provided Police patrols can be carried out.

**TAC111/10** **It was agreed** that the writer be advised that a reduced speed limit is not considered warranted and that the recently erected warning sign is considered more appropriate given the circumstances.

Further, that if peak times are able to be provided by the writer, Police will arrange patrols to be carried out.

## **Mr M Bienke – Extension of 60kph zone to Nimbin Rocks Viewing Area**

Drawing attention to dangerous conditions that exist near his property driveway 2486 Nimbin Road which is adjacent to Stony Chute Road intersection with Nimbin Road and requesting the 60kph zone be extended to Nimbin Rocks viewing area. (CI10/35514:R2801,EF09/1562)

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The Nimbin Village 50kph speed limit starts approximately 500m north of Stony Chute Road. Bearing in mind the roadside environment prior to this there is no logical reason to extend the existing 50kph speed limit out to the Nimbin Rocks viewing area.

Rather, problems with driveway access and visibility should be addressed at the time of any future property upgrade.

The intersection of Nimbin Road and Stony Chute Road provides a protected right bay and is well signposted. There has only been one reported accident at the intersection since 2005.

**TAC112/10** **It was agreed** that the writer's request for an extension of the existing 50kph speed limit on Nimbin Road not be supported and that any concerns relating to property access should be addressed separately as part of any future development.

# Committee Recommendation

## **Resident on Young's Road – Speed Limit Reduction, Tutable Creek Road**

A resident of Young's Road off Tutable Creek Road has requested that Council reduce the speed limit on Tutable Creek Road. (R330)

---

Tutable Creek Road commences at The Channon Village and finishes 12.5km further on at the intersection of Tutable Falls Road north of Nimbin. Apart from the first two kilometres the road is typically narrow and winding and provides little opportunity for motorists to travel in excess of 60kph for most of its length. It is therefore self regulating to a large extent.

Of more practical benefit would be signage to inform motorists of its narrow and winding nature.

**TAC113/10** **It was agreed** that warning signs 'Narrow Winding Road next 10km - Drive to Conditions' be placed either end of the more typical section of Tutable Creek Road.

## **Steve Cowin – 'No Stopping' Zone – Mountain View Drive**

requesting another 'No stopping' zone be established on the other side of Mountain View Drive on the sweeping corner outside numbers 94 and 92. (R6487,CR7129/10)

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'No Stopping' signs are already in place around the bend adjacent to 92 Mountain View Drive. The road is no different to many other residential streets in Goonellabah which require due care to be taken by motorists, particularly when vehicles are parked in front of properties. The majority of road users would be locals and be aware of prevailing conditions.

Any further imposition on adjoining residents should only be considered as a last resort and in the absence of any noticeable accident history a further extension of the existing 'No Stopping' zone is not supported. If details of any particular individuals who are causing concerns can be obtained then Police will be able to follow up.

**TAC114/10** **It was agreed** that the writer be advised that an extension of the existing 'No Stopping' zone is not supported and further that if details of any individuals who are causing concerns in relation to unsafe driving practices can be obtained these will be forwarded to Police.

## **Tregeagle Landcare Inc. – Speed Limit Reduction on Connor Road, Tregeagle**

Requesting consideration of introducing an 80kph speed limit on Connor Road, Tregeagle. (C110/35784:R5303)

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Connor Road is a sealed road approximately 3.7km in length and 3.5m to 4.5m wide. Whilst there are a number of bends on the road there are also several straight sections where motorists might be encouraged to drive at higher speeds than might be considered safe.

An assessment of the road to determine the appropriate speed limit would be desirable in this instance.

# Committee Recommendation

## Tregeagle Landcare Inc. – Speed Limit Reduction on Connor Road *(Cont'd)*

**TAC115/10** **It was agreed** that this matter be referred to the RTA to determine the appropriate speed limit for Connor Road.

### **Access Committee – Pedestrian Crossing Facility on Ballina Road**

Requesting an update on the status of investigations into the provision of a safe crossing point on Ballina Road in the vicinity of the City Hall. (R6408)

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This matter came before the Committee some months ago after which a vehicle survey was carried out with the results being forwarded to the RTA. With a week day average of 23,700 vehicles travelling along Ballina Road, pedestrian activity in this area is severely restricted making it impossible to gain an accurate picture of potential pedestrians wishing to cross the Highway as most just don't try.

Apart from significant residential areas including Girards Hill and East Lismore, south of the Highway there is a number of large facilities and organisations that would benefit from the installation of a safe crossing point. These include Multitask, City Toyota, Albert Park Primary School, Baseball Complex and Indoor Basketball Stadium.

**TAC116/10** **It was agreed** that the Roads & Traffic Authority be requested to seriously consider the installation of a suitable pedestrian facility on Ballina Road in the vicinity of the City Hall and provide Council with a proposal for a suitable treatment at the earliest opportunity.

### **Sheree McDougall – Speed Limit on Dunoon Road**

Outlining concerns relating to traffic speeds outside her residence in Modanville and requesting consideration of reducing the speed limit to 60kph. (C110/35965:R3407)

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Dunoon Road currently has a speed limit of 80kph between Lismore and Dunoon. The section of Dunoon Road signposted 'Modanville' is approximately 3 km in length and contains a number of different types of development including Modanville Primary School, a general store, a number of large subdivisions off it and a significant number of residences fronting the main road.

Given the increasing roadside development and traffic volumes along Dunoon Road it would be beneficial to carry out an assessment to determine the appropriate speed limit through Modanville.

**TAC117/10** **It was agreed** that Modanville on Dunoon Road, be assessed by the Roads & Traffic Authority to determine the most appropriate speed limit.



# Committee Recommendation

## **TAC118/10 Hollingworth Creek Bridge**

Garry Hemsworth advised that a meeting had been held recently with the Roads & Traffic Authority to further progress the proposed widening of Hollingworth Creek Bridge and the upgrade of the intersection of Union Street and Elliott Road.

The Authority has indicated that it will provide funding early in the new year for investigation and design work for the bridge widening and an upgrade of the intersection.

## Closure

This concluded the business and the meeting terminated at 10.25 pm.

## Recommendation

That the minutes be received and adopted and the recommendations contained therein be adopted.

# Documents for Signing and Sealing

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## Document for Signing and 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 documents listed below to be executed under the Common Seal of the Council:

**Licence for equipment on telecommunications tower – 16 Wyreema Avenue, Goonellabah (P4031)**

A Licence has been granted for a term of five years from 1 July 2008 in favour of State of New South Wales (Minister for Police) for the installation and maintenance of telecommunications equipment on the Council-owned tower erected on the subject property.

# Financial Assistance - Section 356

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

Budget Approved: \$21,400      Spent to date: \$14,040.69

**Funky Moves Dance Studio** requesting Council discount the hire fees (\$4,563) for use of the Dance Studio during Term 4, 2010 because the air conditioning is not functional and the amenity of the space is reduced because of the hot weather.

Background

Council considered this request at the December 2010 meeting and resolved that it be deferred for further consideration. To assist Council in determining the request, the following information is provided:

Council has considered similar requests from this user for Terms 1, 2, 3 and 4 during 2010. The requests are due to the failure of the air conditioner in the Dance Studio making the amenity unsatisfactory for users which is not disputed.

In Term 1, Council approved a reduction in charges of 50%. For Terms 2 and 3, as heat was not considered a significant factor, no reductions in charges were recommended.

For Term 4, in the absence of any reduction guidelines, it is propose to base the reduction on a 50% reduction for days where the temperature exceeded 25 Degrees. Based on the information provided by City Hall Management, the reduction is calculated as:

Total Hire Fees for Term 4 - \$4,563 (9 weeks)  
 Fee Reduction Basis - 50%  
 Days Temperature More Than 25 Degrees - Approximately 50%  
 Reduction Amount - \$4,563 x 50% x 50% = \$1,140.75

**Recommendation:** In accordance with Clause 5 of the policy, a donation 25% of the hire fees applies. **\$1,140.75**

**National Film and Sound Archive** requesting Council waive the hire fees (\$1,107) for use of the City Hall to present the 'Cooee Cabaret' to school children and the general public. The show is a fun, magical journey through the history of sound and songs in Australia from the earliest recordings of the indigenous language in the 1890's, well loved advertising jingles and radio broadcasts to popular contemporary music. An entry fee will not be charged.

**Recommendation:** In accordance with Clause 5 of the policy, a donation of 100% of the hire fees applies. **\$1,107.00**

**Lismore Community College** requesting Council discount the hire fees (\$98 per hour) for the occasional use of the City Hall kitchen for cooking classes conducted by the College during 2011. An entry fee will be charged.

**Recommendation:** In accordance with Clause 5 of the policy, a donation of 20% of the hire fees applies. **\$19.60**

*In accordance with policy.*

**b) Council Contributions to Charitable Organisations**

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

Budget:\$15,000      Spent to date:\$8,237.92

December 2010

Animal Right & Rescue \$21.82

Multitask \$64.03

Five Loaves \$224.31

Friends of the Koala \$60.00

Youth Connections North Coast Inc \$29.10

LifeLine \$303.45

Westpac Life Saver Helicopter \$49.73

**Total**

**\$752.44**

**c)Development & Other Application Fees – Policy 1.4.7 (GL390.200.15)**

Budget Approved:\$11,100

Budget Available:\$1,157.50

**Northern Rivers Social Development Council** requesting Council waive all fees (\$530) associated with a development application for the installation of a grid connect solar power system at their 27 Cathcart Street offices (CI10/36648:DA10/485).

**Recommendation:** In accordance with clause B of the policy, a donation of 30% of the development application fees applies. **\$159.00**

**Northern Rivers Social Development Council** requesting Council waive all fees (\$673) associated with a development application for advertising sign and shade sail at the Lismore Community Garden at 50 Brewster Street, Lismore .

**Recommendation:** In accordance with clause A of the policy, a donation of 50% of the development application fees applies. **\$336.50**

## Recommendation

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

**MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE CITY OF LISMORE HELD IN THE COUNCIL CHAMBERS, 43 OLIVER AVENUE GOONELLABAH ON TUESDAY, 14 DECEMBER 2010 AT 6.00PM.**

## Present

Mayor, Councillor Dowell; Councillors Battista, Chant, Clough, Ekins, Graham, Houston, Meineke, Marks, Smith and Yarnall, together with the General Manager, Executive Director-Sustainable Development, Executive Director-Infrastructure Services, Manager-Development and Compliance, Manager-Assets, Manager-Integrated Planning, Acting Manager-Finance, Development Assessment Planner, Catchment Management Officer, City Centre Manager, Corporate Compliance Coordinator and General Manager's Personal Assistant.

## Leave of Absence

259/10 **RESOLVED** that a leave of absence granted for:

Councillor Chant from 16 December 2010 to 28 January 2011  
Councillor Meineke from 18 December 2010 to 24 December 2010

(Councillors Smith/Chant)

## Confirmation of Minutes

260/10 **RESOLVED** that the minutes of the Lismore City Council meeting held on 9 November 2010 be confirmed.

(Councillors Clough/Meineke)

## Disclosure of Interest

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

**Report – Local Public Holiday – 2011 Lismore Cup Day**

Nature of Interest: Since becoming Mayor, I have accepted free tickets to the Lismore Cup.

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

**Report – Local Public Holiday – 2011 Lismore Cup Day**



Nature of Interest: My wife is the fundraising officer for Our Kids and she holds functions at the Lismore Turf Club.

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

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**Report – Development Application 5.10.267 Woolworths Supermarket**

Nature of Interest: I am the owner of a service station in the Lismore basin. I will leave the Chamber and not participate in the vote.

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

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**Report – Purchase of Properties Slaters Creek, North Lismore**

Nature of Interest: I am a member of Landcare Group which is mentioned in the report.

## Public Access Session

Prior to dealing with the circulated reports and associated information, a Public Access Session was held at which Council was addressed by the following:

**Ian Gaillard - Moratorium on Coal Seam Gas Mining**

Mr Gaillard spoke on behalf of Kerrong residents against the test drilling and possible future facking associated with the extraction of coal seam gas. He expressed concern at the long term impact of toxic chemicals involved in the process, on the environment.

**Gordon Fraser-Quick - Gross Electricity Feed-In Tariff**

Mr Fraser-Quick stressed the adverse impact on the solar industry of the decision of the State Government to reduce the gross electricity feed-in tariff. He claimed the changes are not necessary and urged Council to support the Motion.

At this juncture Councillor John Chant left the meeting, the time being 6.21pm.

**Damian Chapelle - Development Application 5.10.267 Woolworths Supermarket**

Mr Chapelle stressed the commitment of Woolworths to the development in terms of commencement, urban design and social inclusion. He stressed the ongoing discussion that would be continued with Council as the project was brought to fruition.

Councillor John Chant returned to the meeting, the time being 6.26pm.

**Bob Smith - Development Application No. 2009/83 - Corndale Quarry**

Mr Smith spoke to the existing operation of the quarry and efforts made to improve its operating methods. He stressed the application was not for an expansion of extraction but

a lateral expansion due to safety requirements. He stressed the positive economic benefits of the quarry.

**Raya Blok - Development Application No. 2009/83 - Corndale Quarry**

Ms Blok spoke on behalf of local residents and James Gibson Road Action Group against the application. She questioned the balance of the report, claiming bias in support of the quarry. She claimed non-compliance with existing DA conditions and urged approval be delayed to allow the community to make further response.

**Peter Warren – Local Public Holiday 2011 Lismore Cup Day**

Mr Warren, Vice Chairman of the Lismore Turf Club spoke to the positive benefits of the half-day holiday on Lismore Cup Day and in terms the positive impact on the Turf Club on Lismore, citing both positive economic and social benefits.

## Mayoral Minutes

**8.1 Recruitment of the General Manager**

261/10 **RESOLVED** that Council approves the engagement of Blackadder Associates as the consultant to facilitate the recruitment of Council's General Manager.

(Councillors Dowell/Clough) (BP10/723)

**Voting for:** Councillors Houston, Meineke, Clough, Chant, Marks, Smith, Battista, Dowell, Graham, Yarnall and Ekins.

**Voting against:** Nil.

## Notice of Motions

### 10.1 Nimbin Business Rate Levy

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262/10 **RESOLVED** that Council reconsider the allocation of the Nimbin Special Business Levy – Economic Development Fund during preparation of the 2011-12 Operation Plan with a view to changing the method of allocation of the levy to incorporate the Nimbin Chamber of Commerce in decision making.

(Councillors Clough/Smith) (BP10/726)

**Voting for:** Councillors Houston, Meineke, Clough, Chant, Marks, Smith, Dowell, Graham, Yarnall and Ekins.

**Voting against:** Councillor Battista.

### 10.2 Council Signage

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263/10 **RESOLVED** that Council staff report on putting street and other signs in the Goonellabah area in both English and the Bundjalung language.

(Councillors Clough/Ekins) (BP10/724)

**Voting for:** Councillors Houston, Clough, Smith, Dowell, Yarnall and Ekins.

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

### 10.3 Moratorium on Coal Seam Gas Mining

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264/10 **RESOLVED** that Council:

1. Unreservedly support the request of the NSW Farmers Association for a moratorium on all Coal Seam Gas (CSG) mining in NSW.
2. Write to the Premier and the Minister for Environment Climate Change and Water as well as the Leader of the Opposition and the Shadow Minister for the Environment, Local Member to strongly urge a moratorium on CSG mining and particularly the practice of hydraulic fracturing in NSW until an extensive and independent environmental impact statement has been concluded on the effects of CSG mining on the environment and in particular the effects of CSG mining on groundwater.
3. Write to the Prime Minister, Federal Minister for the Environment and the Local Federal Member as in point 2.

(Councillors Yarnall/Marks) (BP10/725)

**Voting for:** Councillors Houston, Meineke, Clough, Chant, Marks, Smith, Battista, Dowell, Graham, Yarnall and Ekins.

**Voting against:** Nil.

#### **10.4 Gross Electricity Feed-In Tariff**

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265/10

**RESOLVED** that Council act to limit the impact on the solar industry in the local region of the recent 40c reduction per kwh in the gross electricity feed in tariff. In order to limit the negative economic and environmental impact of this decision Council should:

1. Immediately write to the NSW Premier and the NSW Opposition Leader condemning the decision to reduce the gross feed in tariff for photo voltaic systems from 60cents to 20cents.
2. Inform the Premier and Leader of the Opposition of the likelihood of job losses and of the lost opportunity to employ more workers in the northern rivers region as a result of the above decision.
3. Recommend that the Premier and Leader of the Opposition set a bulk feed in solar tariff of approximately 45c per kwh to bring the rate in line with other states and territories.
4. Urge the state government to require electricity savings through demand management strategies from network providers in the energy sector by the introduction of smart technologies and demand reduction programs.

(Councillors Yarnall/Graham) (BP10/727)

**Voting for:** Councillors Houston, Meineke, Clough, Chant, Marks, Smith, Battista, Dowell, Graham, Yarnall and Ekins.

**Voting against:** Nil.

### **10.5 Tender Contracts**

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A MOTION WAS MOVED that the General Manager report to Council on the actions taken to ensure that procurement procedures are initiated when contracts are due to expire.

(Councillors Yarnall/Clough) (BP10/728)

On submission to the meeting the MOTION was DEFEATED.

**Voting for:** Councillors Clough, Chant, Yarnall and Ekins.

**Voting against:** Councillors Houston, Meineke, Marks, Smith, Battista, Dowell and Graham.

Councillor John Chant left the meeting, the time being 7.25pm.

## Reports

### **12.1 Development Application 5.10.267 Woolworths Supermarket**

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266/10 **RESOLVED** that Council as the consent authority, grant deferred commencement development consent to Development Application No. 2010/267 proposing a commercial (shopping centre) development at 2 Simeoni Drive, Goonellabah, subject to the following conditions:

#### **DEFERRED COMMENCEMENT CONDITION(S) PURSUANT TO SECTION 80(3)**

**Note:**

This consent does not become operative until the following Deferred Commencement condition(s) have been fully completed to Council's satisfaction.

A1 A complete set of amended plans incorporating the following amendments and detail shall be submitted to Council for written approval:

- (a) The provision of access stairs between the adjoining site to the east (Goonellabah Sports and Aquatic Centre) in a manner consistent (or equivalent) with the detail provided in the sketch drawing provided to Council on 1 December 2010, including any proposed measures for crime prevention and any amendments necessitated by (but not limited to) the following:
  - (i) The provision of appropriate directional and security signage and security cameras;
  - (ii) The provision of security lighting;
  - (iii) Maximising sight lines and limiting concealed areas or opportunities for entrapment;
  - (iv) The provision of windows in adjoining building elements to maximize opportunities for casual surveillance;

- (v) Continuous provision of shelter on the proposed connecting walkway through to the permanent awning on the proposed shopping centre.
- (vi) The connecting walkway shall have a 2 meter minimum width.

*Note:* Council will provide owner's consent for any Construction Certificate relating to works on the adjoining Goonellabah Sports and Aquatic Centre site.

- (b) The provision of an activity node adjacent to the pedestrian entry from Simeoni Drive. Consideration must be given to the installation of children's play equipment/seating in this area, which may require the deletion of car parking spaces to be achieved. Attention shall also be given to crime prevention principles and provision of useable space. It is noted that it is highly desirable to locate a café in the nearest adjoining tenancy to this meeting/seating place, and this should be encouraged through the design addressing the above criteria. This matter is further reiterated in condition A2 (landscaping plans) below.
- (c) The amendments to the eastern elevation façade, consistent with the detail provided in the sketch drawing provided to Council dated 3 December 2010 including window space and murals. The eastern elevation is to include windows adjoining the pedestrian walkway to provide active surveillance. The plan will need to be amended to include provision for a movie screen for the Youth Plaza to the satisfaction of the Council.
- (d) Deletion of proposed pylon signs 1 and 2 from drawing SD 6001: Signage Plan, which are not approved under this consent.
- (e) Details of proposed crime prevention strategies in relation to the staff car park shall be submitted to address how restriction of access to the car park to staff and delivery personnel only and safety of staff and delivery personnel will be achieved.
- (f) Provision of CCTV for the entire development site
- (g) A shopping trolley management plan (STMP) must be prepared for implementation within the development. The STMP must include best practice and consider implementation of a coin/token deposit lock system, perimeter wheel lock systems etc. It is recommended that the management of shopping trolleys is discussed with existing retailers in the precinct with the objective of a coordinated approach into trolley management.
- (h) The approved pylon signs be reduced in height to ensure compliance with the maximum 7.5 metre height controls in Council's Development Control Plan on signage.

All relevant plans and documents are to be amended to reflect the above details, and written concurrence obtained from Lismore City Council, prior to the activation of this consent.

**Reason:** *To facilitate urban design principles and ensure a clear and complete set of plans with appropriate detail are provided to reflect amendments assessed and considered in the determination of this development application and comply with*

A2

*Crime Prevention through Environmental Design Principles (EPA Act Sec 79C(b))*

A detailed landscaping plan (in duplicate) shall be submitted and approved by Lismore City Council. Landscaping plans shall be in accordance with Council's Landscape Guideline and relevant Development Control Plans. Species identified in Council's Landscape Guideline shall be planted wherever possible. Landscaping plans shall include:

- a) At the main Simeoni Drive pedestrian entrance to the development, provision of a shaded attractive outdoor meeting space/ social node with provision of either simple sculptural elements suitable for young children to play on (e.g. sculpted boulders and sand pit) or play equipment and a nearby seating area. This meeting place ideally should be developed in conjunction with a compatible adjoining use (e.g. café/ outdoor dining) which helps activates the Simeoni Drive street frontage of the development and promotes social interaction and casual surveillance. This may well necessitate the use of space currently designated for some car parking. It should not be developed in the area currently designated for trolleys given its location next to a blank wall.
- b) Development of the adjoining residue parcel of land within the public road reserve at the junction of Oliver Avenue and Simeoni Drive, as a central plaza/ park incorporating public art, shaded seating and pathway links between the Council community facilities (on the southern side of Oliver Avenue) and the Coles/ Target and Woolworths shopping centres (on the northern side of Oliver Avenue). The intent is that this area is developed as a linking node and pedestrian gateway within the 'Goonellabah suburban centre precinct'. This area should also be included as a potential public art site to provide a gateway entrance to the centre.
- c) Incorporation of irrigated garden beds and/or planter boxes into the full extent of the west facing shop frontage (beneath the eave overhang) to provide shade from afternoon summer sun to the footpath area, improve microclimate and visual amenity. Planting to include shade trees, groundcovers and flowering vines to upright posts.
- d) Provision of shaded accessible pedestrian linkages to adjoining/ adjacent developments within the 'Goonellabah suburban centre precinct', which follow desired lines of travel (ie shortest possible route).
- e) Provision of attractive open space areas as nodes and linking elements within the 'Goonellabah suburban centre precinct' including provision of shaded lunch space for the many workers in the precinct.
- f) Provision of a suite of signage within the development and visual cues in hard and soft landscaping elements to assist pedestrian way-finding.
- g) Provision of attractive, visually permeable (see-through) metal fencing to the top of retaining structures greater than 1.0 metre in height.
- h) A 'Surface Finishes Plan' that indicates:
  - treatment of hard landscape areas (eg materials palette showing areas of concrete, asphalt, paving, exposed aggregate, garden edging, pram ramps etcetera)
  - location of garden beds and grassed areas
  - details of retaining walls, fencing and other structures showing finished levels at critical points (ie top and bottom of retaining walls)
  - location of overhead powerlines and underground services including Council's sewer
  - location of street furniture (seating, bins, bike racks, pedestrian



- lighting, balustrade, planter boxes)
- i) A detailed 'Planting Plan' that indicates:
    - proposed location and mature size of proposed trees, shrubs and groundcovers
    - A 'Plant Schedule' including botanical name, common name, pot/container size, planting density and quantity, of all species
    - Existing trees to be removed/ retained including those on land adjacent to the development
    - Schedule of garden bed preparation, including depths of imported soil, mulch and details of irrigation
    - Planting details/ section drawings
  - j) Planting throughout the site in accordance with CPTED principles, such that clear sightlines are maintained beneath the canopy of trees and over the top of understorey planting. Low shrubs and groundcovers < 1 metre in height and clear trunked tree species, are to be used.
  - k) Provision of mature tree stock (minimum container size 100 litre) in the following locations:
    - along the full extent of the eastern boundary interfacing with the youth plaza
    - shade trees within carpark areas
    - the full extent of the Oliver Avenue and Simeoni Drive frontages
  - l) Detailed drawings (including sections) of the eastern side boundary of the site showing how landscaping will be used to mitigate the visual impacts of the development on the adjoining youth plaza and provide integration and safe access between the two developments. The section drawings are to show the relative locations of the buildings, site boundary, gabion retaining wall, access stairs, fencing, swale drain, garden beds, tree planting and proposed pedestrian lighting to stairs.
  - m) Species proposed to grow on the 'green wall' on the southern side of the building, keeping in mind that this area is likely to be in full shade all day long.
  - n) Possible location of a 'gateway' piece of public art (from the public art contribution) on the land on the corner of Oliver Avenue/Simeoni drive depending upon the considerations of the PARG.

All landscaping plans are to be amended to reflect the above details, and written concurrence obtained from Lismore City Council, prior to the activation of this consent.

**Reason:** *To ensure that appropriate landscaping is provided in accordance with urban design principles. (EPA Act Sec 79C(c))*

In accordance with the provisions of Clause 95(3) of the Environmental Planning and Assessment Regulation 2000, the Council sets the period of time in which the applicant must satisfy Deferred Commencement Conditions as 24 months effective from the determination date endorsed on this consent.

#### **STANDARD**

1 In granting this development consent, Council requires:

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

and be in accordance with the stamped approved plan(s):

Plan reference	Issue	Date
SD 0402: Aerial View		
SD 0403: View to Main Entry		
SD 0404: View from Simeoni Drive Footpath		
SD 1003: Site Plan		
SD 2002: Ground Floor Plan		
SD 2003: Roof Plan		
SD 2004: Undercroft Plan		
SD 3001: Western Elevation		
SD 3002: Southern Elevation		
SD 3003: Eastern Elevation		
SD 3004: Takeaway Food/Petrol Station Elevations		
SD 6001: Signage Plan		
10045-SK7: Service Station Signage		
LA01: Landscape Concept		
LA02: Landscape Concept		
LA03: Landscape Concept		
LA04: Landscape Concept		

and supporting documents submitted with the application. Copies of the approved plans are attached to this consent.

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

- 2 A copy of all stamped approved plans, specifications and documents (including the Construction Certificate if required for the work incorporating certification of conditions of approval) shall be kept on site at all times so as to be readily available for perusal by any officer of Council or the Principal Certifying Authority.

**Reason:** *To ensure that the form of the development undertaken is in accordance with the determination of Council, Public Information and to ensure ongoing compliance)*

#### PLANNING

- 3 A Centre Management Plan (CMP) in accordance with the requirements of this consent must be submitted to and be approved in writing by Council **prior to the issue of any Occupation Certificate.**

The CMP must be prepared by a suitably qualified professional and properly address individually all of the following matters:

- Proposed methods of managing litter on site on a daily basis;
- Management of defensive space to be well maintained, access control and target hardening;
- The provision of public waste receptacles that separate recyclable materials, including receptacles that enable the disposal of waste from within a vehicle;
- What commitment Woolworths will make to implement an indigenous program with respect to this location
- Opportunities for people with disability – what specific local partnerships will be developed to provide employment opportunities for people with disability?

The CMP must incorporate the above and be written in plain English to ensure that it is capable of being readily understood and implemented by the site managers and operators and nominated responsible person/s. Induction procedures must be carried out for all appropriate personnel and this must be recognised in the plan. Responsible person/s must be nominated to Council in writing together with full 24 hour per day contact details for the purposes of the CMP.

The approved plan shall be developed, reviewed and updated in consultation with Council's Community Services staff every 5 years to reflect contemporary practice and the matters identified above.

**Reason:** *To ensure the ongoing operation of the development accords with best planning practice for social inclusion and environmental responsibilities.*

#### **HOURS OF OPERATION**

- 4 The approved operating hours for all business operation on the site for trading and for display lighting (other than for lighting required for reasonable security) are:

6:00 am to 10:00 pm daily.

**Reason:** *To ensure an appropriate level of amenity is maintained to surrounding residential areas. (EPA Act Sec 79C(b))*

- 5 The hours for loading and unloading of goods within the development including the Woolworths Supermarket and heavy vehicle goods deliveries elsewhere on the premises to any other occupiers (and including the use of trolley/pallet jacks) and to the Fuel Service Station and food/drink premises are limited to 7:00am to 10:00pm daily. All goods deliveries must be completed and delivery vehicles vacated from the premises within these hours.

**Reason:** *To ensure an appropriate level of amenity is maintained to surrounding residential areas. (EPA Act Sec 79C(b))*

- 6 The hours for waste collection services to any occupiers on the premises are limited to 8:00am to 6:00pm daily.

**Reason:** *To preserve the environment and existing or likely future amenity of the neighbourhood. (EPA Act Sec 79C(b))*

#### **PUBLIC ART**

- 7 **Prior to the issue of any Construction Certificate** the person acting on this consent shall enter a written agreement with Lismore City Council in accordance with Council's Public Art Policy and Procedures towards a mutually agreed public art project to a value of at least \$15,000 as proposed in the application, that is to be provided in a location that is readily accessible to members of the public, of a permanent and durable nature.

The agreement shall include timing of proposed payment and procedures for determining the preferred art project.

**Reason:** *To ensure compliance with the provisions of Council's Policy No 8.2.1 Public Art (S79C)*

#### **CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN**

- 8 Lighting is to be provided which satisfies the requirements of *Australian Standard AS 1158.3.1 - Road Lighting - Pedestrian Area Lighting – Lighting Categories for Outdoor Car parks* Lighting Subcategory P11b. Vandal resistant light fittings and fixtures are to be used. Details demonstrating compliance with this requirement are to be provided for **approval with the Construction Certificate**.

*Reason: To preserve the environment and existing or likely future amenity of the neighbourhood. (EPA Act Sec 79C(b))*

- 9 Anti graffiti paint is to be used on all exterior surfaces of the buildings in the development that is not taken up by glass. Details demonstrating compliance with this requirement are to be provided for **approval with the Construction Certificate**.

*Reason: To comply with the requirements of Crime Prevention through Environmental Design Principles (S79C)*

- 10 Extension of the glass window past the entry to ladies toilets on the wall separating the Woolworths supermarket and the corridor servicing the WC facilities. Details demonstrating compliance with this requirement are to be provided for **approval with the Construction Certificate**.

*Reason: To comply with the requirements of Crime Prevention through Environmental Design Principles (S79C)*

#### **LANDSCAPING**

- 11 Approved landscaping shall be completed prior to the **release of any final Occupation Certificate** and maintained at all times to the satisfaction of Council. Trees identified for retention in the Development Application plans shall not be removed without separate Council approval.

*Reason: To ensure that appropriate landscaping is provided. (EPA Act Sec 79C(c))*

#### **FOOD PREMISES**

- 12 Details of the food premises fit out and operations shall be submitted to and approved by Council **prior to the issue of a Construction Certificate**. The premises fit out and operations shall comply with *AS 4674 – 2004 Design, construction and fit-out of food premises*, the *Food Act 2003*, the *Australia and New Zealand Food Standards Code* and associated legislation.

*Reason: To comply with the relevant legislative requirements and to ensure public health and safety.*

- 13 **Prior to commencement of operation**, the food business must be Licensed with the NSW Food Authority (If Licensing is required) and registered with Lismore City Council and at the completion of works an inspection by Council's Compliance Officer (Public Health) is required.

*Reason: To comply with NSW statutory requirements.*

**BUILDING**

- 14 The applicant shall bear the cost of all restoration works to Council's property damaged during the course of this development. The applicant shall advise Council, in writing or by photographic record, of any existing damage to Council property before commencement of the development. A dilapidation survey of Council's assets, including photographs and written record, must be prepared by a suitably qualified person and submitted to Council **prior to the issuing of any Construction Certificate.**

**Note:** This documentation will be used to resolve any dispute over damage to infrastructure. It is in the applicant's interest for it to be as full and detailed as possible.

**Reason:** *To ensure the protection of existing built public infrastructure)*

- 15 Where any shoring for excavation is to be located on or is supporting Council's property, or any adjoining private property, engineering drawings certified as being adequate for their intended purpose by an appropriately qualified and practising structural engineer, showing all details, including the extent of encroachment and the method of removal and de-stressing of shoring elements, shall be submitted to the Certifying Authority for approval **with the Construction Certificate.** A copy of this documentation must be provided to the Council for record purposes.

**Reason:** *To ensure the protection of existing public infrastructure and adjoining properties*

- 16 The building is not to be occupied until an Occupation Certificate is issued by the Principal Certifying Authority and in this regard all matters relating to this Development Consent are to be completed prior to the issue of the Occupation Certificate.

**Reason:** *To meet statutory requirements and to ensure compliance with this approval.*

- 17 Provide an on-site sign, in prominent visible position, stating:

- (a) That unauthorised access to the site is not permitted, and
- (b) Showing the name of the builder or person responsible for the site and a telephone number at which such person can be contacted outside working hours.

**Reason:** *Required by Clause 78H of the Environmental Planning and Assessment Regulation.*

- 18 Provide a fence, hoarding or other measure to restrict public access to the site, when work is not in progress or the site is otherwise unoccupied. The fence is to be provided prior to any work commencing on site.

**Reason:** *Required by Clause 78H of the Environmental Planning and Assessment Regulation.*

- 19 Temporary toilet facilities must be provided on the site, prior to commencement of building work and must be maintained until permanent facilities are provided.

**Reason:** *To ensure the provision of minimum amenities to the site.*

- 20 Retaining wall structures 1200 mm (1.2 m) or more in height must be of a design certified by a Practising Structural Engineer acceptable to Council.

**Reason:** *To ensure the structural integrity of the retaining wall.*

- 21 Facilities for the use of people with disabilities must be provided as specified in Clause F2.4 Building Code of Australia and shall be constructed to the requirements of AS 1428.1-1998 "Design for Access and Mobility".

**Reason:** *Required by Clause F2.4 of the Building Code of Australia.*

- 22 Provide signs to facilities for people with disabilities in accordance with AS 1428.1-1998 "Design for Access and Mobility".

**Reason:** *To highlight the availability of facilities for people with disabilities.*

- 23 Disabled toilet facilities must be unisex.

**Reason:** *Required by Policy 05.02.10 of the Lismore City Council.*

- 24 Access for people with disabilities in accordance with AS1428.1 is to be provided to the main entrance of the building.

**Reason:** *Required by Clause D3.2 of the Building Code of Australia.*

- 25 Approved baby change facilities must be provided within toilet facilities for people with disabilities and the facility must be provided with appropriate signage.

**Reason:** *Required by Policy 05.02.10 of the Lismore City Council.*

- 26 Structural Engineering details for the structural steelwork and reinforced concrete components must be submitted and approved by the Principal Certifying Authority prior to the work commencing.

**Reason:** *To ensure the adequate structural design of the building components.*

- 27 Where an external hydrant serves a building the maximum length of hose shall be 60 metres, providing a maximum 10 metres horizontal jet of water.

**Reason:** *Required by Clause E1.3(b) of the Building Code of Australia.*

- 28 Provide portable fire extinguisher/s, suitable to address the relevant risk, in accordance with AS2444.

**Reason:** *Required by Clause E1.6 Building Code of Australia.*

- 29 Doors forming exits, paths of travel to exits and parts of exits must comply with the relevant provisions of Clause D2.19, D2.20 and D2.21, Building Code of Australia in respect of the type of door, direction of swing and method of latching.

**Reason:** *Required by Section D of the Building Code of Australia.*

- 30 An illuminated exit sign must be provided to all exit doors that form a path of travel.

**Reason:** *Required by Clause E4.5 of the Building Code of Australia.*

#### **ENVIRONMENTAL HEALTH**

- 31 The hours of work for any noise generating activity relating to the construction of the proposed development are to be limited to the following time restrictions:

Monday to Friday - 7.00am to 6.00pm  
Saturday - 8.00am to 1.00pm

No noise generating construction activities are to take place on Sundays or public holidays.

**Reason:** *To preserve the environment and existing or likely future amenity of the neighbourhood. (EPA Act Sec 79C(b))*

- 32 All noise generated by construction activities must be managed in accordance with the *Interim Construction Noise Guideline*, DECC July, 2009. A construction noise management plan (CNMP) must be prepared and be implemented for the development. The CNMP must include auditing procedures. Site managers and all persons who carry out demolition or construction activities on and about the development site must be made properly aware of their responsibilities and to ensure the objectives of the guideline are complied with.

**Prior to work commencing** on the site a copy of the CNMP must be submitted to the Consent Authority (LCC) for record purposes.

**Reason:** *To minimise the impact of demolition and construction noise on the neighbourhood.*

- 33 The proposed development shall not result in the emission of offensive noise.

Offensive noise means:

- (a) that, by reason of its level, nature, character or quality, or the time at which it is made, or any other circumstances:
- (i) is harmful to (or is likely to be harmful to) a person who is outside the premises from which it is emitted, or
  - (ii) interferes unreasonably with (or is likely to interfere unreasonably with) the comfort or repose of a person who is outside the premises from which it is emitted, or
- (b) that is of a level, nature, character or quality prescribed by the regulations or that is made at a time, or in other circumstances, prescribed by the regulations.



**Reason:** *To preserve the environment and existing or likely future amenity of the neighbourhood. (EPA Act Sec 79C(b))*

- 34 The noise generated by the post construction/operational phase of the development when assessed in accordance with the *NSW Industrial Noise Policy* must not exceed the assigned project specific noise levels (PSNL) as determined from the acoustic report. The assigned PSNL are:

Daytime 7am to 6pm 43dB(A)

Evening 6pm to 10:00pm 40dB(A)

Night 10:00pm to 7:00am 36dB(A)

Evening/Night Shoulder period 10:00pm to 11:00pm 38dB(A)

Night/Morning Shoulder Period 6:00am to 7:00pm 40dB(A)

No audible security or equipment alarm devices, forklifts or an audible alarm on the tyre air hose system are to be used on the premises. The noise generated from the development (and including all activities, machinery, plant, and equipment) must not exceed the PSNL at all assessment time periods at any receiver.

**Within six (6) months of the issue of an Interim or Final Occupation Certificate**, a document prepared by a suitably qualified noise assessment professional, must be provided to the Consent Authority (LCC) certifying compliance with this condition.

**Reason:** *To confirm the PSNL for the development and to ensure that noise generated by the development complies with the PSNL and this consent.*

- 35 **Prior to the issue of a Construction Certificate** a detailed assessment of noise emissions from plant and equipment must be carried out by a qualified acoustic consultant. The assessment must include certification which demonstrates that the development with the operational plant and equipment will comply with the assigned PSNL for the development.

Plant and equipment must be acoustically treated where necessary and have soft start capability to prevent noise emissions from adversely impacting on receivers.

**Reason:** *To assist in the mitigation of noise impacts and to preserve the environment and existing or likely future amenity of the neighbourhood. (EPA Act Sec 79C(b))*

- 36 A noise management plan (NMP) must be prepared and be implemented to put in place appropriate management practices to ensure that the requirements of this consent and the PSNL are complied with at all times. The NMP must be written in plain English and be regularly reviewed and reflect contemporary best practice. A nominated responsible person including 24 hour contact details must be included for the implementation of the plan. The requirements of the NMP must be properly communicated to all appropriate stakeholders.

**Prior to the occupation of the development** a copy of the NMP must be provided to the Consent Authority (LCC) for record purposes. Any copy of any subsequent reviews of the NMP must be also be immediately provided to the Consent Authority for record purposes.

*Reason: To ensure compliance with the requirements of this Consent and to minimise the impact of noise arising from the development on the neighbourhood.*

- 37 Waste collection is limited to one collection event of no more than one hour duration in any 24 hour period. It is recommended that waste collection activities for the fuel service station, the takeaway food outlet and all other wastes that are stored and collected from the northern half of the site must be coordinated between occupiers to ensure compliance with this condition. This matter must be included in the Noise Management Plan.

*Reason: To provide with the requirements for a noise adjustment for duration as detailed in the NSW Industrial Noise Policy.*

- 38 All cardboard bailing activities must take place between the approved operating hours and must be carried out inside the loading dock and with all doors closed.

*Reason: To assist in the mitigation of noise impacts and to preserve the environment and existing or likely future amenity of the neighbourhood. (EPA Act Sec 79C(b))*

- 39 Any new underground petroleum storage systems (UPPS) must:
- Be appropriately designed, installed and commissioned by duly qualified persons in accordance with the *Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation, 2008*
  - Have minimum mandatory pollution protection equipment installed, consistent with the Regulation, comprising non-corrodible secondary containment tanks and associated pipework and overfill protection devices
  - Have groundwater monitoring wells installed and tested in accordance with the Regulation, and
  - Have a certificate showing that an equipment integrity test (EIT) has been carried out in line with the written directions of duly qualified persons.
  - A new UPSS can only be commissioned once all these requirements have been met.

**Prior to the issue of a Interim or Final Occupation Certificate for the service station** details demonstrating compliance with this condition must be submitted to the Certifying Authority. A copy of the approved documentation must be provided to the Consent Authority (LCC) for record purposes.

*Reason: To protect public health and the environment and to comply with the Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation, 2008.*

- 40 The installation of all infrastructure on the service station site and the operation of the facility must comply with the requirements of the Environmental Management Plan (EMP) contained within the Statement of Environmental Effects and all requirements of the NSW WorkCover Authority. The EMP must be regularly reviewed to ensure that it remains consistent with contemporary standards.

**Prior to the issue of a Interim or Final Occupation Certificate for the service station** details demonstrating compliance with the installation requirements of this condition must be submitted to and be approved by the Certifying Authority. A copy of the approved documentation must be provided to the Consent Authority (LCC) for record purposes.

**Reason:** *To protect the environment and the community and to certify compliance with the relevant standards referenced in the EMP.*

- 41 The fuel dispensing containment area and canopy must be sized to encompass all fuel dispensing operations. The containment area must be properly bunded or otherwise drained to ensure that any spilled materials do not leave the containment area and to prevent the entry of any external surface waters. The canopy must overhang the bund with a minimum 10° from vertical overhang to prevent rain entering the bunded area.

**Prior to the issue of a Construction Certificate** details demonstrating compliance with this condition be submitted to and be approved by the Certifying Authority. A copy of the approved documentation must be provided to the Consent Authority (LCC) for record purposes.

**Reason:** *To ensure the proper sizing and integrity of the containment area.*

- 42 **Prior to work commencing on the site** erosion and sediment control measures must be put into place and be properly maintained to prevent soil erosion and the transport of sediment from the development site or into natural or constructed drainage lines or watercourses.

The measures must:

- maximise the diversion of clean waters
- minimise the extent and duration of site disturbance
- provide for appropriate water quantity and quality treatment and management
- include devices and practices to prevent sediment being carried from the site by vehicles and plant and including their tracks and tyres
- manage all dust generated by the development.

All control measures must be properly designed in accordance with the *Managing Urban Stormwater-Soils and Construction - 4<sup>th</sup> Edition* (blue book) and be regularly inspected and be managed and maintained to ensure the measures operate to the design requirements and to meet all relevant environment protection standards. Weather patterns must be monitored and be coordinated in with the inspection and management and maintenance procedures. Control measures are to remain in place until all development activities have been completed and the site has been adequately stabilised, revegetated or landscaped to prevent soil erosion or the transport of sediment from the development site.

**Reason:** *To protect the environment from the effects of sedimentation and erosion from development sites.*

- 43 **Prior to the issue of the Construction Certificate** a Soil Erosion and Sedimentation Control Plan (SECP) demonstrating compliance with the requirements of the preceding condition shall be submitted to the Certifying Authority for approval. **Within 7 days of approval** a copy of the submission and approval documentation must be provided to the Consent Authority (LCC) for record purposes.

The SECP must detail what measures are proposed and the action that will be taken to manage the completion of the development to minimise any erosion or sedimentation from the site. The SECP must be in accordance with the *Managing Urban Stormwater-Soils and Construction - 4<sup>th</sup> Edition* (blue book). It must have a summary sheet and be in plain English to ensure that it is capable of being readily understood and implemented by the site managers and operators and nominated responsible person/s. Induction procedures must be carried out for all appropriate personnel and this must be recognised in the plan. Responsible person/s must be nominated to Council in writing together with full 24 hour per day contact details for the purposes of the SECP.

The SECP must be implemented and remain in place until all development activities have been completed and the site has been adequately stabilised, revegetated or landscaped to prevent soil erosion or the transport of sediment from the development site.

**Reason:** *To protect the environment from the effects of sedimentation and erosion from development sites.*

- 44 **Prior to the issue of a Construction Certificate** a dust management plan (DMP) must be prepared and be submitted to the Certifying Authority for approval. The DMP may be incorporated into the Soil Erosion and Sedimentation Control Plan (SECP).

The management of all construction phase activities must ensure that no dust leaves the site or any haulage vehicles associated with the development. The following dust control practices may be employed to assist in complying with this requirement:

- properly cover haulage loads and including delivery of imported fill materials from source and to the site
- The erection of dust screens around the perimeter of the site
- Securely covering all loads entering or exiting the site
- Use of water sprays across the site to suppress dust
- Covering of all stockpiles of soil remaining more than 24 hours; and
- Keeping excavation surfaces moist.

The DMP must reference appropriate standards, and be a practical document written in plain English and capable of being readily understood and implemented by the site managers and operators and nominated responsible person/s. Responsible person/s must be nominated to Council in writing together with full 24 hour per day contact details for the purposes of the DMP.

The DMP must be implemented and remain in place until all development activities have been completed and the site has been adequately stabilised, revegetated or landscaped to prevent the creation of dust on the development site.

**Within 7 days of approval** a copy of the approved DMP must be provided to the Consent Authority (LCC) for record purposes.

*Reason: To ensure the proper management of dust on the development and to protect the amenity of the neighbourhood.*

- 45 All waste materials generated from construction works shall only be disposed at licensed waste management facilities capable of receiving the waste as classified under the NSW Department of Environment and Climate Change (EPA) guideline document 'Waste Classification Guidelines: Part 1 Classifying Waste 2008'. All contractors must be properly supervised and auditing procedures put into place to ensure compliance with this condition.

*Reason: To protect the environment and manage wastes appropriately. (EPA Act Sec 79C(b))*

- 46 All waste management must incorporate sustainable waste minimisation and recycling initiatives that are consistent with contemporary community expectations.

*Reason: To ensure sustainable waste management practices are incorporated into the development.*

- 47 No equipment or materials are permitted to be stored outside the buildings except for sealed waste storage/recycling containers which must be stored in an unobtrusive location and must be maintained in a sanitary condition at all times.

*Reason: To clearly state the location of storage activities and to prevent the creation of unsightly, disorderly or insanitary conditions.*

- 48 **Prior to the issue of a Construction Certificate**, a waste management plan in accordance with the provisions of Chapter 15 - Waste Minimisation of the Lismore Development Control Plan, must be prepared and be submitted and be approved by the Certifying Authority.

A copy of the approved documentation must be submitted to the Consent Authority (LCC) for record purposes.

*Reason: To comply with the requirements of the Lismore Development Control Plan.*

- 49 All car park and external lighting must be designed and installed to ensure no adverse impact on neighbouring premises and motorists. Appropriate light selection and shielding and/or other measures must be implemented, and the installation must comply with AS4282 *Control of the Obtrusive Effects of Outdoor Lighting*.

There must be no detrimental impact on the neighbouring residential areas from vehicle headlights arising from trafficking on the premises and particularly in the service station and takeaway food area. The impact must be assessed and include appropriate recommendations.

**Prior to the issue of a Construction Certificate** details prepared by an appropriately qualified person and demonstrating compliance with this condition shall be submitted to and be approved by the Certifying Authority. A copy of this documentation must be provided to the Consent Authority (LCC) for record purposes.

**Reason:** *To protect the amenity of the neighbourhood.*

50 All fill imported onto the site must be clean fill and free from any contamination, within the meaning of the *Managing Land Contamination – Planning Guidelines – SEPP55 – Remediation of Land* document published in 1998 by the NSW Government. All fill must be Virgin Excavated Natural Material as defined in the *Protection of the Environment Operations Act, 1997*.

- All fill imported to the site must be validated to ensure the fill is suitable for the proposed land use. Further, fill imported onto the site must also be compatible with the existing soil characteristics for site drainage and geotechnical purposes. All fill imported onto the site must be validated by either one or both of the following methods:
- documentation from the supplier which certifies that the material is not contaminated based upon analyses of the material or the known past history of the site where the material is obtained; and/or
- sampling and analysis of the fill material conducted in accordance with the NSW EPA *Sampling Design Guidelines*, 1995 to ensure that the material is not contaminated.

**Prior to any work progressing beyond filling activities** details demonstrating compliance with this condition must be submitted to and be and approved by the Certifying Authority.

A copy of the approved documentation must be submitted to the Consent Authority (LCC) for record purposes.

**Reason:** *To prevent land contamination and to protect human health and the environment.*

51 **Prior to issue of a Construction Certificate** a Section 68 application to install stormwater treatment devices, together with full engineering design details and the appropriate fees, must be submitted to and be approved by the Consent Authority (LCC). The application details must be prepared by an appropriately qualified professional and implement contemporary water sensitive design practices (including any water reuse strategies), and optimise the interception, retention and removal of water-borne pollutants through the use of measures (including the construction of stormwater treatment devices e.g. bio-retention systems and detention/retention basins) that will satisfy the performance objectives as stated within Table 19 of *Lismore Urban Stormwater Management Plan, 2007* (SMP), prior to discharge to receiving waters. The information submitted must include

commentary that clearly demonstrates compliance with the SMP including predevelopment and post development calculations and detail soil media specifications (filter media) for surface, transition and drainage layers. A comprehensive management plan must be developed and include maintenance and auditing/accountability systems. Responsible persons and contact details must be provided.

If CSIRO 2005 or other publications are to be referenced it will be necessary to demonstrate that the performance can be related to the Lismore environment and rainfall characteristics. The performance curves for South Coast within the *WSUD Technical Design Guidelines for South Eastern Queensland* are accepted as being indicative of Lismore characteristics.

**Note:** Council is in the process of finalising the implementation of Water Sensitive Design criteria into the Lismore DCP. It is recommended that these standards also be considered in implementing the requirements of this condition.

**Reason:** *To protect the environment (EPA Act Sec 79C(b)), to satisfy the requirements of the Local Government Act, 1993, and to ensure the environmental management of stormwater complies with contemporary standards*

#### **WATER and SEWER**

52 A Certificate of Compliance issued by Lismore City Council, under the provisions of Section 305-307 of the Water Management Act 2000, must be obtained and submitted to the Principal Certifying Authority and Council **prior to being issued with a Construction Certificate.**

*Notes:*

- a) *A Notice of Requirements advising of the matters that must be completed prior to issuing the Certificate of Compliance should have been forwarded to the applicant with this notice of determination.*
- b) *Applicants are advised via the Notice of Requirements of any water authority requirements that must be met prior to being issued with a Construction Certificate, prior to construction commencing, during construction and prior to occupation.*
- c) *If you are intending to act upon this consent and have not obtained a Notice of Requirements please contact Lismore Water. Go to web site [www.lismore.nsw.gov.au](http://www.lismore.nsw.gov.au), or telephone Lismore Water on 1300 87 83 87.*

**Reason:** *To ensure compliance with the statutory requirements of Lismore City Council.*

53 A Certificate of Compliance from **Rous Water**, under the provisions of Section 305-307 of the Water Management Act 2000, must be obtained and submitted to the Principal Certifying Authority and Council **prior to being issued with a Construction Certificate.**

Notes:

- a) *The Certificate of Compliance confirms all money payable to Rous Water in respect of the load the development imposes on the Regional Bulk Water Supply has been paid.*
- b) *Lismore City Council acts as Rous Water's agent in this matter and will issue a Certificate of Compliance on behalf of Rous Water upon payment of the Rous Water Development Servicing Charge to this Council.*
- c) *Rous Water's Development Servicing Charge is set out in the Notice of Requirements attached to this notice of determination.*

**Reason:** *To ensure compliance with the statutory requirements of Rous Water*

**ENGINEERING**

**Geotechnical**

54 **Prior to being issued with a Construction Certificate**, certification from a practising qualified engineer experienced in soil mechanics is required verifying the following:

- proposed civil engineering works, including retaining walls, have been assessed as structurally adequate,
- proposed civil engineering works will not be affected by landslip either above or below the works,
- proposed civil engineering works will not be affected by subsidence either above or below the works, and
- adequate drainage has been proposed to ensure the stability of the proposed civil engineering works.

**Reason:** *To ensure protection from the effects of subsidence and/or slip. (EPA Act Sec. 79C(c))*

55 **Prior to being issued with a Construction Certificate** a qualified practising structural engineer shall provide **Council** with a design certification for any proposed retaining walls in the development. The certification shall state that the walls have been designed to resist soil and water loadings for full saturation of the height of the wall and surcharge from any structure within the zone of influence of the wall. Retaining walls shall be founded on residual soil or weathered rock. Any proposed retaining wall shall be constructed wholly within the lots. No retaining wall shall be constructed upon the road reserve.

**Reason:** *To ensure the development is constructed in accordance with the conditions and approved engineering construction design plans. (EPA Act Sec 79C(b))*

56 **Prior to release of Occupation Certificate** a qualified practising structural engineer shall provide Council with a certificate of structural adequacy for any structures, including retaining walls, constructed as part of the development.



**Reason:** To ensure the development is constructed in accordance with the conditions and approved engineering construction design plans. (EPA Act Sec 79C(b))

- 57 Bulk earthworks shall not commence on site **prior to the release of the Construction Certificate.**

**Reason:** To ensure protection from the effects of subsidence and/or slip. (EPA Act Sec. 79C(c))

- 58 Any filling shall be with clean fill only. Building rubble and contaminated material is not to be used.

**Reason:** To protect the environment.

- 59 The slope of any cut or fill batter shall not exceed 1:4 unless specific geotechnical advice as to the stability of the proposed batters is provided by a suitably qualified geotechnical engineer.

**Reason:** To ensure protection from the effects of subsidence and/or slip. (EPA Act Sec. 79C(c))

- 60 During construction any area of seepage identified at the base of filling or behind filling shall be brought to the attention of the supervising geotechnical engineer and treated by the provision of a suitable drainage mechanism. Details of any necessary works are to be provided to Council.

**Reason:** To ensure protection from the effects of subsidence and/or slip. (EPA Act Sec. 79C(c))

- 61 **Prior to the release of any Occupation Certificate**, a NATA registered geotechnical testing authority shall submit documentary evidence in the form of level 1 certification, certifying that any fill material has been placed in accordance with Australian Standard 3798 "Guidelines on earthworks for commercial and residential developments". The completion report must note that the; foundation, fill materials, workmanship, fill compaction density and fill moisture contents are acceptable for the intended and certified use of the fill and meet the specifications of the site. Filling in excess of 2m of height must be accompanied by a geotechnical slope stability analysis of the final construction undertaken using limit equilibrium techniques and site specific parameters.

**Reason:** To ensure the development is completed in accordance with the conditions and approved construction design plans. (EPA Act Sec 79C(b))

#### **Roads**

- 62 **Prior to the issue of the Construction Certificate** approval under section 138 of the Roads Act for the all works upon the public road shall be obtained. For this approval full design plans of the proposed engineering works required upon the public road shall be submitted to and approved by Council. Plans shall include details of works required to satisfy condition(s) 64, 65, 66, 67 and 69. Such plans shall be accompanied with the fee, as adopted at the time of the relevant payment as indicated in Council's Fees and Charges.

**Reason:** *To ensure an adequate road network in accordance with adopted standards can be provided. (EPA Act Sec 79C(a)) and to specify requirements for approval under section 138 of the Roads Act.*

- 63 **Prior to commencement of work** a Construction Traffic Management Plan shall be submitted to, and approved by, Council. Such plan shall include:
- a) The proposed phases of construction works on the site, and the expected duration of each construction phase and scheduling of works so as to be completed in the shortest possible time with minimal impact on the general community;
  - b) The proposed method of access to and egress from the site for construction vehicle, including the proposed method of traffic control, haulage access routes through the Council area and the location and type of temporary vehicular crossing for the purpose of minimising traffic congestion and disruption to traffic flows and noise in the area, and provision for vehicles leaving the site in a forwards direction. (Access across public parks and open space reserves is prohibited.);
  - c) traffic control plans prepared by an RTA accredited person for any works that impact upon the movement of vehicles or pedestrians upon the public road;
  - d) a requirement for any damage to road infrastructure arising from construction activities to be reinstated at the developers cost prior to completion of the project;
  - e) a Safe Work Method Statement;
  - f) Provisions to ensure through traffic is maintained at all times;
  - g) How access to neighbouring properties will be maintained at all times;
  - h) The proposed method of pedestrian management to comply with AS1742.3 and AS1742.10, including pram ramp details;
  - i) The proposed manner in which adjoining property owners will be kept advised of the timeframes for completion of each phase of development/construction process;
  - j) The proposed method of loading and unloading excavation and construction machinery, excavation and building materials, formwork and the erection of any part of the structure within the site. The road is not to be used as a waiting area for trucks delivering to or awaiting pick up of materials;
  - k) The location and operation of any on site or mobile cranes (if required). On site crange is a requirement of this consent. Mobile cranes if used should be located wholly within the site;
  - l) The proposed areas within the site to be used for the storage of excavated materials, construction materials and waste containers during the construction period;
  - m) The proposed method/device to remove loose material from all vehicles and/or machinery before entering the road reserve, any run-off from the washing down of vehicles shall be directed to the sediment control system within the site;
  - n) The proposed method of support to any excavation adjacent to adjoining properties, or the road reserve. The proposed method of support is to be designed and certified by an appropriately qualified engineer and practising structural and shall not involve any permanent or temporary encroachment onto Councils property;
  - o) Proposed protection for Council and adjoining properties. Details are to include site; and
  - p) The location of any Construction Zone (if required) to be approved.

All traffic control work and excavation, demolition or construction activities shall be undertaken in accordance with the approved Construction Management Plan and any conditions attached to the approved plan. A copy of the approved Construction Management Plan, and any conditions imposed on that plan, shall be kept on the site at all times and made available to any officer of Council upon request.

**Notes:**

- 1) Failure to provide complete and detailed information may result in delays. It is recommended that your Construction Management Plan be lodged with Council as early as possible.

**Reason:** *To ensure appropriate measures have been considered for site access, storage and the operation of the site during all phases of the construction process in a manner that respects adjoining owner's property rights and residential amenity in the locality, without unreasonable inconvenience to the community and ensure activities relating to the development do not interfere with the movement of traffic along the public road. (EPA Act Sec 79C(b))*

- 64 The proponent shall provide the following works and where necessary the associated stormwater drainage structures. The geometric design of the road network shall comply with all details set out in the Lismore Development Control Plan – and section D1 Geometric Road Design of the Northern Rivers Local Government Development and Design manual (as amended).

The proponent shall be responsible for any costs, including maintenance, for a period of six months from the date of approval of completion of the work. Required works include:

- a) The egress of vehicles from the northern vehicular access is prohibited from turning right on Simeoni Drive. Left turn only signage and line marking are required and the existing Simeoni Drive median shall be extended to the south. There is to be no restriction to vehicles turning right into the Telstar Call centre. Details shall comply with the TTM Group drawing 34381-001.2 RevA.
- b) The slow point/chicane immediately north of the entrance to the proposed Takeaway Food entry shall be removed. A no standing zone is required prior to this entrance so as to provide an unrestricted left turn into the Takeaway Food area.
- c) A low profile raised traffic median shall be provided at the main entrance of the retail complex to provide pedestrian separation and compliance with AS 2890.1. This median will be designed in a manner to allow an articulated vehicle to drive over it. Details shall comply with the TTM Group drawing 34381-001.2 RevA.
- d) The vehicular access to the staff carpark and the loading area shall be controlled with signage and line marking as a left in left out manoeuvre. The existing painted Oliver Avenue median shall be replaced with a raised concrete median to prevent vehicles from turning right while exiting this area.
- e) The existing Council stormwater entry pit located at the proposed Oliver Avenue vehicular access to the staff carpark and the loading area is to be relocated to western side of the access driveway.
- f) There shall be no discharge of stormwater to Oliver Avenue via the access driveway

- g) The Simeoni Drive right turn bay into the main entrance of the retail complex shall have a minimum storage length of 19m to accommodate a standard articulated vehicle. Details shall comply with the TTM Group drawing 34051-101.3 RevA.

*Reason: To ensure an adequate road network in accordance with adopted standards. (EPA Act Sec 79C(a) and and to specify requirements for approval under section 138 of the Roads Act.*

- 65 **Prior to the release of any Occupation Certificate** the proponent shall construct a 2m wide combined pedestrian/cycle pathway including signage, along the entire frontage of the proposed development, linking the existing 2m wide pathway in Oliver Avenue through to the existing pathway at the northern end of the shopping complex in Simeoni Drive. This will require the widening of the existing narrow Oliver Avenue pedestrian pathway. Any costs shall be the responsibility of the proponent.

*Reason: To ensure an adequate pedestrian network in accordance with adopted standards*

- 66 **Prior to the release of any Occupation Certificate** the proponent shall relocate the combined Simeoni Drive pedestrian crossing and raised platform (traffic calming device) to a position which aligns with the pedestrian access with the Woolworths complex. As the new location will encroach on the existing taxi rank position, the applicant will be required to establish another taxi rank either internally or on the eastern side of Simeoni Drive. Any costs shall be the responsibility of the proponent.

*Reason: To ensure an adequate pedestrian network in accordance with adopted standards*

- 67 **Prior to the release of any Occupation Certificate** the proponent shall relocate, the existing Oliver Avenue pedestrian crossing to the west so that it is clear of the turn in taper to the staff carpark / loading area while ensuring continued pedestrian connection with the Lismore City Council office complex. Any costs shall be the responsibility of the proponent.

*Reason: To ensure an adequate pedestrian network in accordance with adopted standards*

- 68 **Prior to the release of any Occupation Certificate** the proponent shall construct an open style picket fence as detailed in the approved plans. Any costs shall be the responsibility of the proponent.

*Reason: To ensure an adequate pedestrian network in accordance with adopted standards*

- 69 **Prior to the release of any Occupation Certificate** the applicant shall obtain a certificate of completion for the roadworks and associated stormwater drainage structures from Council. Prior to obtaining this certificate a practising qualified surveyor or engineer shall submit to Council for approval, a "works-as-executed" set of plans, completed asset record forms and a construction certification. The

certification shall certify that all roadworks, drainage and civil works required by this development consent and the approved design plans have been completed in accordance with Council's Development and Construction Manual (as amended).

**Reason:** *To ensure an adequate road network in accordance with adopted standards. (EPA Act Sec 79C(a) and and to specify requirements for approval under section 138 of the Roads Act.*

- 70 All loading and unloading shall take place within the property boundaries, as will the parking of construction and private vehicles associated with the development.

**Reason:** *To provide adequate off street parking space for the anticipated traffic that will be generated by the development. (EPA Act Sec 79C(a))*

- 71 Vehicles using any off-street loading/unloading and/or parking area must enter and leave in a forward direction, in accordance with Council's Development Control Plan No. 1, Part A, Chapter 7 - Off Street Carparking Requirements. All driveways and turning areas shall be kept clear of obstructions that prevent compliance with this condition.

**Reason:** *To ensure adequate access to and from the development. (EPA Act Sec 79C(c))*

- 72 **Prior to the issue of a Construction Certificate** the proponent shall lodge a bond equivalent to 5% of the cost of the proposed civil works with Council to cover any damage to infrastructure within the road reserve arising during the construction of the proposed development. Evidence is to be provided to Council indicating the pre development condition of the surrounding public infrastructure. Any damage arising from construction activities to roads, kerb and gutter, footpaths or any other infrastructure within the road reserve shall be reinstated in accordance with Council's Development, Design and Construction Manuals (as amended) to Council's satisfaction prior to refund of the bond. Certification as to compliance with this condition shall be provided to Council **prior to the release of any Occupation Certificate.**

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

- 73 **Prior to the issue of a Construction Certificate** the applicant shall provide bicycle parking spaces adjacent to the entrance to the proposed retail area/supermarket in accordance with Austroads Part 14 'Bicycles' and Australian Standard AS2890.3 'Bicycle Parking Facilities'.

**Reason:** *To provide adequate parking facilities for the anticipated traffic that will be generated by the development. (EPA Act Sec 79C(a))*

#### **Stormwater**

- 74 **Prior to being issued with a Construction Certificate** full design details of a stormwater management system for the development shall be submitted to Council for approval under Section 68 of the Local Government Act. Stormwater control and treatment measures shall be installed to ensure stormwater discharges satisfy the qualitative and quantitative objectives of Council's Stormwater Management Plan.

The discharge of stormwater from the site shall be limited to the pre-development flow (rural flow) for an ARI of 10 years and a time of concentration of 6 minutes. These plans shall include a schedule that identifies each component of the stormwater management system and how that component satisfies the qualitative and quantitative objectives of the stormwater management plan.

The application must be accompanied by a Stormwater Management Plan (SWMP), which must be reviewed/updated to ensure compliance with contemporary standards and requirements with any subsequent renewal of the Section 68 approval. The SWMP must comprehensively address maintenance requirements (including timetabling of maintenance), access to facility, longevity for all stormwater devices, and the performance monitoring of the installation and discharges. The SWMP must be written in such a manner that it can be readily understood and be implemented by the person/s nominated to action the plan.

**Reason:** *To manage stormwater quality and quantity and to protect the environment. (EPA Act Sec 79C(b))*

- 75 **Prior to release of the Construction Certificate** detailed design showing that unobstructed overland flow path/s have been provided to prevent any inundation of future habitable structures and to drain all surcharge and surface waters for the major system design event. Appropriate easements shall be created to ensure that the flow paths will not be obstructed by any non approved structures, landscaping or the like, that will reduce flow path design capacity. Appropriate management practices must be put in place to ensure that the integrity of this condition is maintained at all times, and when the development is operational.

**Reason:** *To ensure that the land or adjoining land is not damaged by the uncontrolled discharge of concentrated runoff. (EPA Act Sec 79C(b))*

- 76 The proponent shall make satisfactory provision to dispose of stormwater without causing a nuisance to adjoining allotments. An adequate drainage system shall be constructed to ensure that all roof water and/or surface water from paved areas from the proposed development can be directed to a discharge point to prevent intensification of discharge runoff onto adjoining land. All works are to be constructed according to Council's Development, Design and Construction Manual (as amended). All drainage lines are to be located within drainage easements.

**Reason:** *To ensure that the land or adjoining land is not damaged by the uncontrolled discharge of concentrated runoff from any buildings and paved areas that may be constructed on the land. (EPA Act Sec 79C(b))*

- 77 **Prior to release of any Occupation Certificate**, a suitably qualified person is required to furnish a statutory certificate confirming:

- all drainage lines receiving stormwater from Simeoni Drive are located within the respective easements,
- all stormwater has been directed to a Council approved drainage system.

**Reason:** *To ensure the development is completed in accordance with the conditions and approved engineering construction design plans. (EPA Act Sec 79C(a))*

- 78 The proposed internal drainage design and levels adopted for the proposed carparking and landscaping areas shall be appropriately designed to ensure the continued flow of stormwater from adjoining properties. The design shall not restrict flows from adjoining properties that would increase the ponding of water upon the adjoining property.

***Reason:** To ensure that the land or adjoining land is not damaged by the uncontrolled discharge of concentrated runoff from any buildings and paved areas that may be constructed on the land. (EPA Act Sec 79C(b))*

#### **LEVIES**

- 79 Payment of contributions levied under Section 94 of the Environmental Planning and Assessment Act and Lismore Contributions Plan 1999 (as amended) are required. Such levies shall contribute towards the provision of public services and/or amenities identified in the attached schedule. Such levies shall be calculated at the rate(s) in effect on the date the **Construction Certificate is granted**). The rates and amounts applying at the date of this notice, totalling **\$215,643**, as set out in the schedule for your information. Where the total contribution payable exceeds \$20,000 payment to Council must be by bank cheque or cash. Personal cheques are not acceptable. All levies, fees, contributions, bonds etc. shall be paid prior to the **Construction Certificate being granted**.

The levies are those applicable as at date of original consent. If these levies are not paid within twelve (12) months of the date of original consent, the rates shall then be increased on an annual basis in accordance with the prevailing Australian Bureau of Statistics Consumer Price Index (Sydney), as applicable at the time of payment.

The contributions set out in the schedule are exclusive of any GST (if any) and where the provision of any services or the construction of any infrastructure or any other thing with those contributions occurs, then in addition to the amount specified above the Applicant will pay to the Council the GST (as defined below) which is payable by the Council in respect of the provision of such services or construction of any infrastructure or any other thing.

If the contributions set out in the schedule, or part thereof, are to be met by the dedication of land or other approved Material Public Benefit, then the Applicant will pay to Council the GST (defined below) applicable to the value of land dedicated or (Material Public Benefit) which is payable by the Council in respect of the provision of such services or construction of any infrastructure or any other thing.

GST means any tax levy charge or impost under the authority of any GST Law (as defined by the GST Act) and includes GST within the meaning of the GST Act.

The GST Act means A New Tax System (Goods and Services Tax) Act 1999 or any amending or succeeding legislation.

***Reason:** To provide funds for the provision of services and facilities identified in Lismore City Council's Section 94 Contributions Plan dated July 1999 as required by the increased population or activity. (EPA Act Sec 94)*

(Councillors Smith/Marks) (BP10/698)

#### **Section 375A Voting Record**

**Voting for:** Councillors Houston, Meineke, Clough, Chant, Marks, Smith, Battista, Dowell, Graham, Yarnall and Ekins.

**Voting against:** Nil.

Councillor John Chant returned to the meeting, the time being 7.34pm.

**12.2 Development Application No. 2009/83 - Corndale Quarry**

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267/10

**RESOLVED** that Council as the consent authority, grant a deferred commencement development consent to Development Application No. 2009/83 for the proposed lateral expansion of the quarries approved extraction area subject to the following conditions.

**DEFERRED COMMENCEMENT CONDITION(S) PURSUANT TO SECTION 80(3):**

**Note:**

This consent does not become operative until the following Deferred Commencement condition(s) have been fully completed to Council's satisfaction.

**COMPLIANCE**

- 1 A comprehensive compliance audit of the existing quarry operations in accordance with Section 19 of the 'Corndale Quarry – Operational Plan of Management' (dated September 2000) and conditions of consent for DA5.1997.342 is to be submitted to and approved by Council.

The audit is to be undertaken by an independent suitably qualified expert to the satisfaction of Council.

**Reason:** *To ensure the existing quarry is operating in accordance with the approved Operational Plan of Management.*

- 2 An amended 'Operational Plan of Management' (including associated Environmental, Noise and Soil and Water Management Plans) is to be submitted to and approved by Council. This document is to be contemporary, consistent with this consent and/or licence conditions, specifications outlined in the original EIS, recognising current and proposed quarry operations, reflect the findings and recommendations from the annual audit and be prepared in accordance with best practice.

**Reason:** *To amend the existing Operational Plan of Management to reflect the approved development, conditions and DECCW Licence conditions.*

**SUBJECT LAND**

- 3 Lot 32 DP1090294 forms part of the land to which this consent relates and is integral to the acceptable operation of the quarry. In this regard, Lot 32 DP1090294 is to be purchased by the owner of the quarry.

**Reason:** *To prevent future dealing in separately titled land.*

In accordance with the provisions of Clause 95(3) of the Environmental Planning and Assessment Regulation 2000, the Council sets the period of time in which the applicant must satisfy Deferred Commencement Conditions as 24 months effective from the determination date endorsed on this consent.

**OPERATIVE CONDITIONS**

**STANDARD**

- 4 In granting this development consent, Council requires:

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

and be substantially in accordance with the:



- a) stamped approved plans in the table below and/or supporting documents submitted with the application. A copy/copies of the approved plan is/are attached to this consent; and

Plan reference	Date
Exhibit 1 – Quarry Operations Detail	Amended 23/11/10
Exhibit No. 2 – Noise Assessment	Amended 28/3/10
Exhibit No. 3 – Proposed Quarry Sections	23/2/009
Exhibit No. 3B – Proposed Quarry Sections	23/2/009
Exhibit No. 5A – Soil and Erosion Control Plan	Amended 29/11/10
Exhibit No. 6 – Rehabilitation Plan	10/2/009

- b) The Environmental Impact Statement (EIS) prepared by the GeoLINK Group, dated November 1997, approved pursuant to DA 5.1997.342, as amended by:
- letter to the respondent of 15 April 1998;
  - the amended extraction area plan dated 28 June 1999; and
  - attachment to Court Exhibit "L", except as varied or clarified by the conditions hereunder.

In the event of any inconsistency between documents in points a) and b) above, the documents and plans in point a) and the conditions of this consent prevail.

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

#### GENERAL

- 5 Immediately upon the commencement of quarry operations approved under the terms and conditions of this consent (DA5.2009.83), Development Consent No. 5.1997.342 shall be surrendered under the terms of Section 80A(5) of the Environmental Planning and Assessment Act 1979.

In this respect, the proponent/quarry operator is to formally notify Council of the date upon which it intends to commence quarry operations under DA 5.2009.83 and, at the same time, is to formally surrender DA 5.1997.342 pursuant to Section 97 of the Environmental Planning and Assessment Regulation 2000.

This formal notification is to be provided to Council a minimum of fourteen (14) days prior to the intended date of commencement.

Should the proponent/quarry operator not intend to commence quarry operations under DA 5.2009.83, the quarry shall only operate in strict compliance with the terms and conditions of DA 5.1997.342.

**Reason:** *To ensure the quarry operates under the terms and conditions of one consent only.*

- 6 Lot 32 DP1090294 is not to be sold separately from Lot 31 DP1090294 while this consent remains active and this consent has formally lapsed and the site has been rehabilitated to the satisfaction of Council in accordance with the requirements of this consent.

**Reason:** *To prevent future dealing in separately titled land.*

- 7 **Prior to the commencement of works**, a Restriction on Use, under Part 6 Division 4 of the Conveyancing Act, is to be placed on Lot 32 DP1090294, indicating that for the life of this Development Consent, Lot 32 DP1090294 is to remain in the same ownership as Lot 31 DP1090294.

Lismore City Council is to be the only authority empowered to modify or delete the restriction.

**Reason:** *To ensure Lot 32 DP1090294 remains part of the land subject of the Development Consent.*

- 8 This consent does not approve any works that have occurred on site that are outside the terms and conditions of Development Consent 5.1997.342.

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

- 9 This consent does not relate to any rural tourist facility as an end-use, and any such proposal or other use apart from rehabilitation of the site with native vegetation, shall be subject to the submission and approval of a separate Development Application.

*Reason: To correctly describe what has been approved.*

- 10 This consent does not approve the crushing and/or recycling of concrete on the site.

*Reason: To correctly describe what has been approved.*

#### **QUARRY PRODUCTION AND OPERATION**

- 11 This consent shall be valid only for the quantities specified in this consent.

*Reason: To ensure compliance with the development consent.*

- 12 The applicant is to bear all costs associated with the implementation of the conditions of this consent.

*Reason: To inform the applicant of their obligations in complying with the development consent.*

- 13 This consent shall lapse upon:

- a) the extraction of a total of 910,000m<sup>3</sup> of basalt material, including the amount of material that has been extracted and transported out the gate under DA 5.1997.342; **OR**
- b) the extraction of all material within the approved extraction area, **whichever occurs first.**

Prior to this time, the site will be inspected to ensure that progressive rehabilitation has been carried out prior to the final stage in accordance with this consent and the approved rehabilitation staging plans.

*Reason: To ensure compliance with the development consent.*

- 14 The annual rate of extraction of basalt material leaving the gate of the quarry, from the date of this consent shall not exceed 70,000m<sup>3</sup> of loose material. The maximum extraction over the life of the quarry to be 910,000m<sup>3</sup> of loose material, including the amount of material that has been extracted and transported out the gate under DA 5.1997.342. The applicant is to submit quarterly returns showing the extracted amount for each quarter commencing 1 January, 1 April, 1 July and 1 October.

*Reason: To ensure compliance with the development consent.*

- 15 Extraction is only to occur within the areas identified in the approved EIS and the Statement of Environmental Effects Corndale Quarry, dated 27/5/2010 and there is to be no disturbance of the vegetation surrounding the extraction sites other than that shown on the approved plans.

*Reason: To ensure compliance with the development consent.*

- 16 The applicant shall engage, at the applicant's cost, a registered surveyor to prepare and sign a plan of survey to delineate and peg accurately the proposed limit of disturbance/extraction, nominated in the EIS and the Statement of Environmental Effects Corndale Quarry, dated 27/5/2010. This plan shall be completed and submitted to Council **prior to the commencement works**, including any land clearing.

*Reason: To accurately identify the extraction area.*

- 17 The delineation pegs referred to in condition 16 are to be monitored and protected for the duration of this consent.  
**Reason:** *To ensure compliance with the development consent.*
- 18 Any pegs removed during the operation shall be replaced by the registered surveyor and a new signed plan resubmitted indicating the placed peg and the date of that replacement.  
**Reason:** *To ensure compliance with the development consent.*
- 19 No topsoil or overburden shall be sold or otherwise removed from the site.  
**Reason:** *To correctly describe what is approved.*
- 20 The hours of operation of the quarry are to be restricted to:
- | <b>Days</b>                  | <b>Times</b>    |
|------------------------------|-----------------|
| Monday to Friday             | 7:00 am 6:00 pm |
| Saturday                     | 8:00 am 12 noon |
| Sundays and Public Holidays. | No works        |
- Reason:** *To preserve the environment and the existing or likely future amenity of the locality.*
- 21 These hours of operation apply to crushing/screening plant and haulage trucks both on and off site, but do not apply to plant maintenance, landscaping and office works.  
**Reason:** *To correctly describe what is approved.*
- 22 Blasting is to be undertaken only between 10.00 am and 3.00 pm Monday to Friday.  
**Reason:** *To preserve the environment and the existing or likely future amenity of the locality.*
- 23 All topsoil shall be progressively stripped from areas to be excavated and stockpiled separately. Stockpiles are to be located away from the general operation of the quarry in a location to assist in noise mitigation and be preserved for the future rehabilitation of the quarry. Topsoil that is stripped is to be stockpiled in a suitable location with appropriate sedimentation management practices. Topsoil is not to be used for berm or bund wall construction other than as topsoil for berms and bunds. Topsoil stockpiles are to be no higher than 4 m and shall not be located against the treeline.  
**Reason:** *To protect the environment.*
- 24 All overburden extracted from the approved extraction area shall be stockpiled separately. Stockpiles are to be located away from the general operation of the quarry in a location to assist in noise mitigation and be preserved for the future rehabilitation of the quarry. Overburden stockpile are to be sited in a suitable location with appropriate sedimentation management practices.  
**Reason:** *To protect the environment.*
- 25 All hazardous materials are to be appropriately stored so as to prevent environmental damage in case of spillage. Oils and lubricants to be stored in an impermeable bunded and roofed area with holding capacity of 110% of the capacity of the largest container. Alternatively the volume of the bunded area should be equal to at least the capacity of the largest tank plus the volume that would be displaced by other tanks or structures within the bund area. The larger volume is to be selected. Re-fuelling areas are to be located upslope from sedimentation dams and are to be indicated in the plan of management.  
**Reason:** *To protect the environment.*

- 26 No fixed building, plant or machinery shall be erected on the site without the prior consent of Council.  
*Reason: To comply with the provisions of the Lismore Local Environmental Plan 2000.*
- 27 No advertising signage is to be erected, painted or displayed without the prior consent of Council, unless such signage is exempt pursuant to Clause 24 of the Lismore Local Environmental Plan 2000.  
*Reason: To comply with the provisions of the Lismore Local Environmental Plan 2000.*
- 28 No material for quarry infilling shall be imported to the site without the prior written consent of Council.  
*Reason: To ensure sustainable resource use and minimise impacts to natural vegetation and surrounding environments.*
- 29 All vegetation which is cleared shall be chipped and/or reused on the site, and shall not be burned or removed from the site.  
*Reason: To ensure sustainable resource use and minimise impacts to natural vegetation and surrounding environments.*
- 30 All vehicles and machines used as part of the operation must comply with the Protection of the Environment Operations Act 1997 and all regulations made under that Act and be fitted with properly maintained emission controls relevant to their date of manufacture.  
*Reason: To preserve the environment and the existing or likely future amenity of the locality.*
- 31 The boundary of the quarry is to be appropriately fenced along areas easily accessible in a manner to discourage unauthorised entry and maintained at all times to accord with NSW WorkCover specifications.  
*Reason: To discourage unauthorised entry to the site and to maintain safety.*
- 32 The crusher/screen set is to be retained in its current location within the work area and have appropriate noise bunds installed **prior to commencement of the processing operation.**  
*Reason: To preserve the environment and the existing or likely future amenity of the locality.*
- 33 All vehicles associated with the use of the premises are to be parked within the confines of the site, at all times.  
*Reason: To ensure adequate off-street parking.*
- 34 Curtains to minimise dust emission and water sprays to be installed on crushers and screens at all times these are in operation.  
*Reason: To preserve the environment and the existing or likely future amenity of the locality.*
- 35 Existing utility services must not be damaged while any of the works nominated in this consent are carried out. If any services are damaged during the course of performing the works, the applicant must notify council immediately, and council will repair the damage at full cost to the applicant.  
*Reason: To protect existing utility services.*

- 36 Vegetation surrounding the development site is to be left undisturbed. Boundaries shall be clearly marked in the field prior to the commencement of any clearing operations. This information must be conveyed to machinery operators prior to commencement of works.

**Reason:** *To ensure preservation of existing trees on-site.*

- 37 All unsightly matter shall be stored out of sight from any adjacent premises or public place.

**Reason:** *To preserve the environment and the existing or likely future amenity of the locality.*

#### **QUARRY OPERATIONAL PLAN OF MANAGEMENT**

- 38 At the cessation of operations for the quarry, all buildings, plant, machinery, vehicles and structures shall be removed from the site and the site be restored or rehabilitated in the manner described in the Operational Plan of Management (OPOM). Council will require a bond to be submitted to cover the cost of these works. The Applicant shall, 3 years prior to cessation provide written advice to Council pending the cessation of quarrying activity, and the actions taken to date in relation to rehabilitation and provide details of further rehabilitation works required to comply with the approved rehabilitation plan.

**Reason:** *To ensure appropriate rehabilitation of the site.*

- 39 The quarry OPOM is to be in conformity with the requirements of the *Part A Chapter 18 – Extractive Industries of the Lismore Development Control Plan*. The activities nominated in the OPOM are to be implemented within 6 months of the date of approval of the OPOM by Council or such other time as the OPOM requires.

**Reason:** *To protect human health and the environment.*

- 40 The Operational Plan of Management (OPOM) is to include and address the following matters to Council's satisfaction:

- (a) **Weed control;** a detailed method of long term weed eradication and control is to be provided
- (b) **Ground and surface hydrology and water quality management;** the passage of stormwater across the site as well as the movement of stormwater from undisturbed sections of the subject site must be detailed in the OPOM. The 1:100 year ARI storm must be modelled across the site and trapped low points avoided and overland flow paths identified. The discharge points for stormwater must be clearly identified and size and capacity nominated. Discharge shall be restricted to that which would have resulted from the site in a rural state.
- (c) **The Soil and Water Management Plan** is to be prepared in accordance with the EIS and the Statement of Environmental Effects Corndale Quarry, dated 27/5/2010. This part of the OPOM is to be forwarded to the DECCW and the Department of Water and Energy (DWE) for their specifications and on completion their approval, prior to lodgement with Council for Council's final approval.
- (d) **The Soil and Water Management Plan** shall include but not be limited to the following design principles, standards and criteria:
  - (d.1) Drainage berms are to be constructed so as to direct clean runoff around the quarry face. The design and location of these features is to be incorporated into the plan of management and revised as required by Council. All runoff from disturbed areas, including access roads, is to be diverted into sedimentation dams.
  - (d.2) Detailed design and location of all sedimentation dams.

- (d.3) Sediment control measures shall be put into place and be properly maintained to prevent soil erosion and the transport of sediment off the development site or into natural or made drainage lines or watercourses during rainfall and runoff. All topsoil, subsoil stock piles, and landscaping mounds shall be stabilised and be revegetated by turfing or an approved seeding method within fourteen days of completion of earthworks in each part of the development. It is a requirement that the topsoil be preserved for use with the site rehabilitation or other site activities.
- (d.4) The plan is to identify control strategies and maintenance schedules of the operation of the sedimentation dams. The plan is to include an event based water quality monitoring program to assess the adequacy of sedimentation dams and compliance with design criteria.
- (d.5) All sediment traps located within the quarry's work area to have a capacity and shape in accordance with condition 40(c).
- (d.6) Water quality control ponds should be located clear of the natural gully on the site.
- (d.7) The plan should provide for the reuse of collected sediment water within the site.
- (d.8) The plan shall include details of any coagulant injection system required to meet non-filterable residue (NFR) requirements.
- (d.9) The plan shall identify the design and location of bunded fuel storage areas and re-fuelling areas. Re-fuelling areas are to be located upslope from sedimentation dams. The plan is to indicate what course of action is to be taken in the event of a fuel spillage. Details of any barrier liners to be installed in areas of potential high infiltration should be supplied.
- (d.10) The plan shall identify the location of vegetated buffers (including proposed methods of establishment and maintenance) to be established and/or maintained between the quarry face and any drainage line or waterway. Vegetated buffers are to be established and maintained between the quarry face and any drainage line or waterway.
- (d.11) The plan shall include implementation of a water quality monitoring program to include the following features;
  - (a) parameters to be monitored including NFR, pH and oil/grease;
  - (b) recording of weather conditions (temperature, rainfall, etc.) on the day of sampling;
  - (c) reporting of monitoring results to Council and DECCW annually; and
  - (d) investigations to ascertain the source of any existing acidity in wash water.
- (d.12) Erosion and sediment control and drainage measures to be put in place both during and after construction of all internal haulage roads. Control measures are to remain in place until the site has been adequately revegetated or landscape to prevent soil erosion.
- (d.13) The plan shall contain details of the proposed sequence of operations for the site including staging of works, erosion control works, sequence of stockpiling, topsoil separation and rehabilitation measures and procedures.

- (d.14) The plan shall contain details of a ground water monitoring program including frequency of monitoring and parameters to be measured such as water levels and aquifer chemistry.
- (d.15) The plan shall contain details concerning the timing/staging of vegetation removal, method of removal including other approvals required for the works to be carried out, and the sequence of operations and rehabilitation works. The method of rehabilitation needs to be detailed with appropriate revegetation strategies indicated.
- (d.16) A review of the adequacy of the sediment and erosion control measures installed is to be undertaken by the DWE or by a qualified engineering consultant within 12 months of commencement of this consent. The cost of this review is to be borne by the applicant.
- (d.17) Topsoil stockpiles shall be protected by diversion banks and be sown with pasture grasses. Diversion banks should have grades less than 2%.
- (d.18) The culvert marked "A" on Court Exhibit F is not to be used. All water is to be diverted from the quarry floor into the onsite water quality control ponds.
- (e) Occupational Health and Safety and NSW WorkCover matters and requirements are to be listed and implemented in the operational plan for the quarry.
- (f) A detailed Landscaping and Revegetation Plan (including noise mounds) to avoid adverse impacts on the scenic amenity of the locality and vegetation regeneration on the site. Existing conditions to be documented as baseline conditions for ongoing six monthly monitoring and control of the visual impact of quarry operations. A comprehensive flora and fauna survey is to be prepared to establish baseline conditions for ongoing six monthly monitoring and control of the impact of quarry operations on native vegetation.
- (g) Waste disposal including collection, temporary storage, and removal from site. This part of the plan is to include disposal of disused plant and equipment from the site.
- (h) Six months from the commencement of this consent and then annual monitoring of plant and rock drill noise and truck noise at the residences shown on the EIS plan Exhibit 5.3, (excluding Residence G) and residences H, I, J and K as shown on exhibit 2 of Statement of Environmental Effects Corndale Quarry, dated 27/5/2010.
- (i) Monitoring and environmental auditing of the secondary water quality control pond for discharge criteria is to take place after any 1 in 10 years storm events and on a 6 monthly basis.
- (j) Air quality management and monitoring.
- (k) Bush fire management.
- (l) Aboriginal archaeology procedures.
- (m) Complaints and Community Consultative Committee protocol.
- (n) Truck movement and traffic/haulage management, including a code of conduct for drivers is to be established and implemented including: the non-use of compressed air brakes near houses close to the haulage roads, trucks not to exceed 60km/hr on haulage roads, no tailgating and trucks are not to exceed 40km/hr in school zones.

- (o) The provision and maintenance of appropriate noise barriers or bunds around the operating sections of the quarry, such that the receptor noise from the operation is below 41dB(A). This requirement shall apply to all houses within the quarry buffer as defined in Part A Chapter 18 – Extractive Industries of the Lismore DCP. The operation includes but is not limited to the crusher/screen, the frontend loader, trucks operating on the site, rock drilling rig, bulldozer, and excavator.
- (p) The provision of ameliorative measures that limit the LAeq1hr for the passing traffic, including quarry trucks, to below **55dB(A)** at the affected residences in James Gibson Road and or Corndale Road.
- (q) Progressive and final site rehabilitation including the ongoing maintenance of landscaping and revegetation. The progressive and final rehabilitation should also include the benching or covering of the existing work face, now disused, to provide no more than 5m drops with 3 m steps or 1:2 gradient. These benches are then to be planted and made safe, stormwater collection is also to be included in the rehabilitation plan. The rehabilitation plan is to be in accordance with Part A Chapter 18 – Extractive Industries of the Lismore DCP and incorporate locations of the subtropical rainforest patches and larger isolated rainforest trees on the site and be designed to link the patches of trees, as far as reasonably practicable.
- (r) Performance review of quarry operations, including soil and water management, noise, progressive rehabilitation and DECCW licences etc. to enable comparison with the EIS and the Statement of Environmental Effects Corndale Quarry, dated 27/5/2010 predictions, and these conditions to be made. Non compliance will result in additional works being carried out by the quarry operator at full cost to the operator, to ensure compliance.
- (s) The measures incorporated into the operation of the quarry aimed at minimising greenhouse gas emissions.

**Reason:** *To protect human health and the environment.*

#### **MONITORING AND OTHER APPROVALS**

- 41 Annual audits shall be carried out of quarry operations against approved Operational Plan of Management, inclusive of the Environmental, Noise, Soil and Water and Rehabilitation Management Plans and consent and licence conditions. The audit shall be undertaken by an independent, suitably qualified expert and shall identify areas of non-compliance and management responses to the same. An annual report of audit findings shall be submitted to Council prior to the 31<sup>st</sup> January following the commencement of this consent.

Where non-compliance is identified the applicant shall identify amelioration works to be implemented and shall undertake monthly monitoring until the amelioration measures have been completed and compliance demonstrated.

**Reason:** *To ensure compliance with the development consent.*

- 42 An annual update of the Operational Plan of Management is to be submitted to council by 31 January in each year. This update must include:
- (a) the quantity of material extracted in the immediately preceding calendar year.
  - (b) the area of land used in quarry operations in the immediately preceding calendar year. This is to be related to the survey undertaken for the current year,
  - (c) the rehabilitation undertaken in the immediately preceding calendar year and the rehabilitation program for the current year,
  - (d) results from the water quality monitoring program for the immediately preceding calendar year,



- (e) details of all sedimentation ponds constructed during the immediately preceding calendar year or proposed to be constructed during the current year, and
- (f) details of visual impact landscaping, conservation of Thorny Pea and site revegetation.

**Reason:** *To ensure compliance with the development consent.*

- 43 All necessary pollution licenses are to be obtained from the Department of Environment, Climate Change and Water for the quarry prior to the commencement of works.

**Reason:** *To obtain relevant licences.*

- 44 The applicant shall provide council with written evidence that all necessary statutory licenses have been obtained, within three months of the date of this consent.

**Reason:** *To ensure compliance with the development consent.*

- 45 All discharges from the sedimentation ponds shall meet the requirements of the Protection of the Environment Operations Act 1997 and the relevant criteria of the DECCW. Design details are to cater for the one in ten year Average Recurrence Interval storm for 24 hours, such discharges to contain less than 50 mg/L of non-filterable residue, no visible oil or grease, less than 10 mg/L of oil and grease, and a pH in the range 6.5 - 8.5 or other such standard approved in writing by the DECCW from time to time. Details of any coagulant injection system required to meet the NFR requirements are to be included in the OPOM.

**Reason:** *To protect the environment.*

- 46 All necessary approvals under the Water Management Act 2000 and other relevant Natural Resource Management policies are to be obtained from the Department of Water and Energy, **prior to commencement of works.**

**Reason:** *To comply with the Water Management Act 2000 and other Natural Resource Management Policies.*

- 47 Blasting activities are to comply with the criteria of the DECCW in relation to over blast pressure and ground vibration. The following shall be undertaken prior to any blast on the site.

49.1 A minimum of three days prior to any blast, written notification shall be given to the occupants of all dwellings within 1,000 m of the quarry before blasting taking place.

49.2 A minimum of 1 in 3 blasts (other than those associated with 'popping' boulders) shall be monitored for peak particle velocity and blast over pressure at the nearest residences being residences A, B, C, D, E and F as shown in the EIS Exhibit 5.3 and residences H, I, J and K as shown on Exhibit 2 of the Statement of Environmental Effects Corndale Quarry, dated 27/5/2010. Appropriate measures are to be taken to reduce impacts if required. As a part of the monitoring process, the following records shall be kept and made available to Council and the public, if requested.

- (a) Date and time of blast, and name of the person responsible for the blast;
- (b) Location of blast and blast drilling pattern;
- (c) Type and weight of explosive used in each hole;
- (d) Maximum Instances Charge (MIC) weight;
- (e) Climatic conditions generally, including wind direction and extent of cloud cover;
- (f) Vibration and air blast emission levels recorded; and
- (g) A record of the blast, including yield.

**Reason:** To preserve the environment and the existing or likely future amenity of the locality.

- 48 The proponent shall take the necessary steps to ensure a Dilapidation Survey of all buildings which fall within the primary and secondary buffers identified in Part A, Chapter 18 – Extractive Industries of the Lismore DCP, as a consequence of the quarry expansion has been undertaken. Such survey is to be undertaken by a suitably qualified structural engineer, architect or building surveyor, and be submitted to council within 6 months of the date of this consent.

**Reason:** To protect the structural adequacy of surrounding dwellings.

- 49 In the event that any structural damage is demonstrated to have occurred as a consequence of the quarry operations, the operator shall either compensate the respective property owners or carry out satisfactory repairs.

**Reason:** To provide compensation or repair to damaged dwellings.

#### **NOISE, VIBRATION and DUST**

- 50 Noise from the premises must not exceed 41dB(A)  $L_{Aeq}(15\text{minute})$  during the day (7am to 6pm) Monday to Friday and 8am to noon Saturday, where  $L_{Aeq}$  means the equivalent continuous noise level - the level of noise equivalent to the energy-average of noise levels occurring over a measurement period.

Note: Noise from the premises is to be measured at most affected point on or within the residential property boundary or, if this is more than 30m from the residence, at the most affected point within 30m of the residence to determine compliance with this condition.

**Reason:** To preserve the environment and the existing or likely future amenity of the locality.

- 51 The airblast overpressure level from blasting operations in or on the premises must not exceed:

- (a) 115 dB (Lin Peak) for more than 5% of the total number of blasts during each reporting period; and
- (b) 120 dB (Lin Peak) at any time.

at the most affected residence of noise sensitive location that is not owned by the licensee or subject to a private agreement between the owner of the residence or noise sensitive location and the licensee as to an alternative overpressure level.

**Reason:** To preserve the environment and the existing or likely future amenity of the locality.

- 52 The ground vibration peak particle velocity from blasting operations carried out in or on the premises must not exceed:

- (a) 5mm/s for more than 5% of the total number of blasts carried out on the premises during each reporting period; and
- (b) 10 mm/s at any time.

at the most affected residence of noise sensitive location that is not owned by the licensee or subject to a private agreement between the owner of the residence or noise sensitive location and the licensee as to an alternative overpressure level.

**Reason:** To preserve the environment and the existing or likely future amenity of the locality.

- 53 All trucks carrying quarry or crusher products from the site shall ensure their loads are fully covered by a suitable material to prevent spillage or dust falling from the truck.

**Reason:** To preserve the environment and the existing or likely future amenity of the locality.

- 54 The development shall at all times meet noise emission criteria, vibration levels and standards relating to air borne pollutants and discharge of solid wastes to natural water courses as specified by the DECCW.

**Reason:** To preserve the environment and the existing or likely future amenity of the locality.

- 55 All noise attenuation measures as provided for in the EIS and Statement of Environmental Effects – Corndale Quarry, dated 27/5/2010 are to be implemented to meet the nominated limits of 41dB(A) for operational noise at neighbouring dwellings or 55dB(A) for the LAeq 1 hr for road traffic noise.

**Reason:** To preserve the environment and the existing or likely future amenity of the locality.

- 56 The quarry operator is to take appropriate action to mitigate any noise impacts to achieve these criteria at all times of the quarry operation or quarry transport activities.

**Reason:** To ensure compliance with the development consent.

- 57 Internal unsealed accesses to be regularly watered during dry periods. A water truck designed for road construction is to be maintained at the quarry operations during times of dry weather and high volume usage to ensure that EPA requirements are met with respect to dust emissions. The Dust Management Strategy is to be implemented upon issue of operational consent and fully complied with thereafter.

**Reason:** To preserve the environment and the existing or likely future amenity of the locality.

#### **ROADS AND TRANSPORT**

- 58 All trucks leaving the development site shall comply with the legal weight limitations for classes of vehicles established by the NSW Roads and Traffic Authority and local councils for the particular roads used to deliver products to Customers.

**Reason:** To assist in protecting vehicle and road safety.

- 59 In addition the Applicant shall:

- maintain a weighbridge, and
- record in a daily log, for all loaded trucks leaving the quarry:
- the type of truck and trailer, and
- the tare and load weights, and
- times of departure of the first and last truck to and from the site, and
- direction of truck travel, ie east or west along James Gibson Road.

**Reason:** To ensure compliance with the development consent.

- 60 The applicant shall submit a yearly report to council detailing the results of the daily log of all loads together with payment of Section 94 levies due as established by this consent.

**Reason:** To ensure compliance with the development consent.

- 61 Traffic signage shall be maintained at suitable locations as indicated in the EIS along James Gibson Road advising of traffic hazards in accordance with the Council's requirements, including warning signs on either side of the entry/exit to the quarry indicating "trucks entering".

**Reason:** To ensure activities relating to the development do not interfere with the movement of traffic along the public road.

62 All loading and unloading to take place within the curtilage of the quarry site.

**Reason:** *To provide adequate off street parking space for the anticipated traffic that will be generated by the development.*

63 Vehicles using the quarry must enter and leave in a forward direction. All driveways and turning areas to be kept clear of obstructions that would prevent compliance with this condition.

**Reason:** *To ensure adequate access to and from the site.*

#### **SITE REHABILITATION**

64 Site rehabilitation shall be carried out in accordance with a staged plan submitted with the OPOM. The plan shall be in accordance with Chapter 18 – Extractive Industries of the Lismore DCP and document how adverse impact on the scenic amenity of the locality will be avoided and how promotion of favourable habitat regeneration conditions on the site can be achieved. The plan shall demonstrate how this work will be coordinated with other site works such as water, soil, noise and access management. The plan shall identify rehabilitation work to be completed each year during the operation of the quarry.

**Reason:** *To ensure appropriate landscaping and rehabilitation is provided.*

65 The proposed rehabilitation must be commenced immediately in all areas no longer subject to extraction or required for access. Logs, brush and rocks should be retained and used where possible to facilitate regeneration. Trees and vegetation are to be chipped or mulched and stockpile for use in rehabilitation works.

**Reason:** *To ensure appropriate landscaping and rehabilitation is provided.*

#### **ON-SITE WASTE WATER MANAGEMENT**

66 On-site waste water management from amenities and toilet facilities to comply with Council's On-site Sewage and Wastewater Management Strategy.

**Reason:** *To comply with Council's On-Site Sewage and Wastewater Management Strategy.*

#### **ABORIGINAL SIGNIFICANCE**

67 The quarry operators and any person acting on their behalf shall not knowingly destroy, deface or damage any Aboriginal relic or other item of archaeological significance within the quarry area without the prior written consent of the DECCW.

**Reason:** *To protect Aboriginal and Archaeological significance.*

68 Upon discovery of any Aboriginal relics within the meaning of the National Parks and Wildlife Act 1974 (as amended) during site or excavation works, the quarry operators and any person acting on their behalf shall immediately notify the DECCW, the local Aboriginal Land Council and Council and shall cease operations within the vicinity thereof until such time as the consent of the DECCW is obtained (if required) for the destruction, removal or protection thereof and the developer has complied with the directions of the DECCW in that respect. The developer shall provide to Council copies of any direction given by the DECCW in respect of Aboriginal relics that are subject of this condition.

**Reason:** *To protect Aboriginal and Archaeological significance*

#### **CONSULTATIVE COMMITTEE**

69 The person acting upon this consent, in consultation with council, shall re-establish a Corndale Quarry Community Consultative Committee upon the written request of any member of the public likely to be affected by quarry operations. In the event that no written request is received, or on two consecutive occasions a committee quorum is not achieved, the person acting upon this consent may write to Council seeking written concurrence to discontinue the operation of the committee until further notice.

**Reason:** *To enable the re-establish of the Consultative Committee.*

70 The membership of the Committee shall comprise:

- (a) neutral Council appointee;
- (b) two representatives of the quarry operating company; and
- (c) two representatives from the community selected by the council.

**Reason:** *To outline the members of the Consultative Committee.*

71 The Committee shall:

- (a) be chaired by the neutral council appointee;
- (b) be convened for the first time within six months from the date of this consent and thereafter as required by Council;
- (c) monitor compliance with the conditions of this consent;
- (d) establish a complaints conflict resolution process; and
- (c) may seek technical advice from time to time from public: authorities or relevant individuals.

**Reason:** *To outline the role and function of the Consultative Committee.*

72 The applicant shall provide for inspection to the Committee information that a member may reasonably request including:

- (a) details of the environmental performance of the development;
- (b) copies of the OPOM and Dilapidation Survey;
- (c) any monitoring results in respect of this consent;
- (d) access for site inspections by the Committee;
- (e) meeting facilities for the committee; and
- (f) copies of baseline studies identifying existing conditions for all factors to be monitored during the operation of the quarry shall be distributed to community representatives prior to the first the Committee meeting. The studies are to be presented in a manner that is comprehensible to a general, nontechnical audience. The proposed monitoring process shall be explained to community representatives at the first Committee meeting.

**Reason:** *To outline the obligations of the Consultative Committee.*

73 The applicant shall appoint a liaison person to represent the applicant and to liaise with the public on the operation of the quarry and implementation and monitoring of conditions of consent. The name of that person and when and where they may be contacted shall be notified to the public in the local newspaper within 28 days of the date of this consent and shall be continually notified by notice affixed at the entry to the site

**Reason:** *To outline the role and function of the applicant in the Consultative Committee.*

#### **SECTION 94 CONTRIBUTIONS**

74 Annual payment of contributions levied under Section 94 of the Environmental Planning and Assessment Act and Lismore City Council S94 Contributions Plan 2004 (as amended) are required. Such levies shall contribute towards the provision of public services and/or amenities identified. Such levies shall be calculated utilising extraction returns as required by **Condition 14**. The rates and amounts applying at the date of this notice for the maximum approved extraction rate of 126,000 tonnes, totaling \$82,813 annually, have been calculated as set out below for your information.

Levies set out below shall be increased in accordance with the percentage increase as notified by the Consumer Price Index (Sydney) annually. Levies shall be paid within 30 days of the Council issuing an assessment for the preceding year.

The contributions set out in the schedule are exclusive of any GST (if any) and where the provision of any services or the construction of any infrastructure or any other thing with those contributions occurs, then in addition to the amount specified above the Applicant will pay to the Council the GST (as defined below) which is

payable by the Council in respect of the provision of such services or construction of any infrastructure or any other thing.

GST means any tax levy charge or impost under the authority of any GST Law (as defined by the GST Act) and includes GST within the meaning of the GST Act.

The GST Act means A New Tax System (Goods and Services Tax) Act 1999 or any amending or succeeding legislation.

The levy shall be calculated in accordance with Council's adopted section 94 plan as at this date and be based on the following information:

- Road construction cost of \$369,000 per kilometre (indexed for CPI annually from December 2003)
- Average haulage distance of 15 kilometres.
- The first 5,000m<sup>3</sup> (9,000 tonnes) per annum shall be exempt from levies
- Registered Extraction Rate SEPP No. 37, 79,200 tonnes per annum.

Levy calculation for yearly extraction will be:

$$\begin{aligned} &(\$369,000 \times \text{CPI} / 6.74 \times 10^6) \times 15 \text{km} \times (\text{Registered extraction SEPP37} - 9,000 \text{tons}) \times \\ &0.5 \times (\text{Annual tonnage extracted} - \text{Registered extraction SEPP37}) \times 1.025 \times \text{CPI} \\ &= (\$369,000 \times 1.3336 / 6.74 \times 10^6) \times 15 \text{km} \times [(79,200 - 9,000) \times 0.5 + (126,000 - 79,200)] \times \\ &1.025 \\ &= \$82,813 \end{aligned}$$

**Reason:** *To provide funds for the provision of services and facilities identified in Lismore City Council's Section 94 Contributions Plan dated March 2004 as required by the increased population or activity. (EPA Act Sec 94)*

- 75 The above mentioned rate is to be payable in half yearly installments and is to be paid upon the issue of an invoice by Council or within six months of the date of this consent, whichever occurs first.

**Reason:** *To ensure compliance with the development consent.*

- 76 The annual rate of extraction shall not exceed 70,000m<sup>3</sup> crushed material, equivalent to 126,000 tonnes crushed, annually (For use in calculations a conversion factor of 1.8 from m<sup>3</sup> to tonnes has been adopted). The proponent shall provide Council, on or before January 31, each year, with extraction figures for the previous year.

**Reason:** *To correctly describe what has been approved and allow the calculation of S94 levies for material extracted.*

#### **THORNY PEA PROTECTION**

- 77 The provision of 5m wide buffer around the Thorny Pea (*Desmodium acanthocladum*) stand and the patch of disturbed low closed forest (rainforest) in the far northeastern corner of the site to protect both and allow the Thorny Pea to colonise the edge of the rainforest.

**Reason:** *to protect the Thorny Pea (Desmodium acanthocladum) and low closed forest (rainforest)*

- 78 The removal of weeds, particularly Lantana, Large Leaved Privet and Camphor Laurel from the Thorny Pea (*Desmodium acanthocladum*) stand and rainforest patch on a regular basis by a qualified bush regenerator.

**Reason:** *to protect and encourage expansion of Thorny Pea (Desmodium acanthocladum).*

79 The existing fence around the western and southern edges of the Thorny Pea (*Desmodium acanthocladum*) stand and rainforest patch, initially at a distance of 5 m from their edges, to protect them from cattle grazing and allow Thorny Pea (*Desmodium acanthocladum*) habitat shall be maintained at all times.

**Reason:** to protect the Thorny Pea (*Desmodium acanthocladum*) and low closed forest (rainforest)

80 No machinery is to enter this fenced area. Excavation for extraction shall take place from within the quarry area working area in that location and not from above.

**Reason:** to protect the Thorny Pea (*Desmodium acanthocladum*) and low closed forest (rainforest)

#### **INTEGRATED DEVELOPMENT**

81 Compliance with the attached General Terms of Approval (GTA) from the following agencies (as may be amended by licence or subsequent direction):

<b>Agency</b>	<b>Date of GTA's</b>
Department of Environment, Climate Change & Water	9 July 2010

(Councillors Marks/Battista) (BP10/702)

#### **Section 375A Voting Record**

**Voting for:** Councillors Houston, Meineke, Clough, Chant, Marks, Smith, Battista, Dowell, Graham, Yarnall and Ekins.

**Voting against:** Nil.

#### **12.3 Local Public Holiday - 2011 Lismore Cup Day**

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A MOTION WAS MOVED that Council request the Division of Industrial Relations to gazette a half day holiday for Thursday, 22 September 2011 to coincide with the Lismore Cup Day races.

(Councillors Chant/Marks) (BP10/593)

AN AMENDMENT WAS MOVED that:

1. Council request the Division of Industrial Relations to gazette a half day holiday for Thursday, 22 September 2011 to coincide with the Lismore Cup Day races.
2. Council, given the financial constraints, refers the consultation process to the Lismore Business Promotion Panel for consideration.

(Councillors Smith/Ekins) (BP10/593)

On submission to the meeting the AMENDMENT was DEFEATED.

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

268/10

**RESOLVED** that Council request the Division of Industrial Relations to gazette a half day holiday for Thursday, 22 September 2011 to coincide with the Lismore Cup Day races.

(Councillors Chant/Marks) (BP10/593)

**Voting for:** Councillors Houston, Meineke, Clough, Chant, Marks, Smith, Battista, Dowell, Graham, Yarnall and Ekins.  
**Voting against:** Nil.

#### **12.4 Lismore Tourist Caravan Park**

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A MOTION WAS MOVED that:

1. Council note the contents of the report from GHD and take no further action to explore the recommended options.
2. Council conduct a tender process as soon as possible in 2011 in an attempt to secure a new lessee for the facility.
3. The tender documentation include specific requirements reinforcing the fact that permanent residents are not permitted in the park, and requiring any lessee to have adequate processes in place to ensure this does not occur and restricting the number of caravans or cabins that can be placed onsite by the lessee for rent to a maximum of 15.
4. The outcome of the tender process be reported back to Council as soon as possible when complete.

(Councillors Graham/Meineke) (BP10/699)

AN AMENDMENT WAS MOVED that Council:

1. Postpone any decision on this matter until February when the Social Impact Assessment is available.
2. Prepare a report on evacuation procedures for the park for the February meeting.

(Councillors Clough/Ekins) (BP10/699)

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



**Voting for:** Councillors Houston, Clough, Smith, Yarnall, Dowell and Ekins.

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

269/10

**RESOLVED** that Council:

1. Postpone any decision on this matter until February when the Social Impact Assessment is available.
2. Prepare a report on evacuation procedures for the park for the February meeting.

(Councillors Clough/Ekins) (BP10/699)

**Voting for:** Councillors Houston, Clough, Smith, Dowell, Yarnall and Ekins

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

### **12.5 Purchase of properties Slaters Creek, North Lismore**

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270/10

**RESOLVED** that:

1. Council approve in response to the signed letters of offer and as outlined in this report, the purchase of Lot 178 - DP1091761, belonging to Farquhar Properties P/L., for the agreed price of \$22,000, and Lots 1,2,3,4,5,6,7,8,9,10,11,12,13 DP798820, belonging to Mr KJ Boyce, for the agreed price of \$88,000, using the Stormwater Levy funds.
2. Council approve in accordance with Section 31 of the Local Government Act, the purchased properties to be classified as Community Land.
3. Any necessary documentation associated with the purchase of these properties be authorised to be executed under the seal of Council.
4. Council prepare a plan of management for the land to reflect its proposed future use.

(Councillors Ekins/Houston) (BP10/495)

**Voting for:** Councillors Houston, Meineke, Clough, Chant, Marks, Smith, Battista, Dowell, Yarnall and Ekins.

**Voting against:** Councillor Graham.

Councillor Neil Marks left the meeting, the time being 8.47pm.

**12.6 Outdoor Dining Policy - Development Control Plan Amendments**

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271/10

**RESOLVED** that the following amendments to the Lismore Development Control Plan be adopted for the purpose of public exhibition in accordance with the provisions of clause 18 of the *Environmental Planning and Assessment Regulation 2000* as follows:

DCP Chapter 7 (Off-Street Car Parking) be revised by amending CI 7.7.3.1 to read:

**7.7.3.1 Fixed Car Parking Rate**

*With the exception of certain uses listed below, a fixed rate of no less than 3.3 car spaces/100m<sup>2</sup> of gross floor area (as defined in the Lismore LEP) shall be required for development within the CBD/City Centre.*

Exceptions:

**(i) Residential uses exception:**

*Where the development is (or includes) a residential use listed below, the minimum number of spaces required for the residential component shall be as described in Schedule 1 rounded up to the next whole number:*

- *Bed and Breakfast Establishment*
- *Boarding House*
- *Dwelling House*
- *Dual Occupancy*
- *Motel*
- *Residential Flat Building*

**(ii) 'Refreshment Room' and Outdoor Dining use exceptions:**

*(Where: "Enclosed" has the same definition as "gross floor area" in the Lismore LEP; and "Magellan Street- Entertainment/Activity Precinct" is that area indicated by Map No 2 in Council's 'Outdoor Dining Policy' as adopted on **14 September 2010**)*

- (a) For 'enclosed' outdoor dining areas constructed outside the Magellan Street- Entertainment/Activity Precinct, Section 94 charges for non-provision of car parking in accordance with the specified rate under this DCP will apply.*
- (b) For 'enclosed' outdoor dining areas constructed within the specified Magellan Street- Entertainment/Activity Precinct, Section 94 charges for non-provision of car parking in accordance with the specified rate under this DCP will not apply.*
- (c) For 'unenclosed' outdoor dining areas in all CBD/City Centre locations, Section 94 charges for non-provision of car parking in accordance with the specified rate under this DCP do not apply in accordance with the definition of GFA.*
- (d) If construction of a new outdoor dining area necessitates removal of car parking spaces from the road reserve, a contribution for the lost space(s) will be levied in accordance with the Lismore Contributions Plan (Section 2.5.5), **however** this contribution will not be levied if the new outdoor*

*dining area is located within the Magellan Street- Entertainment/Activity Precinct.*

**(iii) All CBD Commercial and Business (incl. refreshment rooms) use exceptions:**

*Existing commercial/business/retail premises within the Lismore CBD (see map 1 of this DCP) may, with consent, increase internal floor space by up to 20% of the existing building GFA up to a maximum of 40 sq. m. without incurring Section 94 charges for car parking. This allowance will only be available once to each premises (whether 20% or 40 sq m is achieved or not), and any further internal extensions will attract relevant Sec 94 charges.*

And DCP Chapter 9 (Outdoor Advertising Policy) be revised by amending as follows:

- i) In the Development Control Table under Clause 9.4, for the table relating to Zones 3 (a), 3 (b), 3 (f), and 4(a), the words “*weighted portable footpath signs as permitted by Council’s Outdoor Dining Policy*” be inserted in column 3 after the words ‘*any advertising sign not listed in Column 2 or 4*’; and the words “*except for the specific weighted portable footpath signs permitted with consent under the provisions of Council’s Outdoor Dining Policy*” be inserted in column 4, after the words ‘*portable footpath sign*’.
- ii) In the ‘Additional Information’ for ‘Portable Footpath Sign’ under Clause 9.11, the words “*, with the exception of specific, weighted portable footpath signs permitted under the provisions of Council’s Outdoor Dining Policy*” be inserted at the end of the paragraph after the word “*area*”.

(Councillors Meineke/Smith) (BP10/526)

**Section 375A Voting Record**

**Voting for:** Councillors Houston, Meineke, Clough, Chant, Marks, Smith, Battista, Dowell, Graham, Yarnall and Ekins.

**Voting against:** Nil.

Councillor Neil Marks returned to the meeting, the time being 8.49pm and Councillor Isaac Smith left the meeting, the time being 8.49pm.

**12.7 Lismore Development Control Plan - Amendment No. 9 Water Sensitive Design**

272/10

**RESOLVED** that:

1. Council adopt draft Chapter 22 Water Sensitive Design to the Lismore Development Control Plan (DCP) as per Attachment 1, as amended to reflect the recommended changes outlined in the report.
2. Council notify the public of the adoption of Amendment 9 to the Lismore Development Control Plan in accordance with the *Environmental Planning and Assessment Regulation 2000*.
3. An information sheet be prepared about bioretention filter media for developers, contractors and designers and appropriate promotion of the adopted DCP be undertaken.

(Councillors Ekins/Battista) (BP10/563)

**Section 375A Voting Record**

**Voting for:** Councillors Houston, Meineke, Clough, Chant, Marks, Smith, Battista, Dowell, Graham, Yarnall and Ekins.

**Voting against:** Nil.

Councillor Isaac Smith returned to the meeting, the time being 8.51pm.

**12.8 Procurement Process for Construction Contract for Southern Trunk Wastewater Main**

A MOTION WAS MOVED that Council:

1. Endorse the procurement process outlined in this report.
2. Delegate authority to the General Manager to determine the pre-selection of prospective tenderers to be invited to participate in the Early Tenderer Involvement and final tender process for construction of the Southern Trunk Main project.

(Councillors Graham/Marks) (BP10/722)

AN AMENDMENT WAS MOVED that:

1. Endorse the procurement process outlined in this report.
2. Delegate authority to the General Manager to determine the pre-selection of prospective tenderers to be invited to participate in the Early Tenderer Involvement and final tender process for construction of the Southern Trunk Main project.

3. Include in the assessment criteria that the tenderers have local experience and environmental/cultural experience.
4. A Councillor briefing be held prior to the issuing of the final tender documents.

(Councillors Ekins/Clough) (BP10/722)

On submission to the meeting the AMENDMENT was DEFEATED.

**Voting for:** Councillor Ekins.

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

273/10

**RESOLVED** that:

1. Endorse the procurement process outlined in this report.
2. Delegate authority to the General Manager to determine the pre-selection of prospective tenderers to be invited to participate in the Early Tenderer Involvement and final tender process for construction of the Southern Trunk Main project.

(Councillors Graham/Marks) (BP10/722)

**Voting for:** Councillors Houston, Meineke, Clough, Chant, Marks, Smith, Battista, Dowell, Graham and Yarnall.

**Voting against:** Councillor Ekins.

(Councillors Graham/Marks) (BP10/722)

### **12.9 Tender No. T2011-08 - Road Reconstruction - Oakey Creek, Jiggi, Rock Valley and Quilty Roads**

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274/10

**RESOLVED** that:

1. The contract for all of the road reconstruction works be awarded to Hazell Bros-Lund at the following tendered prices:
  - a. Oakey Creek Road at a price of \$250,460.00 inclusive of GST.
  - b. Jiggi Road at a price of \$108,919.00 inclusive of GST.
  - c. Rock Valley Road at a price of \$175,467.00 inclusive of GST.
  - d. Quilty Road at a price of \$124,964.00 inclusive of GST.
2. Authority be given for execution of the contracts under Council Seal.

(Councillors Graham/Marks) (BP10/692)

**Voting for:** Councillors Houston, Clough, Smith, Battista, Dowell, Graham, Yarnall and Ekins.

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

#### **12.10 Selective Tender T2010-33 - Sale of Airport Hangar and Old Terminal**

275/10

**RESOLVED** that:

1. Having conducted a selective tender process for the sale of the hangar and old passenger terminal building at the Lismore Airport, Council accepts the offer from Northern Region SLSA Helicopter Rescue Services Pty Ltd for \$391,000 (exclusive of GST), with settlement to occur by 30 June 2011.
2. Council proceed with the subdivision of the lot in accordance with the proposed plan included in this report.
3. The General Manager be authorised to finalise the settlement details and complete a contract of sale for the subdivided lot.
4. The General Manager and Mayor be authorised to sign and affix the Council Seal to all relevant documents deemed necessary to complete this resolution.

(Councillors Battista/Meineke) (BP10/693)

**Voting for:** Councillors Houston, Meineke, Clough, Chant, Marks, Smith, Battista, Dowell, Graham, Yarnall and Ekins.

**Voting against:** Nil.

#### **12.11 Nimbin Community Reference Group**

276/10

**RESOLVED** that:

1. Council appoint the following nine nominated community members to the Nimbin Community Reference Group being: Lois Kelly, Diana Roberts, Sue Edmonds, Natalie Meyer, Venessa Johnstone-Koppel, Gillian Jones, Susan Stock, Jennifer Parke and Rebecca Ryall.
2. The period of appointment be the life of this Council plus three months.

(Councillors Meineke/Clough) (BP10/695)

**Voting for:** Councillors Houston, Meineke, Clough, Chant, Marks, Smith, Battista, Dowell, Graham, Yarnall and Ekins.

**Voting against:** Nil.

#### **12.12 Application for Closure of part of Public Road - Frame Road, South Gundurimba**

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277/10

**RESOLVED** that:

1. Council support the application to close the portion of road reserve adjoining Lot 220 in DP755728 and Lot 100 in DP1114052 shown in pink colour on the drawing included in the report.
2. All costs associated with the closure and sale process are to be met by Council.
3. Upon closure of the road, title will be transferred to the adjoining property owners and consolidate the respective portions with the respective lots.
4. The Department of Lands be advised accordingly and requested to progress the application.
5. The common seal of Council be affixed to any documentation as necessary to complete the road opening and closing, and transfer of title.

(Councillors Graham/Smith) (BP10/594)

**Voting for:** Councillors Houston, Meineke, Clough, Chant, Marks, Smith, Battista, Dowell, Graham, Yarnall and Ekins.

**Voting against:** Nil.

#### **12.13 21 Millar Street - Asset Protection Zone for Bushfire Protection**

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278/10

**RESOLVED** that:

1. The owners of 21 Millar Street be advised that Council supports the principle of providing an easement on adjoining Council land for the purpose of complying with bushfire risk requirements, to enable the preparation of documentation in support of their proposed development application.
2. The owners of 21 Millar Street also be advised that Council reserves the right to further consider any finalised proposal for an easement following notification of the full requirements of the NSW Rural Fire Service.

3. The General Manager be authorised to progress the matter administratively in regard to the preparation of easements and that approval be given for all relevant documents to be completed under Council Seal.
4. The adjoining owners be informed of Council's in principle agreement.

(Councillors Marks/Graham) (BP10/705)

**Voting for:** Councillors Houston, Meineke, Clough, Chant, Marks, Smith, Battista, Dowell, Graham, Yarnall and Ekins.

**Voting against:** Nil.

#### **12.14 2 Industry Drive - Sale of Adjoining Council Land**

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279/10

**RESOLVED** that:

1. Council agree to sell the land adjacent to 2 Industry Drive to REO Investments Pty Ltd at market value.
2. REO Investments Pty Ltd meet all statutory, legal, survey and valuation costs associated with the sale.
3. The General Manager be authorised to finalise the matter and enter a contract for sale of the land.
4. The contract for sale be executed under seal of Council.

(Councillors Marks/Clough) (BP10/706)

**Voting for:** Councillors Houston, Meineke, Clough, Chant, Marks, Smith, Battista, Dowell, Graham, Yarnall and Ekins.

**Voting against:** Nil.

#### **12.15 Policy 1.5.4 - Investment Policy Statement Review**

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280/10

**RESOLVED** that Policy 1.5.4 - Investment Policy Statement is amended as shown in the attachment.

(Councillors Smith/Clough) (BP10/238)

**Voting for:** Councillors Houston, Meineke, Clough, Chant, Marks, Smith, Battista, Dowell, Graham, Yarnall and Ekins.

**Voting against:** Nil.



**12.16 Investments - November 2010**

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281/10 **RESOLVED** that the report be received and noted.

(Councillors Yarnall/Marks) (BP10/636)

**Voting for:** Councillors Houston, Meineke, Clough, Chant, Marks, Smith, Battista, Dowell, Graham, Yarnall and Ekins.

**Voting against:** Nil.

## Committee Recommendations

**13.1 Minutes of the Traffic Advisory Committee 17 November 2010**

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282/10 **RESOLVED** that:

1. The minutes be received and adopted and the recommendations contained therein be adopted excluding TAC105/10.
2. TAC105/10 be referred to the Traffic Advisory Committee and the Infrastructure Assets Policy Advisory Group.

(Councillors Graham/Smith) (BP10/731)

**Voting for:** Councillors Houston, Meineke, Clough, Chant, Marks, Smith, Battista, Dowell, Graham, Yarnall and Ekins.

**Voting against:** Nil.

## Documents for Signing and Sealing

### 14.1 Documents for Signing and Sealing

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283/10

**RESOLVED** that:

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

**Lease to BP Australia – Part of Lot 9 DP 1093668 (P25804) and part of Lot 2 DP 1141130 (P30662)**

Lease at the Lismore Regional Airport for the purpose of an aircraft fuel site. This is a renewal of a previous Lease and is for a period of 5 years from 1 January 2011.

**Lease to Wincase Pty Ltd. - Lot 1 DP 839665 (22032)**

Lease of the overhead walkway in Larkin Lane which provides access between the previous Brown & Jolly buildings in Woodlark Street and Larkin Lane. This lease is an exercise of an option of renewal for a period of five years from 1 September 2010.

**Licence to Bureau of Meteorology – Part of Lot 9 DP 1093668 (P29428)**

Licence to the Bureau of Meteorology for the site of an automatic weather station. The Licence is for a period of 10 years from 1 December 2010 with one ten year option.

(Councillors Smith/Clough) (BP10/729)

**Voting for:** Councillors Houston, Meineke, Clough, Chant, Marks, Smith, Battista, Dowell, Graham, Yarnall and Ekins.

**Voting against:** Nil.

## Financial Assistance – Section 356

### 15.1 Financial Assistance – Section 356 Report

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A MOTION WAS MOVED that:

1. In accordance with Section 356(1) of the Local Government Act 1993, the assistance to person as list below is hereby approved.

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

Budget Approved:\$21,400

Spent to date:\$14,040.69

**Funky Moves Dance Studio** is requesting Council discount the hire fees (\$4,563) for use of the Dance Studio during Term 4, 2010 because the air conditioning is not functional and the amenity of the space is reduced because of the hot weather.

Comment: It is agreed that the amenity of this space is reduced during spring and summer. As such, a discount is supported. While there are no guidelines as to when a reduction should apply, a 50% reduction is recommended on days where the maximum temperature was greater than 25 degrees centigrade. From the information provided, this would apply to approximately 50% of the time from 11 October to 30 November.

**Recommendation:** In accordance with Clause 5 of the policy, a donation of 100% of the hire fees and set up fees applies.

**\$1,140.75**

**Reverend Dorothy Harris-Gordon** is requesting Council discount the hire fees (\$227) for use of the City Hall for a special occasion on 4 December 2010. An entrance fee is not to be charged.

**Recommendation:** In accordance with Clause 5 of the policy, a donation of 25% of the hire fees and set up fees applies.

**\$56.75**

**Sanctuary Northern Rivers Inc** is requesting Council discount the hire fees (\$227) for use of the City Hall for volunteer training on 13 November 2010. An entrance fee is not to be charged.

**Recommendation:** In accordance with Clause 5 of the policy, a donation of 25% of the hire fees and set up fees applies.

**\$56.75**

**Sanctuary Northern Rivers Inc** is requesting Council discount the hire fees (\$227) for use of the City Hall for an African Refugee food event on 4 December 2010. An entrance fee is not to be charged.

**Recommendation:** In accordance with Clause 5 of the policy, a donation of 25% of the hire fees and set up fees applies.

**\$56.75**

**RaHOW** organiser is requesting Council discount or waive the hire fees (\$129) for use of the City Hall for the event "Remembering and Healing Old Wounds" on 25 April 2011. An entrance fee is not to be charged.

**Recommendation:** In accordance with Clause 5 of the policy, a donation of 25% of the hire fees and set up fees applies.

**\$32.2**

**Our Health** organiser is requesting Council waive the hire fees (\$318) for use of the City Hall for a public meeting on "Our Health" on 8 December 2010. An entrance fee is not to be charged.

Comment: Given the significance of health reforms, special consideration of this request is recommended.

**Recommendation:** In accordance with Clause 5 of the policy, a donation of 100% of the hire fees and set up fees applies.

**\$319.00**

**Lismore Soup Kitchen** is requesting Council waive the hire fees (\$348) for use of the City Hall for the annual Christmas Day Soup Kitchen Lunch on 25 December 2010. An entrance fee is not to be charged.

**Recommendation:** In accordance with Clause 5 of the policy, a donation of 100% of the hire fees and set up fees applies.

**\$348.00**

*In accordance with policy.*

**b) Development & Other Application Fees – Policy 1.4.7 (GL390.200.15)**

Budget Approved:\$300                      Spent to date:(\$857)

Nimbin Neighbourhood & Information Centre are requesting Council discount or waive fees (\$3,514.92) associated with development applications (DA) for the Community Solar Farm Project. The project has encountered issues with progress primarily caused by changes in NSW State Government legislation after the project was approved. This has resulted in additional costs and required DA's for six not-for-profit host organisations in Nimbin.

**Recommendation:** In accordance with clause B of the policy, a donation of 30% of the development application fees applies.

**\$1,054.48**

*In accordance with policy.*

**c) Council Contributions to Charitable Organisations**

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

Budget:\$11,000                      Spent to date:\$6,612.78

October 2010

Animal Right & Rescue \$14.55  
Caroona Opportunity Shop \$0.00  
Multitask \$141.12  
Five Loaves \$170.85  
Friends of the Koala \$66.08  
1st Lismore Scout Group \$0.00  
Lismore Soup Kitchen \$43.64  
LifeLine \$153.19  
Saint Vincent De Paul \$0.00  
Westpac Life Saver Helicopter \$29.10

**Total** **\$618.53**

November 2010

Animal Right & Rescue \$29.10  
Caroona Opportunity Shop \$0.00  
Multitask \$168.46  
Five Loaves \$296.94  
Friends of the Koala \$51.09  
1st Lismore Scout Group \$0.00  
Lismore Soup Kitchen \$0.00  
LifeLine \$170.89  
Saint Vincent De Paul \$0.00  
Westpac Life Saver Helicopter \$87.66

**Total**

**\$804.14**

*In accordance with policy.*

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

Budget:\$2,700 Spent to date:\$800

Friends of the Koala, Koala Care Centre Team have recently been recognised with the Northern Rivers Volunteer Team Award in the 2010 State Volunteering Awards. They are seeking funding to send the Koala Care Centre Coordinator and Team Leader, Lola Whitney, to represent the group at the State Award Ceremony in Sydney (CI10/35721).

**\$50**

Beyond Zero Emissions is seeking funding towards airfare for two speakers to come to Lismore to attend the Beyond Zero Emissions Launch.

**\$100**

2. That the request from the **NSW Department of Premier & Cabinet** to waive the hire fees (\$318) and set up fees (\$360) for use of the City Hall for the Lismore Aboriginal Community Information Assistance Day in March 2011 be declined.

(Councillors Graham/Clough) (BP10/733)

AN AMENDMENT WAS MOVED that :

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

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

Budget Approved:\$21,400 Spent to date:\$14,040.69

**Reverend Dorothy Harris-Gordon** is requesting Council discount the hire fees (\$227) for use of the City Hall for a special occasion on 4 December 2010. An entrance fee is not to be charged.

**Recommendation:** In accordance with Clause 5 of the policy, a donation of 25% of the hire fees and set up fees applies

**\$56.75**

**Sanctuary Northern Rivers Inc** is requesting Council discount the hire fees (\$227) for use of the City Hall for volunteer training on 13 November 2010. An entrance fee is not to be charged.

**Recommendation:** In accordance with Clause 5 of the policy, a donation of 25% of the hire fees and set up fees applies.

**\$56.75**

**Sanctuary Northern Rivers Inc** is requesting Council discount the hire fees (\$227) for use of the City Hall for an African Refugee food event on 4 December 2010. An entrance fee is not to be charged.

**Recommendation:** In accordance with Clause 5 of the policy, a donation of 25% of the hire fees and set up fees applies.

**\$56.75**

**RaHOW** organiser is requesting Council discount or waive the hire fees (\$129) for use of the City Hall for the event "Remembering and Healing Old Wounds" on 25 April 2011. An entrance fee is not to be charged.

**Recommendation:** In accordance with Clause 5 of the policy, a donation of 25% of the hire fees and set up fees applies.

**\$32.25**

**Our Health** organiser is requesting Council waive the hire fees (\$318) for use of the City Hall for a public meeting on "Our Health" on 8 December 2010. An entrance fee is not to be charged.

Comment: Given the significance of health reforms, special consideration of this request is recommended.

**Recommendation:** In accordance with Clause 5 of the policy, a donation of 100% of the hire fees and set up fees applies.

**\$319.00**

**Lismore Soup Kitchen** is requesting Council waive the hire fees (\$348) for use of the City Hall for the annual Christmas Day Soup Kitchen Lunch on 25 December 2010. An entrance fee is not to be charged.

**Recommendation:** In accordance with Clause 5 of the policy, a donation of 100% of the hire fees and set up fees applies.

**\$348.00**

*In accordance with policy.*

**b) Development & Other Application Fees – Policy 1.4.7 (GL390.200.15)**

Budget Approved:\$300                      Spent to date:(\$857)

Nimbin Neighbourhood & Information Centre are requesting Council discount or waive fees (\$3,514.92) associated with development applications (DA) for the Community Solar Farm Project. The project has encountered issues with progress primarily caused by changes in NSW State Government legislation after the project was approved. This has resulted in additional costs and required DA's for six not-for-profit host organisations in Nimbin.

**Recommendation:** In accordance with clause B of the policy, a donation of 30% of the development application fees applies.

**\$1,054.48**

*In accordance with policy.*

**c) Council Contributions to Charitable Organisations**

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

Budget:\$11,000                      Spent to date:\$6,612.78

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Animal Right & Rescue \$14.55  
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Lismore Soup Kitchen \$43.64  
LifeLine \$153.19  
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Westpac Life Saver Helicopter \$29.10

**Total**

**\$618.53**

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**Total**

**\$804.14**

*In accordance with policy.*

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

Budget:\$2,700 Spent to date:\$800

Friends of the Koala, Koala Care Centre Team have recently been recognised with the Northern Rivers Volunteer Team Award in the 2010 State Volunteering Awards. They are seeking funding to send the Koala Care Centre Coordinator and Team Leader, Lola Whitney, to represent the group at the State Award Ceremony in Sydney (CI10/35721).

**\$50**

Beyond Zero Emissions is seeking funding towards airfare for two speakers to come to Lismore to attend the Beyond Zero Emissions Launch.

**\$100**

2. That the request from the **NSW Department of Premier & Cabinet** to waive the hire fees (\$318) and set up fees (\$360) for use of the City Hall for the Lismore Aboriginal Community Information Assistance Day in March 2011 be declined.
3. That consideration of the request from **Funky Moves Dance Studio** to discount the hire fees (\$4,563) for use of the Dance Studio during Term 4, 2010 because the air conditioning is not functional and the amenity of the space is reduced because of the hot weather be deferred for further consideration.

(Councillors Ekins/Yarnall) (BP10/733)

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

**Voting for:** Councillors Houston, Meineke, Clough, Chant, Marks, Smith, Battista, Dowell, Graham, Yarnall and Ekins.

**Voting against:** Nil.

284/10

**RESOLVED** that:

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

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

Budget Approved:\$21,400 Spent to date:\$14,040.69

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(Councillors Ekins/Yarnall) (BP10/733)

**Voting for:** Councillors Houston, Meineke, Clough, Chant, Marks, Smith, Battista, Dowell, Graham, Yarnall and Ekins.

**Voting against:** Nil.

(Councillors Ekins/Yarnall) (BP10/733)

## Matter of Urgency – Rate Capping

285/10 **RESOLVED** that in relation to Rate Capping by IPART this be considered as a matter of urgency.

(Councillors Clough/Yarnall)

**Voting for:** Councillors Houston, Clough, Smith, Dowell, Yarnall and Ekins

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

286/10 **RESOLVED** that Council write to the NSW Treasurer, the Premier, relevant members of the opposition and the Chair of the Independent Pricing and Regulatory Tribunal (IPART) expressing deep concern at the recently released rate peg of 2.8%.

(Councillors Clough/Yarnall)

**Voting for:** Councillors Houston, Meineke, Clough, Chant, Marks, Smith, Dowell, Yarnall and Ekins.

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

## Confidential Matters – Closed Council Meeting

287/10 **RESOLVED** that Council now exclude the press and public and meet in Closed Council to consider the following matters;

**Item** 17.1 Property Acquisition

**Grounds for Closure** Section 10A(2) (c):

**Public Interest** Discussion of this matter in an open meeting would on balance be contrary to the public interest because it relates to: information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

(Councillors Marks/Houston)

## Resumption of Open Council

When the Council had resumed its former sitting, the General Manager reported that Council, meeting in Closed Council:

### 17.1 Property Acquisition

That Council received the report and took no action.

288/10 **RESOLVED** that the General Manager's report of Council meeting in Closed Council be received and adopted.

### 17.1 Property Acquisition

That Council received the report and took no action.

(Councillors Chant/Clough)

## Closure

This concluded the business and the meeting terminated at 10.25pm.

CONFIRMED this EIGHTH DAY of FEBRUARY 2011 at which meeting the signature herein was subscribed.

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**MAYOR**