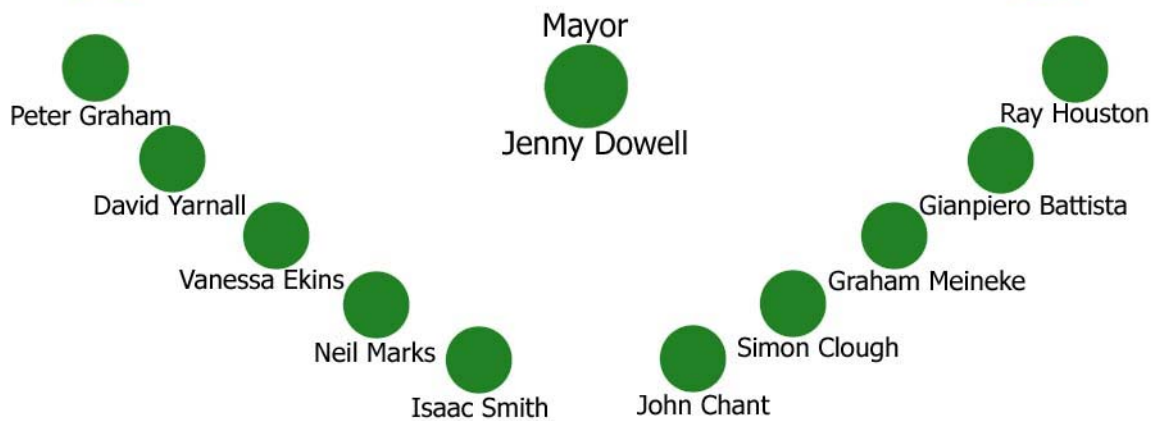


Notice of Council Meeting



Council

An ORDINARY MEETING of LISMORE CITY COUNCIL will be held at the COUNCIL CHAMBERS, 43 Oliver Avenue, Goonellabah on Tuesday, 12 July 2011 at 6.00pm.

Members of Council are requested to attend.

Rino Santin
Acting General Manager

5 July 2011



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Lismore City Council Community Strategic Plan 2008 - 2018



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

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

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

Notice of Motions



Notice of Motion

Cr Isaac Smith has given notice of intention to move:

That Council write to the NSW Minister for Resources and Energy with copies to the Premier and the local state member expressing Council's concern about the local solar industry. The letter should make the following points, that Council:

1. Thanks the State Government for honouring their election promise to retain the full solar feed in tariff for residents under the original solar bonus scheme.
2. Is concerned for the local economic and environmental impact due to a cessation of the feed in tariff in April this year, considering our postcode area has one of the highest uptakes of photo voltaic systems in the country.
3. Supports the reintroduction of a reasonable feed in tariff to back up the local solar industry, promote the continued expansion of alternate energy sources to decentralise the State's power needs and have a continued positive impact on the State's greenhouse gas reduction targets.

Councillor Comment

Residential solar power is disadvantaged in Australia. The market fails to take into account the true value and many benefits to the electricity network which arise from the adoption of renewable energy technologies embedded within the electricity grid.

Solar photo voltaic, like other renewable energy sources, provide environmental benefits through reduced atmospheric pollution, and social benefits through industry development and job creation - for example through the installation of grid connect solar systems, each with related economic benefit.

When electricity is transmitted over a distance, some is lost through what's called line loss. By installing rooftop solar arrays on houses, the electricity can supply not only the house on which it's installed, but the surplus can feed other houses close by.

Centralised power generation facilities also provide a relatively easy target for hostile parties and can be destroyed in natural disasters such as cyclones or fires. A decentralised network or grid connected systems allows for better energy security as it's much cheaper and faster to repair a sub-station than it is to replace an entire plant. It's in the interests of our national security to decentralise power generation.

During the summer months, it's becoming increasingly common for blackouts to occur due to an overload of the mains grid. It's during these months that solar power installations can make their greatest contribution.

A feed-in tariff for grid connected systems redresses these systemic market failures, threats and rewards solar electric generation for its true value to the electricity market and wider society, by providing a financial incentive for the adoption of renewable energy.

Staff Comment

Coordinator – Environmental Strategies

The Notice of Motion is supported by Council staff, based on Environmental Strategies section having established partnerships with local solar industry businesses to implement projects to reduce Council's greenhouse gas emissions and operational costs. There is a danger the viability of the local solar industry will be seriously damaged without the re-introduction of a reasonable feed-in tariff.

TRIM Record No: BP11/439:EF10/363

Notice of Motion

Cr Simon Clough has given notice of intention to move:

That Council immediately pursue recommendation 19 of the Infrastructure Services Review:

'To consider the development of suitable Key Performance Indicators (KPIs) to assist in the development of confidence in the efficiency of service delivery functions, and use a selection of these in monthly or quarterly reporting processes.

These comprehensive Key Performance Indicators are to be used as criteria to ensure an increase in efficiency of 10% in Council's urban and rural roads repair and maintenance over the 2011-12 financial year compared to last financial year'.

Councillor Comment

It is clear that our road network is failing under the impact of prolonged wet weather, our expansive soils and lack of funding. The Infrastructure Services Review has proposed the introduction of KPIs so that the efficiency of our repair, maintenance and road building can be assessed. The KPIs that are developed need to take into account issues of both the quantity and quality of work done.

There are a number of recommendations in the Review that relate to increasing productivity and they need to be implemented as soon as possible.

Staff Comment

Executive Director-Infrastructure Services

Council at its 8 March 2011 Ordinary Meeting resolved to adopt all 67 recommendations in the 'Complete Urban' report on the Infrastructure Services Review, part of the report included a, 'Priority matrix of recommendations'.

Recommendation 19 was identified as of High Priority with 'medium' timing to be actioned in a 6-12 month time period. Infrastructure Services have developed an Action Plan in line with the above priority matrix with recommendations (1, 4, 5, 6, 7, 17, 23, 27, 30, 42, 43, 48, 60, 61, 62, 63, 64, 66 and 67) which require immediate action, reported to the last IAPAG meeting 19 May 2011.

The intent of recommendation 19 is to establish Key Indicators which provide a measure of performance. Once established they set a benchmark which improvement can then be measured against. They are one tool for management to progress continuous improvement.

A lot of preparatory work is required to establish KPI's as systems must be in place to capture output in the field as well as costs associated with the activity. It will be difficult to establish KPI's in line with the recommended timetable.

Once KPI's are established and monitored staff may be in a position to target efficiency gains. It is difficult to quantify these gains at this stage however, it is my judgment they will be less than 10%.

Notice of Motion

To set an arbitrary 10% efficiency improvement across all road activities at this early stage is not supported. It is recommended implementation of the review take place in accordance with the consultant's timeline and staff report back in 12 months with targeted efficiency gains.

TRIM Record No: BP11/497:EF10/363

Notice of Motion

Cr Neil Marks has given notice of intention to move:

That Council writes to Optus asking them to reconsider their placing of a telecommunications tower in the vicinity of Ross Street and to work closely with Council and the community on finding a more appropriate position for the tower.

Staff Comment

Manager – Development and Compliance

A letter to this effect can be sent, a copy would be sent to Southern Cross University as the owner of the land on which the tower is to be located; and follow up possible options with the relevant parties. It should be noted that the outcome of any reconsideration by Optus may be influenced by other factors such as technical requirements for the facility that may limit relocation options. Any advice received or action taken in response to the correspondence will be provided to Councillors.

TRIM Record No: BP11/518:EF10/363

Notice of Motion

Cr Neil Marks has given notice of intention to move:

That Council investigate the changes required to be able to "Rate" dwellings on Rural Landsharing Communities (Multiple Occupancies) individually to increase our rural rate base.

Staff Comment

Rating Officer

Rural landsharing communities involve residents sharing common ownership of land either as tenants in common or in company title. Rural landsharing communities involve the development of three or more dwellings on a single allotment. There are approximately 60-70 rate assessments that could be categorised as rural landsharing communities. Under the existing rating structure, these assessments are rated as residential - rural or farmland, dependent on the dominant use of the land.

To achieve the outcome required by the Notice of Motion, a change to the Local Government Act (LGA) would be required so that each approved dwelling site could be rated separately and they also be treated as 'new' rate assessments by Council. A request to change the LGA would need to be sent to the Division of Local Government - Department of Premier and Cabinet.

It is worth noting that this issue has been raised previously by various organisation including individual Councils and the NSW Revenue Professionals Group. It has not received support from various State Governments. A number of reasons for the unwillingness to change have been supplied including:

1. Landsharing Communities are seen, by the State Government, as a means of providing low cost housing and to alter or amend the rating legislation to accommodate individual rating of dwellings located on landsharing communities is not seen as desirable.
2. It is contended that Landsharing Communities per se should not be seen as the only area that might use additional services. Properties such as long stay caravan parks, farm worker dwellings that are rented out, flats, dual occupancies, boarding houses etc all have the same inherent use of services by the occupiers and could therefore be affected by any proposed changes.

TRIM Record No: BP11/519:EF10/363

Notice of Motion

Cr David Yarnall has given notice of intention to move:

That:

1. Council implements either a full budget review or a zero budget review at the earliest opportunity but no later than the December Ordinary Council Meeting 2011.
2. The objective of the budget review is to, at the very minimum, find the road funding gap of \$940,000 pa over the next ten years as identified in Council's Asset Management Plan.

Councillor Comment

According to Lismore City Council's (LCC) Community Strategic Plan 2008-2011 (p.25), this Council is committed to 'improve roads' with the outcome being that LCC's roads are 'accessible, safe and efficient for motorists'.

Under LCC's adopted Asset Management Plan (Ordinary Council Meeting 8 June 2010, p.25), Council's road network will 'declineover the next 10 years'. Council staff through the Asset Management Plan has identified 'an annual funding gap of approximately \$940,000 pa over 10 years'. Without this funding the condition of our road network will deteriorate further from the current poor standard.

If LCC is committed to 'improve roads' while the current funding level will result in a 'decline' in road condition then clearly this Council has a problem that needs addressing to not fail in delivering on a main part of this Council's strategic plan.

In order to address the gap between funding and objectives I suggest Council takes on the task of a full or zero budget review to find the savings required to bring Council's road funding in line with this its strategic objectives. Without the gap funding required Council will have failed to meet its strategic policy objective, that is, 'to improve roads'.

Staff Comment

Manager-Finance

Council last undertook a full budget review in 2009/10. It identified savings of approximately \$500,000. A 'top down' approach was adopted where Councillors and Management reviewed budgets.

As the last review is relatively recent, it is unlikely that ongoing savings of \$940,000 will be easily found. For that quantum, there would need to be substantial changes to recurrent budgets for works, services or programs. It would also result in changes to community expectations created by the amended 2010-2014 Delivery Plan and the Community Strategic Plan 2008-2018.

Notice of Motion

The issue of how best to change recurrent budgets for works, services and programs, and community expectations relating to the Community Strategic Plan 2008-2018 was considered by Council at its 21 June 2011 Extra Ordinary Meeting. After considering a report on methods by which Council could address the funding shortfall of \$940,000 per annum on rural sealed roads and approximately \$1,000,000 on unsealed roads, it was resolved that the objective to finance an extra \$940,000 per annum on rural sealed roads and approximately \$1,000,000 on unsealed roads be considered during the review of the Community Strategic Plan 2008-2018 in 2012.

The Notice of Motion is not supported as the timeframe proposed will not coincide with the planned review of Community Strategic Plan 2008-2018. This review will involve considerable community consultation that will include all recurrent works, services and programs, and any other issues/matters which the community see relevant for Council to consider.

In regards to a zero based budgeting review, this process would require every budget line item to be reviewed in detail rather than only the incremental changes that currently occurs. While this approach can be an effective management tool, determining what works, services and programs Council is to deliver is the first step in this process. Linking a zero based budget process to the review of the Community Strategic Plan 2008-2018 is supported.

TRIM Record No: BP11/521:EF10/363

Reports



Report

Subject	Lismore Levee Repairs
TRIM Record No	BP11/496:EF09/1505
Prepared by	Manager - Assets
Reason	To seek Council's approval for a proposed course of action to deal with effects on private property as a result of the repairs required to the levee.
Community Strategic Plan Link	Efficient Use of Council Resources

Overview of Report

This report follows on from a Council workshop held on 22 June 2011 where staff from Richmond River County Council presented four options to repair the Lismore levee behind the NewTrain building at 9 Club Lane. The four options were presented as a result of an option adopted by Council at its meeting of 12 April 2011 being unviable. The reasons for that are outlined in the report.

The report recommends a preferred option to progress the matter and a second option should Council not be in agreement with the recommended option. The other two options are not considered viable.

Background

The levee system in Lismore was completed in 2005 and provides protection to the CBD and other parts of the City from flooding of approximately 1 in 10 year recurrence intervals. Following the May 2009 flood, evidence of damage to the levee was found in the section behind 9 Club Lane. This property is the former Lismore Club and currently owned and occupied by NewTrain.

Council at its meeting of 14 September 2010 agreed to purchase this property as it is necessary as a minimum to demolish the rear section of the building in order to reconstruct the levee further away from the riverbank. Settlement on purchase of the property by Council occurred on 30 June 2011. A development application has also been approved to demolish the rear section of the building.

The report to Council's meeting of 14 September 2010 also identified that the adjacent property at 39 Glasgow Lane, owned by Clarence Properties, would be affected by the required repairs. This property contains 23 garages which are attached to the Westlawn building on the corner of Woodlark Street and Molesworth Street. Tenants in the Westlawn building have use of the garages as part of their tenancy agreements.

The preferred solution to repair the levee at that time required demolition of 10–11 of the garages at 39 Glasgow Lane. In addition, five of the garages that were to remain would be located outside the levee and no longer protected by it.

At its meeting of 12 April 2011 Council considered a report on options to deal with the proposed demolition of the garages and resolved that:

1. *Council endorse the principle of a land swap with Clarence Properties to resolve the issue of garages on their property which need to be relocated to facilitate repairs.*
2. *Council note the area in the Hensley Carpark identified for the proposed land swap and reconstruction of the garages.*

3. *The General Manager finalise negotiation with Clarence Properties in regards to the acquisition of land relocation of garages from 39 Glasgow Lane affected by the required repair works to the levee.*
4. *The matter be reported back to Council for approval prior to execution of the necessary documentation.*

Since making that decision it has been confirmed that the land which Council proposed to swap with Clarence Properties is classified as community land under the Local Government Act. Council acquired this parcel of land in 1995 and at that time resolved to classify the land as operational land. However, the administrative process followed at that time to implement the decision of Council was not in accordance with the Local Government Act and the land has defaulted to a community land classification. This means that Council is unable to sell the land or undertake the proposed land swap as resolved by Council at its meeting of 12 April 2011.

However, it should be noted that Council is proposing to change the classification of this parcel of land from community land to operational land through the current LEP process.

At the time of writing the report to the Council meeting of 12 April 2011, an error was made by a staff member in researching the classification of the land. That error is regretted and staff can only extend their apologies to Council for the mistake.

As such alternative options have had to be explored in order to find a solution to the problem of the required demolition of garages at 39 Glasgow Lane.

Council staff have been working closely with staff from Richmond River County Council to develop alternative options and these were presented at the Council workshop on 22 June 2011. The four options developed were:

Option One

This is the option adopted by Council at its meeting of 12 April 2011 involving a land swap with Clarence Properties and relocation of the affected garages onto the land in the Hensley Carpark. Given that Council is proposing to re-classify the land to operational land through the current LEP process, there may be an opportunity for this option to proceed.

However, there are two issues which largely rule this option out. In the first instance the timing of the proposed reclassification will not permit work to proceed in accordance with the requirements of the grant funding to undertake the work. It is imperative that the repair work is undertaken as soon as possible and before the commencement of the wet season for 2012.

The second issue relates to some legal advice that Council received in 2000 when another proposal was examined to utilise this land for another purpose. Whilst the contents of the advice are confidential, there were issues identified that would potentially prevent the land from being used for any purpose other than a public carpark. If Council was of a mind to pursue this option, further legal advice would be required to deal with those issues identified. Given the time required to deal with these issues, and with no guarantee of a positive outcome, it is not considered worthwhile to proceed with this option.

As such it is recommended that no further action be taken in regard to this option.

Option Two

This option involves relocating the lost garages from 39 Glasgow Lane onto the property at 9 Club Lane. With the demolition of the rear of the NewTrain building, some space becomes available for additional parking on the site. A mechanism to provide security of tenure for Clarence Properties would also be required. This would mean granting an easement over the property, or alternatively undertaking a subdivision and selling the portion of land to Clarence Properties.

The property at 9 Club Lane currently has 5 parking spaces on site. The demolition of the rear section of the building would provide space to construct up to 14 additional parking spaces, depending on how they were configured, and where the levee was reconstructed. However, issues arise in regard to the potential future use of the building once Council takes ownership. Based on the floor area of the building after the rear section has been demolished, approximately 13 parking spaces would be required to fulfil planning requirements. The need to actually provide these spaces would only be generated should Council lodge a development application for some works in the building. However, if the space is not available for parking associated with the building, it cannot be used. Council would most likely be placed in a position of having to pay parking contributions to meet the shortfall.

The likelihood of a future development application being required for works to be undertaken to the building is high. The building is in poor condition and would require substantial works to bring it to a reasonable condition in order for Council to lease it. This is discussed further later in the report. In addition, the lack of dedicated parking for the building would reduce its potential rental value and make the property less attractive to prospective tenants.

It is therefore considered that this option is not attractive and should not be pursued further.

Option Three

This option involves moving the location of the reconstructed levee such that the garages at 39 Glasgow Lane do not need to be relocated. This option would involve substantial additional costs to re-construct the levee as pile footings would be required. Some garages would not be usable during the construction period and therefore unavailable to the tenants on a temporary basis.

The rear section of the building at 9 Club Lane would be demolished as per the current approval.

The benefits of this option are that the site at 9 Club Lane remains fully available for Council to use as it sees fit, including the provision of additional parking if required, and that compensation would only be payable to Clarence Properties for temporary relocation from their garages during construction of the levee. No permanent or ongoing loss would be suffered by Clarence Properties.

Whilst at first glance this may seem an attractive option, there are other issues to consider regarding the overall condition of the building. Substantial expenditure will be required to bring the building up to a reasonable standard before Council could consider using the building or making it available to rent. This will be discussed later in the report.

Option Four

Option four involves reconstructing the levee in approximately the location originally intended and complete demolition of the building at 9 Club Lane. This would result in some garages at 39 Glasgow Lane needing to be demolished and they could be relocated onto the property at 9 Club Lane. A land swap would be undertaken but essentially little compensation would be payable to Clarence Properties, other than for temporary dislocation during construction. Approximately 12 public car parking spaces could also be provided on the remainder of the land.

A further advantage of this option would be that land which directly adjoins the river and is currently in private ownership would be transferred to public ownership. This is effectively the last parcel of land in that area which remains in private ownership and would facilitate future projects to provide access along the riverbank.

Demolition of the building would require a development application to be lodged and the current heritage listing of the building would need to be addressed as part of that process. The building is recognised in Council's planning controls as an item of local significance.

A consideration in the discussion about this option is also the cost of bringing the building up to a reasonable standard.

Building Condition

The building is considered to be in fair condition. Prior to purchasing the building, Council obtained a pre-purchase building inspection. This identified a number of defects in the building and Council staff have since undertaken a further assessment of works required to bring the building up to a reasonable condition in order to lease it out to a third party. An opinion has been obtained from a local real estate agent suggesting that the space, in reasonable condition, could lease for \$110 - \$120 per square metre. The total floor space, upstairs and downstairs is approximately 300 square metres. This would generate an annual income of \$33,000 - \$36,000.

Based on the minimum works required, a cost estimate of \$386,400 has been prepared as outlined in the table below.

Cost Estimate - Minimum Works to Make Rentable		
Item	Estimate	Comment
General Building Repairs	\$35,000.00	Poor foundations and numerous cracks/issues exist throughout the building.
Door & Window Repairs	\$15,000.00	Poor foundations – uneven settlement
Electrical Up Grades	\$25,000.00	
Joinery Repairs	\$17,000.00	
Floor & Wall Tiles	\$10,000.00	Poor foundations – uneven settlement
Floor Coverings	\$15,000.00	
Plasterer	\$45,000.00	
Scaffolding	\$15,000.00	
Painting Internal	\$40,000.00	
External	\$20,000.00	
General Plumbing	\$20,000.00	
Reroof	\$50,000.00	Currently leaks – may be able to repair but worst case allowed for.
Bricklayer	\$15,000.00	
Sub-Total	\$322,000.00	
Contingency – 20%	\$64,400.00	
Total	\$386,400.00	

Some of these costs may be able to be met from the grant funding which will be used to construct a new back section of the building once the rear addition is demolished. However, it is considered that this might be around \$50,000 at best and Council would need to provide the remainder of the funding.

It also needs to be recognised that the most usable floorspace within the building as it currently stands is the added section at the rear. This is an open plan area which would provide considerable flexibility as an office space. However, this section of the building is to be demolished to allow for the levee wall to be reconstructed further away from the riverbank. This leaves the floorspace in the original building available for use and there is less flexibility in its current configuration.

It is considered likely that a development application would be required to undertake works to make the space more suitable and attractive for rental. This would trigger a series of additional works required to bring the premises up to current building standards, including access requirements, underpinning of the building and fire upgrades. A cost estimate of \$1,962,000 has been prepared as outlined in the table below.

Cost Estimate – Likely Works to Meet Building Codes etc.		
Item	Estimate	Comment
Preliminaries	\$90,000.00	Prepare DA, plans, lodge DA, pay contributions, fees etc.
Air Conditioning	\$90,000.00	
Lift	\$600,000.00	To meet access requirements
Engineering	\$55,000.00	
General Building Repairs	\$60,000.00	
Door & Window Repairs	\$15,000.00	
Disable Ramp & Up Grades	\$90,000.00	
Underpinning Building	\$45,000.00	Poor foundations and numerous cracks/issues exist throughout the building.
Road Repairs	\$5,000.00	
Electrical Up Grades	\$45,000.00	
Fire Detection Up Grades	\$40,000.00	
Joinery Repairs	\$35,000.00	
Floor & Wall Tiles	\$30,000.00	
Floor Coverings	\$40,000.00	
Plasterer	\$45,000.00	
Scaffolding	\$15,000.00	
Painting Internal	\$40,000.00	
External	\$20,000.00	
General Plumbing	\$40,000.00	
Reroof	\$50,000.00	Currently leaks – may be able to repair but worst case allowed for.
Asbestos Removal	\$100,000.00	
Bricklayer	\$35,000.00	
Project Management	\$50,000.00	Supervision, contract management etc.
Sub-Total	\$1,635,000.00	
Contingency – 20%	\$327,000.00	
Total	\$1,962,000.00	

An opinion has been obtained from a local real estate agent suggesting that the space, after renovation to meet building standards etc. could lease for \$150 - \$175 per square metre. This would generate an annual income of \$45,000 - \$52,500.

An alternate option would be for Council to let the building in its current condition, at greatly reduced rental and the tenant would become responsible to undertake the necessary repairs. Whilst there has been one approach made to Council recently, the likelihood of finding a suitable party to undertake this work and meet the costs of the necessary works is considered low.

Cost Comparisons

Richmond River County Council has prepared a cost comparison of the various options examined. Council must also consider the cost implications of each option to its own operations and these are outlined in the table below. It should be noted that the estimated costs of the levee repairs include estimates of relevant compensation etc, where this is required. However, negotiations have not yet been finalised and these costs could alter once valuations are undertaken etc.

Levee Repair Option	Total Levee Repair Costs	Costs to LCC for levee repairs	Building Repair Costs (LCC)	Comments
One	\$2.7 million	\$200,000 (contribution to purchase of 9 Club Lane)	\$386,400 - \$1,962,000	Not considered viable – timing not compatible with grant conditions
Two	\$2.7 million	\$200,000 (contribution to purchase of 9 Club Lane)	\$386,400 - \$1,962,000	Reduces future potential of 9 Club Lane site
Three	\$2.8 million	\$200,000 (contribution to purchase of 9 Club Lane)	\$386,400 - \$1,962,000	Commits Council to costs of repairs
Four	\$2.4 million	\$200,000 (contribution to purchase of 9 Club Lane)	Nil	

Project Timing

The required repairs to the levee need to be undertaken in the dry part of the year. This is traditionally the period through late Winter, Spring and into early Summer. Certainly the work needs to be undertaken prior to the commencement of the 2012 wet season.

In addition, the grant funding that Richmond River County Council has received for the levee repairs must be spent by 31 December 2011. As such there is no opportunity for further delay on this project.

Sustainability Assessment

Sustainable Economic Growth and Development

The levee system provides flood protection for the CBD and other parts of the City area up to an approximate 1 in 10 year flood event. This protection means that residents and businesses do not have to evacuate their premises and move stock and belongings to higher ground for those flood events. This represents a significant time and cost saving for those businesses. It is imperative that the levee be repaired permanently to ensure this level of protection continues to be provided for those residents and businesses. The levee system contributes positively to the economic growth and development of the City.

The various options put forward for consideration all include elements of commercial loss or gain for Council and in particular Clarence Properties in regard to their garages at 39 Glasgow Lane. Those aspects affecting Clarence Properties would be dealt with on a commercial basis and include the use of a valuer to determine appropriate compensation where required.

Social Inclusion and Participation

The various options put forward are not considered to have any positive or negative effects on social inclusion and participation.

Protect, Conserve and Enhance the Environment and Biodiversity

The work to stabilise the riverbank will assist in reducing the potential for erosion of this area and subsequent depositing of sediment into the river. The stabilisation work will also include some vegetation which will provide habitat for local fauna. These are considered to be positive outcomes.

There are not considered to be any negative consequences for the environment as a result of this proposal.

Best-Practice Corporate Governance

Council has a duty to the general public to work constructively and without delay in facilitating the required repairs to the levee and ensure the ongoing safety of the local community.

Comments

Finance

Richmond River County Council (RRCC) has secured significant grant funding to repair the Lismore Levee. It is understood the grant funding must be substantially spent by 31 December 2011. Lismore City Council's (LCC) contribution to the repair works is \$200,000.

LCC's contribution has been used to purchase the NewTrain building at 9 Club Lane. The building is now owned by LCC. As property owner, LCC will incur all ownership costs including rates, insurance, maintenance and repairs, security, etc. It is unlikely that rental income from the existing building will meet all ownership costs. No funding has been included in the 2011/12 Budget for the net ownership costs so an unfavourable variance will be required to be reported.

The report also highlights the costs to improve the building from a 'fair' to 'reasonable' condition (\$386,400) and to bring the building up to current building standards (\$1,962,000). It is unlikely that rental from an improved building would fund both the ownership and improvements costs. At some point in time, as owner, Council would be required to improve the building. The result would be an unfavourable variance to Council's budget.

In regards to the options presented, the most cost effective is Option 4 and this is supported.

Other staff comments

Manager - Development & Compliance

Any demolition of the heritage listed building would require a Heritage Impact Statement to be prepared in accordance with guidelines issued by the NSW Heritage Branch. This documentation to accompany a DA would be required to address a broad range of matters as part of any assessment process, in order to determine that demolition is the most appropriate option. The development assessment process would also be guided by other publications of the Heritage Branch in relation to heritage interpretation.

Public consultation

Not applicable. Should Council choose to proceed with option four i.e. demolition of the building at 9 Club lane, a development application would need to be lodged. This would be subject to normal processes including notification to the general public for comment.

Conclusion

The required repairs to the levee behind 9 Club Lane and 39 Glasgow Lane will affect both properties. A number of options have been examined to facilitate the required works. Options one and two are not considered worth pursuing any further due to the reasons outlined in the report.

Options three and four are considered workable solutions to the problem. Essentially the discussion between these two options comes down to whether Council is prepared to consider allocating the money required to bring the building up to a minimum standard suitable to rent the premises out on a commercial basis.

Given Council's current financial position and the level of funding required to undertake the necessary works compared to the potential rental return, option four is considered preferable. In addition, this option has the benefit of being the least costly in terms of capital costs and will provide additional public car parking.

If Council is not supportive of progressing with option four, option three is considered to be a second preference, however, it must be noted that this is effectively committing Council to substantial expenditure at some point to bring the building up to a reasonable standard for rental.

Attachment/s

There are no attachments for this report.

Recommendation

That:

1. The report be received and noted.
2. Council endorse option four as outlined in the report as the preferred option to progress the repair of the levee.
3. The Acting General Manager progress the matter accordingly.

Report

Subject	Lismore Tourist Caravan Park
TRIM Record No	BP11/495:EF09/1040
Prepared by	Manager - Assets
Reason	To advise Council of the outcome of the expression of interest process to identify potential lessees for the facility and the responses from other caravan park operators in Lismore regarding thier capacity to accept additional residents should the need arise.
Community Strategic Plan Link	Efficient Use of Council Resources

Overview of Report

This report deals with the responses received to an expression of interest process to lease the Lismore Tourist Caravan Park and responses from other caravan parks in Lismore to a request for assistance to accommodate residents from the park if required when the lease expires in December 2011.

Background

This matter was reported to the Council meeting of 8 March 2011 whereupon it was resolved that:

- “1. Council note the contents of the report from GHD and take no further action to explore the recommended options.
2. Council conduct an expression of interest (EOI) process as soon as possible in an attempt to secure a new lessee for the facility.
3. The EOI documentation include requirements for an improvement in the overall standard of the facilities and management of the park to be undertaken by the lessee as outlined in the report.
4. The EOI documentation include requirements that all new residents at the park must be short stay tenants only.
5. The evacuation plan for the caravan park be reviewed, noting that an application has been lodged for funding of this review.
6. Staff investigate further the issues outlined in the report regarding a potential moratorium for existing residents of the park in regard to enforcement of the short stay provisions.
7. A further report be presented to Council following completion of the EOI process and completion of the investigation outlined in Point 6.
8. Council work with the current lessee to ensure that their obligations to the existing residents are understood and met in regards to their departure from the facility in December 2011.
9. Council continue to work with the relevant housing agencies to assist in relocating residents where and if required.”

At the meeting of 12 April 2011, in response to a Notice of Motion from Councillor Battista Council resolved to:

- “1. Investigate the possibility of collaboration between Council and owners of the Lismore Caravan Parks.
2. Investigate the relocation of those permanent residents from the Lismore Tourist Caravan Park who have difficulties finding alternative lodging and/or prefer to live on a caravan site.
3. Hold a workshop with recommendation/s forwarded to Council for deliberation.”

Response to Expression of Interest

Expressions of Interest were called for leasing of the facility and closed on 2 June 2011. One response was received. The response was from Ken and Ellen Thomas, with involvement from Mr Peter Mann. Peter Mann is the person to whom Council recently agreed to lease the Nimbin Caravan Park. Since the close of the EOI process a second response has been received from another party interested in leasing the facility.

Council now essentially has two choices in regard to progressing a lease of the facility. Council could choose to call open tenders or selective tenders with respondents to the EOI. The recommended approach is for Council to conduct an open tender process.

Regardless of which approach Council chooses to take, the matter of a transition from the current lessee to a new lessee will be problematic. In accordance with point 3 of Council's resolution of 8 March 2011, an improvement to the overall condition of the park will be required. This will largely exclude the use of many, if not all, of the existing site vans currently owned by the lessee and rented out to tenants at the park. Residents staying in those vans will be displaced, at least on a short term basis, until a new lessee provides an alternate van for them to rent. Alternatively they may be permanently displaced should the new lessee choose not to provide on site vans for rental.

This is a key matter that will need to be addressed in any tender submission and respondents will be required to indicate whether they intend to provide opportunities for existing tenants to stay in the park and if so what processes will be put in place to facilitate this.

All other aspects of the tender requirements will be similar to the recent lease for the Nimbin Caravan Park. Performance indicators will be included in the documentation to cover the overall condition of the park, capital investment into the facility, staff training, customer service etc.

Tenancies of Existing Residents

Staff have sought legal advice regarding this matter. A copy of the confidential legal advice dated 25 March 2011 from Council's solicitor was provided to Councillors at the workshop on 5 July 2011.

The advice primarily deals with the definition of short stay and what type of tenancy agreements would need to be in place for residents of the park. In essence, all tenants at the park that are renting a caravan from the lessee are covered by a moveable dwelling agreement. There are a number of tenants with their own caravans and these are subject to site agreements as outlined in the Residential Parks Act.

In essence those tenants on moveable dwelling agreements are able to stay in the caravan park for a period of up to 150 days in any 12 month period, whether the caravan park is their permanent place of residence or not. Requirements to this effect and references to the relevant legislation would be included in any new lease of the caravan park.

The key issue then remains to be how to deal with existing residents during any changeover from the current lessee to a new lessee.

Those residents with their own caravans are more problematic. Residential site agreements may only be terminated in two ways – either on the date they expire (which was agreed when the site agreement was first entered into) or due to substantial breach of the agreement by the tenant. Given that those tenants on such agreements do not have a written agreement, (they are subject to the standard agreement outlined in the legislation), they do not have an end date. As such the only way they could be terminated would be for breach of the agreement.

The current lessee of the caravan park is attempting to have these residents moved onto written site agreements with limited success. This matter may ultimately have to be resolved through the Consumer Trader and Tenancy Tribunal.

It is proposed to include in the tender documents for a new lease of the facility that the lessee must resolve the tenancies of these residents, in accordance with the relevant legislation within 12 months of entering a lease for the facility.

Opportunities With Other Caravan Parks

Letters were sent to the three other caravan parks within close proximity to Lismore (Palms, Lake and Road Runner) asking for a response to the following questions by 20 June 2011:

1. Does your caravan park have capacity to accept additional patrons, potentially on a medium to long term tenancy? e.g. 3 months or longer.
2. Does your caravan park have development consent to accommodate long term residents? e.g. residents that wish to live in the park as their permanent place of residence.
3. If your caravan park does have capacity, what type of accommodation is available? e.g. vacant site, cabin for hire, caravan for hire.
4. Would you be prepared to discuss with Council the possibility of accepting some tenants into your caravan park in the event that the Lismore Tourist Caravan Park closes at the end of 2011?
5. Are there any other ways that you believe you could collaborate with Council on this matter?

Responses have been received from the Palms and Lismore Lake Caravan Parks. No response has been received from the Road Runner Caravan Park. Copies of the responses received are attached to Councillors' business papers.

In essence the Palms Caravan Park does not have any available space for medium to long term residents and currently has a waiting list for such tenancies. Their response also refers to a proposal to develop vacant land at the park to provide additional accommodation which could be used to transfer residents from the Tourist Caravan Park if required. This would presumably require Council to commit to some funding of the required works.

Any proposal of this nature would require careful consideration as there would be probity, transparency and equity issues to address. Other caravan parks in the Lismore area may ask for similar support to further develop their own facilities. This caravan park is also currently for sale.

The Lismore Lake Caravan Park advises that as of the date of their response they have 20 vacant sites available for occupation. These are sites only and any resident that was to take up residence at the park would require their own van. This may be a suitable option for those tenants at the Tourist Caravan Park that have their own caravan. The park also has on-site vans and cabins for rent however none of these are available at present and there is a waiting list.

In essence there is effectively no available on-site van or cabin accommodation at other caravan parks in Lismore to accommodate tenants from the Lismore Tourist Caravan Park, other than those with their own caravan. Potential tenants without their own caravan would need to join the existing waiting lists for accommodation at those facilities.

The suggestion that Council should contribute financially to the development and/or improvement of privately owned facilities at the Lismore Palms Caravan Park is not supported. The private operator of the facility would derive a substantial ongoing financial benefit from such an arrangement and place them at an advantage over competitors in the city.

If Council was of a mind to further explore this option, it would need to be subject of further investigation. A transparent and competitive process to select a business partner would be required and Council may well be entering into a public-private partnership as defined in the Local Government Act. This brings with it other requirements, including the approval of the Minister for Local Government, before any action could be taken. Given that the lease expires in December this year, there is effectively no time to implement this option.

Sustainability Assessment

Sustainable Economic Growth and Development

The caravan park provides a place for short term stays close to the CBD. Undoubtedly patrons of the park make a contribution to the economic growth and development of Lismore through the money that they spend on goods and services in Lismore. By conducting a process to secure another lessee for the facility, this benefit to the CBD will be maintained.

Social Inclusion and Participation

A full Social Impact Assessment (SIA) was completed according to Council's decision at the meeting of 11 May 2010 inter alia that: *"Council conduct a social impact assessment of the [potential] closure and work with appropriate agencies to relocate the residents."*

A copy of the full SIA report was provided to Councillors with the report to the meeting of 8 March 2011. In summary:

- There are up to 150 people who could potentially be rendered homeless by closure of the caravan park. At the time of the assessment, around 90 people, including children, had been living there for over 28 days.
- These are among the most vulnerable people in Lismore – 2/3rds have a disability, many were previously homeless, 90% receive some form of Centrelink payment, there were six (6) children living there. Many of these residents would not be able to sustain a tenancy without support.
- There is inadequate private and social housing stock in Lismore to accommodate this number in a short time frame. There are options for residents to go out of area to attain social housing tenancies.
- Council's Social Planner has been working with local housing organisations to deliver an integrated response to the housing and support needs of this group. A barbecue was held at the caravan park in December 2010 to provide information and tenancy advice and advocacy. 86% of respondents to a survey taken on that day indicated they wanted secure housing.
- Council's Social Planner organised a Housing and Support Services Expo at the caravan park on 22 March 2011. Housing and support services in Lismore provided information, advice and assistance to residents to attain private tenancies or social housing. Alternative accommodation was found for a number of residents as a result of that expo.

The social impact and financial cost of the significant risk of residents being regularly flooded, forced to evacuate and relocate and the subsequent loss of property and possessions, or even life, needs to also be factored into Council's decision.

Protect, Conserve and Enhance the Environment and Biodiversity

The proposal to proceed to an open tender process to secure a new lessee for the facility is considered to have no effects on the environment or biodiversity.

Best-Practice Corporate Governance

The location of the caravan park is far from satisfactory. It is effectively the lowest part of the CBD and is regularly inundated by floodwaters. Having people stay in the park puts them at risk during flood events. From a risk management perspective the ideal outcome would be to close the caravan park and remove the risk.

The Local Emergency Management Committee, the Floodplain Management Committee and the SES have all outlined their support for the caravan park to cease operating for long term residents in its current location.

Having regard to the findings of the Social Impact Assessment, and Council's apparent desire to maintain some form of short term accommodation option at the facility, a review of the evacuation procedures will ensure reduced risks for patrons of the facility. A more conservative approach than has been taken in the past will assist in this regard.

Comments

Finance

There are no financial implications to Council at this early stage however the following information is provided for background purposes. The Operational Plan includes an ongoing net contribution from the Lismore Tourist Caravan Park (LTCP) towards general revenues of \$42,500 and the Delivery Plan provides for capital works associated with the relocation of the LTCP in 2012/13 and 2014/15 of \$750,000 from new loan funds. Council will need to consider the budgetary implications on the 2011/12 Operational Plan once a final position has been negotiated.

Other staff comments

Comments from Council's Social Planner included under the Sustainable Assessment – Social Inclusion and Participation section.

Public consultation

Not applicable.

Conclusion

The recommended approach is for Council to call open tenders to lease the facility. Whilst Council could deal directly with the one respondent to the EOI process, there has already been one other party express interest in leasing the facility that did not see the opportunity when the EOI was advertised.

Based on the legal advice received, any person who wishes to stay at the caravan park can do so for up to 150 days in a 12 month period, provided that they are renting a caravan from the park owner/lessee. Those longer term tenants that have their own caravans are subject to different rules and it is recommended that the tender documentation include a 12 month timeframe for the lessee to resolve their tenancies in accordance with the relevant legislation.

The tender documentation also needs to include a requirement for respondents to outline a process to transfer existing tenants that are entitled, or wish, to stay in the park, across when the change of lessee occurs, and the number of on-site vans that they propose to make available for this purpose.

Based on the responses received from other caravan parks in the Lismore area, there are limited opportunities for tenants of the Tourist Caravan Park to transfer to those facilities. Council staff will continue to work with the relevant housing agencies to assist in relocating residents to all forms of available accommodation where and if required.

Attachment/s

1. Letter from Lismore Palms Caravan Park
2. Letter from Lismore Lake Holiday Park

Recommendation

That:

1. Council proceed to call open tenders for the lease of the Lismore Tourist Caravan Park.
2. The tender documentation include provisions for respondents to resolve the tenancies of existing long term residents of the park with their own moveable dwelling in accordance with the relevant legislation within 12 months of entering a lease for the facility.
3. The tender documentation include a requirement for respondents to outline the number of on-site vans they intend to make available for rent to prospective tenants and the process by which they will select and transfer existing tenants renting on-site vans across to their operation upon commencement of the lease.
4. Council continue to work with the relevant housing agencies to assist in relocating residents where and if required.
5. Council continue to work with the current lessee to ensure that their obligations to the existing residents are understood and met in regards to their departure from the facility in December 2011.
6. Council write to the current lessee and tenants of the caravan park advising of the outcome of the expression of interest process and its intention to call tenders for the lease of the facility.

LISMORE PALMS
Caravan Park
ABN 65 361 166 286

42-58 Brunswick St.,
Lismore 2480
Phone: (02) 6621 7067
Fax: (02) 6621 7167

Host: Geoff Smith – Proprietor

1st June, 2011

Mr. Scott Turner,
C/- Lismore City Council,
P.O. Box 23A
LISMORE 2480.

Dear Scott

RE:CARAVAN PARK FACILITIES

In reference to your letter dated 24/05/11 as above I respond to your enquiries.

No, we don't have the capacity to accept additional patrons on a medium to long term tenancy at this time. Lismore Palms Caravan Park is a small park running at full capacity. We have quite a large pile of applications for long term people waiting for vacancies to our park.

As you may already know the Lismore Palms Caravan is up for sale as the owner Geoff Smith is wanting & trying to retire.

On 12/04/11 Geoff Smith attended your Council meeting and gave a talk on the possibilities of developing or extending the caravan park out of flood reach on the high area of land available on park property for any prospective buyer of the park. This could house approximately 28 sites for long term tenants or 43 sites if the fill was extended. Please find attached drawings for both options.
At present we use this area for flood evacuations and as a van and shed storage area.

Geoff Smith has written letters to council over the past years and collaborated with Cr Battista on his motion at the above mentioned Council meeting. We are of the opinion that Lismore Council is well aware of our situation and all the possibilities of our park.

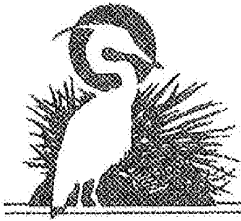
Yours Sincerely,



Kathy Jordan – Park Manager

ON EXISTING FILL





LISMORE LAKE HOLIDAY PARK

ABN 51 775 339 080 002

156 Bruxner Highway (PO Box 6369) South Lismore, NSW. 2480
Phone: (02) 6621 2585 Fax: (02) 6622 7573

6th June, 2011

Lismore City Council
PO Box 23A
LISMORE NSW 2480

ATTENTION: Mr Scott Turner

Your Ref: ST/LM: P14798

In relation to your questionnaire letter dated 24th May, 2011 re the future of the Lismore Tourist Park.

- Q1. Yes we do have the capacity to accept long term patrons
- Q2. Yes we have Council approval to accommodate long term residents (82 sites)
- Q3. We have park owned caravans and cabins available for long term accommodation. At present we have approximately 20 vacant sites available for quality long term accommodation.
- Q4. The park will accept applications from all interested Tourist Park residents and subject to availability we will assist Council in relocation of any successful applicants.
- Q5. Yes we believe the transition could be made easier for Council if those relocating had quality accommodation of their own to move to.

- 2 -

The park is at present in its final stage of revamping permanent accommodation within. Our aim is to offer quality accommodation to attract quality tenants.

We hope to discuss with Council a range of solutions to assist Council with the possible relocation of the Tourist Park.

Yours sincerely,
FS & EA Burke
Trading as
LISMORE LAKE HOLIDAY PARK



FS BURKE
OWNER

Report

Subject	Rural Residential Planning Proposals
TRIM Record No	BP11/512:P29732
Prepared by	Manager - Integrated Planning
Reason	For Council to consider how it deals with rural residential planning proposals for Modanville and The Channon and secondly whether or not to apply a temporary moratorium to progressing any future rural residential planning proposals.
Community Strategic Plan Link	Provide Sustainable Land-use Planning

Overview of Report

This report deals with four issues:

1. a resolution how to deal with two Planning Proposals (PP) for rural residential rezoning at Modanville and The Channon.
2. a resolution on whether or not to apply a temporary moratorium to progressing any other future rural residential PP until Council completes its Housing Strategy or Growth Management Strategy.
3. as part of Council's consideration of 1 and 2 above a discussion about the potential impact of progressing rural residential PP prior to the finalisation of Council's Housing Strategy and/or Growth Management Strategy.
4. as part of Council's consideration of 1 and 2 above a discussion about the impact assessing rural residential PP would have on Council's ability to deliver on the work program commitment in the 2010-2014 Delivery Plan and various other Council resolutions relating to land releases.

This report recommends that Council:

- resolves to not progress the current PP for Modanville and The Channon at this time, and
- resolves to adopt a temporary moratorium on progressing these and any future rural residential PP until the completion of the Housing Strategy.

Background

The Modanville and The Channon Planning Proposals (PP)

Council is in receipt of two PP as follows:

1. The Modanville proposal received by Council in February 2010 seeks a Rural Residential zoning for 14.2 hectares of land in Dunromin Drive, Modanville (identified as Lot 22 DP 861639). The subject site is zoned 1(a) General Rural under the current Lismore Local Environmental Plan 2000 (LEP) and proposed to be zoned predominantly RU1 Primary Production with a small area of RU2 Rural Landscape under the Draft LEP. The site directly adjoins areas of Modanville zoned 1(c) Rural Residential (current LEP) and R5 Large Lot Residential (Draft LEP).

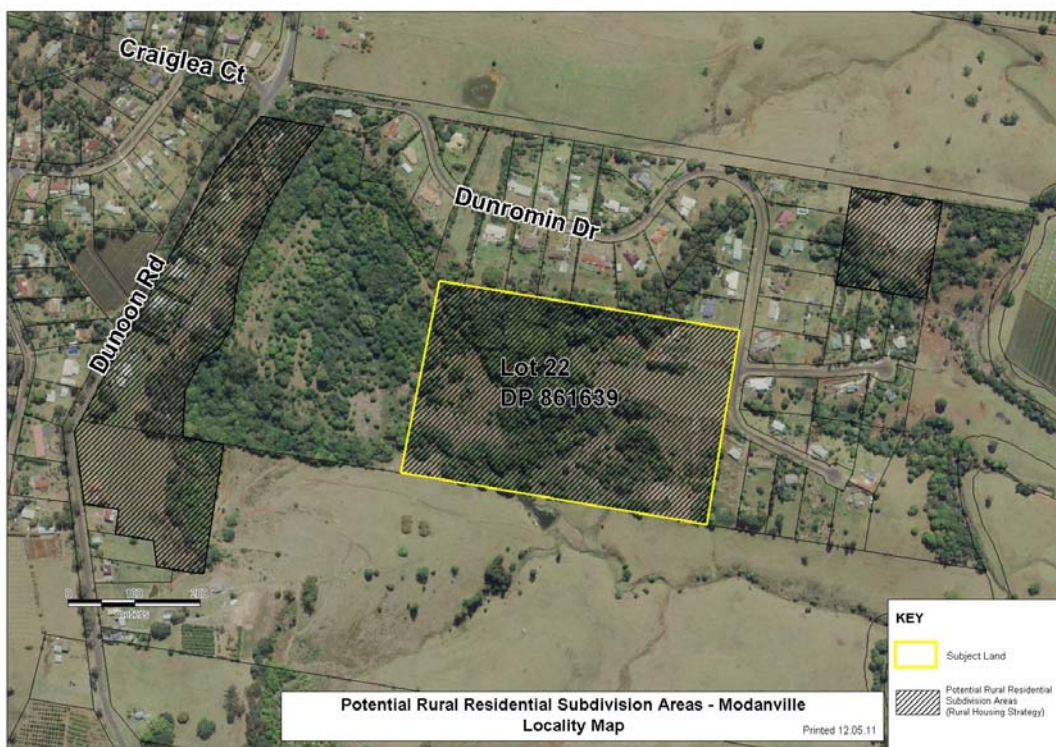
For site and locality details refer to the maps contained within this report.

2. The Channon proposal, received by Council in February 2011 seeks a Rural Residential zoning for 9.5 hectares of land in Tuntable Creek Road (identified as Lot 10 DP 1112849), adjoining The Channon village. The subject site is zoned 1(a) General Rural under the current LEP and proposed to be zoned RU2 Rural Landscape under the Draft LEP. While the site adjoins The Channon

Village it is separated from it by Terania Creek. The Channon Village is zoned 2(v) Village under the current LEP and proposed to be zoned RU5 Village under the Draft LEP.

For site and locality details refer to the maps contained within this report.

Modanville site and locality map



The Channon site and locality map



It's an important point that this report does not do a merit assessment of the PP rather it looks at whether or not the merit assessment should be progressed at this stage. Council has discretion in this matter and there are no statutory appeal rights. When Council does an assessment of the PP on their merits there are two options namely: (1) not to proceed or (2) to resolve to proceed and to forward the PP to the Minister for Planning and Infrastructure for determination.

Both sites are identified in the Lismore Rural Housing Strategy 2002 as having potential for rural housing including rural residential subdivision. However, both sites still need to be assessed through the PP process to be considered for a rezoning.

Should Council decide to consider progressing these two PP, further detail will be required about each site, the local environment and any potential issues.

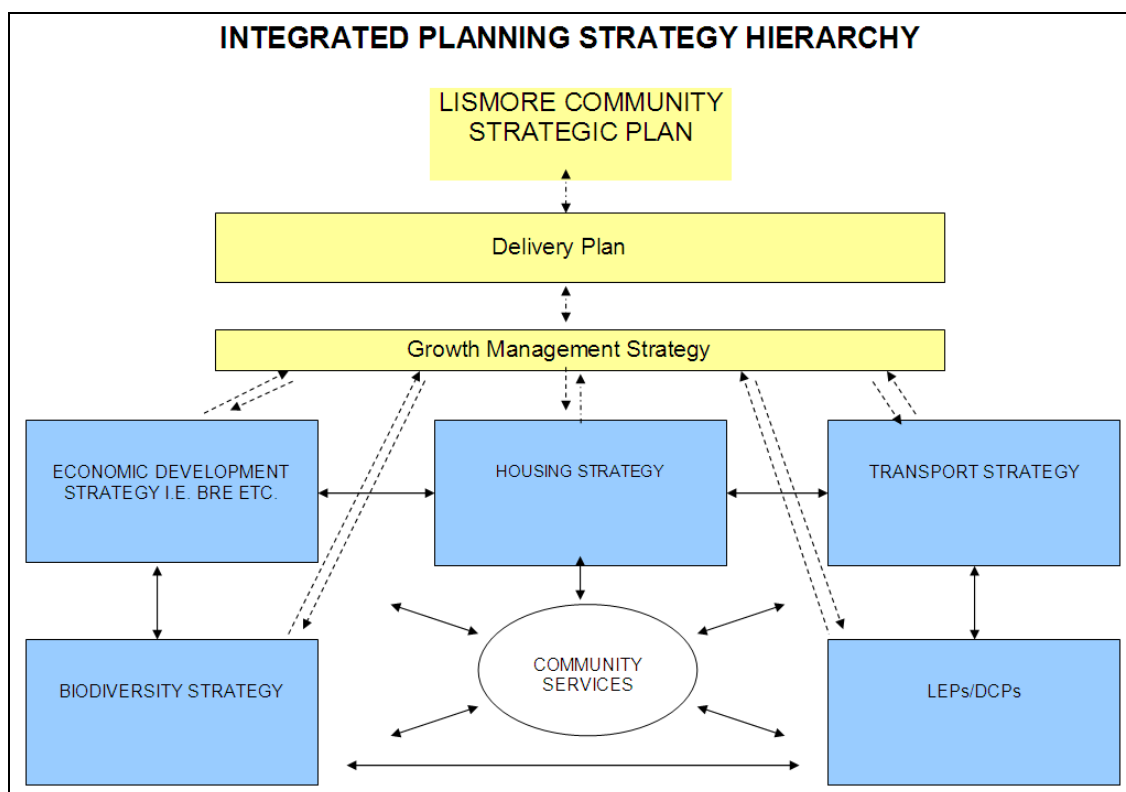
Lismore Housing Strategy and Growth Management Strategy

In accordance with commitments in the Lismore City Council Delivery Plan 2010-2014 Council is in the process of developing a Housing Strategy that will identify:

- the future housing mix for Lismore
- the appropriateness and potential location of rural residential development, and
- the future form and character of Lismore's villages.

The Housing Strategy is being informed by extensive sector and community consultation.

It is noted that a review of the Rural Housing Strategy has been rolled into the more overarching Housing Strategy. Outcomes from the Housing Strategy and other strategic documents identified in the 'Integrated Planning Strategy Hierarchy' diagram below will determine the content of Council's Growth Management Strategy (GMS).



The GMS is a spatial land use planning tool that will identify where Council and the community wants particular land uses to occur e.g. rural residential development. The DoPI requires Council to have a GMS. All future planning proposals and LEP's will be assessed against Council's strategic land use planning intentions identified in its GMS.

It is anticipated that the Housing Strategy will be completed by June 2012 and the GMS by June 2013.

Recommended moratorium on progressing rural residential Planning Proposals

If Council resolves to proceed with rural residential PP at this time it risks pre-empting land use planning outcomes before it has had a wider debate about:

- the appropriateness and location of future rural residential development; and
- the future form and character of Lismore's villages.

This debate and discussion will be formulated into Council policy via the Housing Strategy and GMS. The development of the Housing Strategy and GMS will be informed by and embody the outcome of extensive community and sector consultation and expectation.

It is important to note that the Lismore Rural Housing Strategy identifies approximately 1200 hectares of 'potential rural residential areas' over ten locations, although it is noted that approximately half of this has already been 'rezoned' or excluded (e.g. Pineapple Road).

A moratorium on progressing rural residential PP stops proposals for this form of development until Council and the community can review policy about the appropriateness, form and location of rural residential and village development.

Such a moratorium cannot be retrospective but the market will remain well served by the resource of rural residential subdivisions/rezonings already approved by Council e.g. 62 lots in Cameron Road, McLeans Ridges, 26 lots in Stony Chute Road, Nimbin (rezoning approved but development application not yet received), as well as two proposed rezonings in the draft LEP and a number of undeveloped lots in existing rural residential zones across the local government area.

Impact on Council's resources and work program

For reasons of limited resources and current work demands Council has been using external planning consultants to assess planning proposals and draft the necessary reports for Council e.g. North Lismore Plateau and the Crawford land. However, in addition to a planning consultant, PP demand a significant level of technical input from Council staff. Process management and corporate input must also remain the responsibility of staff.

In particular resources and time are required for the following:

- assessment of PP by technical staff e.g. asset management and impact including waste water and traffic/roading, environmental health and social impact. The timely production of these assessments has to be managed and co-ordinated. With respect to this there is an ongoing education process occurring with technical staff to understand the specific nature and requirements of assessing a PP as opposed to a development application.
- reviewing consultant reports and ensuring that they are adequate for Council purposes then managed through the agenda preparation process.
- ensuring that the corporate implications of progressing PP are understood and acceptable.
- implications for infrastructure management, Council policies and budgets need to be understood.
- responding to applicant, community and media enquiries.
- reviewing PP reports for technical adequacy and liaison with the DoPI.

Staff resources must also be allocated to deal with PP post the gateway. This includes:

- ensuring that the technical information and reports required are adequate and commented on by the appropriate technical staff.
- managing any required public exhibition, State agency consultation and responding to all resulting enquiries and issues.
- managing a similar process to that outlined above in terms of reporting 'post gateway' PP back to Council for its final support or rejection. Then reference to the DoPI for final making as an LEP amendment.

It is important to note that the DoPI sets timelines for progressing PP once they have passed the gateway to ensure completion by Council. Achievement of these timelines is actively monitored by the DoPI and keenly pursued by PP applicants and other interested parties.

It is acknowledged that each PP will present different levels of issue and need for supporting technical detail but the process described above will remain the same.

Progressing Modanville, The Channon and other rural residential PP will have an impact on Council's ability to achieve the work program it has committed to in its 2010-2014 Delivery Plan and various Council resolutions relating to land releases. This includes:

- Finalising the draft LEP
- Planning for the Crawford, Invercauld Road, Chilcotts Grass and North Lismore Plateau land release areas
- Development and reporting of the:
 - Housing Strategy,
 - Sustainable Economic Development Strategy,
 - Traffic Strategy,
 - Growth Management Strategy,
 - Koala Plan of Management, and
 - Biodiversity Strategy.

Staff have prioritised, resourced and established a work program to achieve the outcomes committed to in Council's Community Strategic Plan 2008-2018 and Delivery Plan 2010-2014. At current staffing levels the direct result of a greater rural residential PP workload will be time slippage in the delivery of all these work areas.

It is noted that both the Modanville and The Channon PP have been slow to progress due to a lack of staff to work on them in the face of Council's established priorities and the extraordinary workload presented by the draft LEP.

Sustainability Assessment

Sustainable Economic Growth and Development

Placing a temporary moratorium on the consideration of rural residential planning proposals will allow Council to progress and deliver The Sustainable Economic Development Strategy and Growth Management Strategy in accordance with commitments made in Council's Delivery Plan 2010-14. It will also provide the market with certainty about when Council will be in a position to progress the consideration of rural residential PP in a timely manner against contemporary strategic criteria, detailed in the Housing Strategy.

Protect, Conserve and Enhance the Environment and Biodiversity

Placing a temporary moratorium on the consideration of rural residential PP will allow Council to deliver the Biodiversity Strategy and GMS in accordance with commitments made in Council's Delivery Plan 2010-2014.

Best-Practice Corporate Governance

Placing a temporary moratorium on the consideration of rural residential PP will allow Council to deliver on the strategic work program committed to in its Delivery Plan 2010-2014. This Delivery Plan is the statutory mechanism that allows Council to deliver the outcomes etc identified in The Lismore Community Strategic Plan 2008-2018 and anticipated by the community.

These documents provide explicit direction for Council's annual operating budgets as well as the work programs set across Council's Directorates.

This moratorium will also allow Council to deliver on the resolutions it has made regarding various land releases across the City.

Public consultation

Other than an open public workshop on this matter held on 31 May 2011 and the subsequent media article there has been no specific public consultation on this matter. However, community and sector consultation associated with the development of Council's Housing Strategy has already commenced, most notably in the form of Council's Housing Survey which remains open and has already received a strong response.

In accordance with Council workshop briefings the Draft Housing Strategy will also be made available for community and sector comment before final presentation to Council. A similarly open and inclusive process will be followed in the development of Council's Growth Management Strategy.

Conclusion

It's an important point that this report does not do a merit assessment of the PP. Rather it looks at whether or not the merit assessment should be progressed at this stage. Council has discretion in this matter and there are no statutory criteria for Council's consideration. There are also no statutory appeal rights. When Council does an assessment of the PP on their merits there are two options namely; (1) not to proceed or (2) to resolve to proceed and to forward the planning proposal to the Minister of Planning for determination.

By progressing rural residential PP during the development of its Housing Strategy Council risks compromising the outcomes of this strategy before it is complete.

Progressing PP create a significant workload for Council staff across the organisation. At current resourcing levels, continuing to progress rural residential PP will compromise Council's ability to deliver on commitments it has made by resolution and in its Delivery Plan 2010-2014. Time slippage will also compromise delivery of outcomes required for land releases across the City, in particular the Crawford land, Invercauld Road, Chilcotts Grass and North Lismore Plateau.

Given the above, a temporary moratorium on progressing rural residential PP until the completion of the Housing Strategy in June 2012 is appropriate. As of June 2012 sufficient resources should be available to enable the timely consideration of rural residential PP. At this time Council and the market will also have the Housing Strategy against which to assess rural residential PP.

It is recommended that this temporary moratorium should apply to the consideration of the rural residential PP for Modanville and The Channon currently with Council.

Attachment/s

There are no attachments for this report.

Recommendation

That Council

1. Does not progress at this time the current planning proposals for rural residential rezoning at Modanville over Lot 22 DP 861639 and The Channon over Lot 10 DP 1112849 for the reasons outlined in the report.
2. Places a temporary moratorium on the progressing of rural residential planning proposals, including those planning proposals identified in (1) above until it has adopted its Housing Strategy for the reasons outlined in the report.

Report

Subject	Tender T2011-21 - Supply of Pavement Patching Machine
TRIM Record No	BP11/315:EF11/36
Prepared by	Fleet Operations Coordinator
Reason	To seek Council approval to purchase a new road patching truck.
Community Strategic Plan Link	Efficient Use of Council Resources

Overview of Report

Several tenders were advertised during March 2011. This report outlines the assessment process and results for an automatic patching machine to be used on the rural road network.

Background

Overview

The provision and upkeep of local roads is one of Council's most important responsibilities, with Local Governments spending in excess of \$60 million each year across NSW on pothole repairs alone. In the 2010/2011 financial year Lismore City Council allocated some \$910,000 towards the repair of potholes and it is the responsibility of Council's Infrastructure Services Directorate to plan for that money to be spent in such a way as to deliver the best possible result for Lismore ratepayers.

Following a professional review of the Infrastructure Services Directorate undertaken by external consultants, Complete Urban; consideration of community feedback provided by ratepayers and feedback provided by professional engineering staff, it is recommended that automated patching machines are retained as part of Council's overall road repair management practices. It should be noted that the targeted use of these vehicles has been revised to ensure the most effective methods for incorporating these vehicles into Council's overall pothole management strategy are being applied.

Pavement Repair Methods

Pothole management strategies fall within a broader road management strategy implemented by LCC. The strategy recognises, as does road management 'best practice', that pothole filling is not intended to represent a long term road rectification solution, but instead is a technique designed to manage road deterioration over the life span of the pavement. All pothole management processes are conducted within the context of an overall road repair program which is outlined below:

- **Long Term** – road reconstruction/rehabilitation. This work involves construction of a completely new road pavement with a 20 – 25 year asset life.

- **Medium term** – road base or mill and pave repair. This method involves excavating the failed pavement area and replacing with either road base or asphalt. This work can extend the life of the asset by several years depending on the severity of the failure.
- **Short term** – this method involves the repair of potholes with a bituminous product. This repair is an interim measure aimed at managing the deterioration of pavements over time until medium or long term solutions can be implemented.

Pothole Management Strategy

Subsequent to the recent Infrastructure Services review undertaken by Complete Urban and community feedback, the revised strategy for the repair of potholes is set out below:-

- Traditional road teams using the small flo-con truck (hotmix) will be used in the CBD and on the outer CBD roads, to manage any concerns regarding over-spraying by the automated patching machines.
- Infrastructure Services has identified that automated patching machines are not effective in extreme wet weather conditions and therefore will not be used during those times.
- Infrastructure Services has also identified that areas subject to a lot of turning traffic are not suitable for automated patching machines and therefore those machines will not be used on those locations – traditional road teams or more intensive mill and fill techniques will be used.
- Infrastructure Services has received advice from consultants, Complete Urban, that the Paveliner is the preferred automated patching machine for Council purposes. Infrastructure Services is also aware that the Paveliner technology has improved and now includes a capacity to sweep away most of the excess surface stones.
- Automated patching machines represent a significant advantage in providing a safer environment for operational staff by reducing staff exposure to hot materials, traffic and heavy lifting in varying environmental conditions.
- Automated patching machines are more efficient than traditional road teams and therefore result in a greater number of potholes being filled in the shortest amount of time.

Cost Comparisons.

A comparison of data demonstrates that more rural potholes across the LCC road network can be filled using the automated patching machine. The cost benefits are outlined below.

Repair Method	Daily productivity	Unit Rate	Annual Work Quantity	Annual Cost (180 working days)
Hot mix pothole repair (Flocon)	5 Tonnes or, 40 sq metres or 200 potholes.	\$710 per tonne, \$89 per sq metre, \$17.75 per pothole.	1,260 T	\$894,600
Automatic pothole repair (Paveline).	7 Tonnes or, 72 sq metres or 360 potholes	\$375 per tonne. \$45 per sq metre, \$7.3 per pot hole.	1,260 T	\$472,500
Total annual savings with Automatic Patching Machine.				\$422,100

Plant Replacement

As part of the 2010/11 plant replacement plan several tenders were called in March 2011. Tenders for two rollers and three trucks were reported to the May 2011 Council meeting. A tender for a road pavement patching truck has now been evaluated and is reported here.

These tenders were conducted under the Local Government Procurement process. Local Government Procurement Pty Ltd CAN 117 201 046 (LGP) was established in June 2006 (and prescribed as a bulk purchasing organisation on 18 August 2006), to provide a fully integrated procurement service to councils in NSW. The company was formed by the Local Government and Shires Associations of NSW on behalf of its members to create a full service procurement operation dedicated to meeting the specific needs of Local Government.

Councils in NSW are required to invite tenders before entering into certain contracts under Section 55 of the *Local Government Act* 1993. However, councils can utilise supply arrangements procured by LGP without the need to go to tender in their own right.

In conducting the tender process LGP aims to undertake processes which reflect best practice in local government procurement and address relevant probity considerations.

T2011-21 – Pavement Patching Machine for Use on Road Maintenance

This tender is to replace existing Plant No. 167. It is a Paveline patcher mounted on an Isuzu FVZ1400 truck and was purchased new in February 2001. It shows 11,860 hours. According to adopted standard replacement criteria for large construction equipment this machine is due for replacement. This is confirmed by the condition of the machine and reinforced when compared to the lower emissions and more efficient new machines tendered. The existing machine is encountering increased downtime due to wear and tear and therefore it is proposed that the new pavement patching machine will be scheduled for a shorter replacement period of eight years.

Tenders were received from the two (2) LGP contractors, offering all five (5) different options.

Tender Evaluation

Assessment of the tenders was conducted by fleet and operations staff in accordance with Council purchasing procedures. The tenders were evaluated using the following weightings:

❖ Price	40%
❖ Capability	40%
❖ Quality and Safety	5%
❖ Environment and Community	5%
❖ Local Content	10%

Assessment information is attached for review but key criteria influencing the recommendation by staff are summarised in the following table:

Tendered by	Tender 1	Tender 2	Tender 3	Tender 4	Tender 5
	Paveline International	Paveline International	Paveline International	Ausroad Systems	Ausroad Systems
Patcher Make	Paveline	Paveline	Paveline	Jetpatcher	Jetpatcher
Truck Make	Isuzu	DAF	Isuzu	Hino	Isuzu
Truck Model	FVY1400	FAT CF75	FVZ 1400	FM2630	FVZ 1400M
Prices incl GST	\$406,621.00	\$424,031.00	\$395,944.00	\$376,338.80	\$ 380,019.20
Patching boom -spread of aggregate delivery	smaller spread, minimal loose stone	smaller spread, minimal loose stone	smaller spread, minimal loose stone	wider spread	wider spread
Patching boom - line of sight to point of discharge	always	always	always	depends on position of boom	depends on position of boom
Aggregate spillage	minimal	minimal	minimal	significant	significant
Truck suspension -airbag suspension keeps the spray bar at constant height	airbags	airbags	6 rod	6 rod	6 rod
Dust control on broom	more effective	more effective	more effective	effective	effective
Loading control	safety warning	safety warning	safety warning	no alert	no alert
Spray-tip cleaning	heated self-cleaning	heated self-cleaning	heated self-cleaning	uses kerosene	uses kerosene

The Paveline is preferred over the Jetpatcher; and air suspension on the truck is preferred over 6-rod suspension. Taking these into account with price, Tender 1 is the preferred option.

Sustainability Assessment

Sustainable Economic Growth and Development

New equipment generally infers newer technologies and increased operational efficiency. Maintaining an up-to-date fleet upholds efficiency levels throughout Council's operations.

Protect, Conserve and Enhance the Environment and Biodiversity

Regular updating of equipment means that the latest environmental standards are introduced into the fleet. The proposed new trucks meet the Euro 5 emissions standards.

Best-Practice Corporate Governance

Council's 10-year fleet replacement plan sets out approximate times for the replacement of each plant item. Staff are continuing to work towards bringing the fleet into line with this plan and these items were identified as being due or overdue for the 2010/11 replacement plan. Operating a 10-year plant replacement plan is considered a key best practice activity for councils.

Comments

Finance

The total purchase price of the plant listed is approximately \$369,700 (ex GST). This investment will be partially offset by the proceeds from auctioning the plant items being replaced.

The 2010/11 Operational Plan anticipated the replacement of the Paveline patcher (plant 167) as part of the 2010/11 Plant Replacement Program. Even though the anticipated gross cost was \$286,100 compared to an actual of \$369,700, there are sufficient funds available for this purchase in the Fleet Operations Reserve.

Other staff comments

Manager-Works

Infrastructure Services has developed a revised pothole management strategy which incorporates the targeted use of automated patching machines. The works section maintains that these vehicles significantly increase the Council's capacity to fill a larger number of potholes in a shorter period of time on rural roads and therefore result in improved delivery of service to ratepayers.

The recommendation to purchase a Paveliner is endorsed by the Works section, and the improvements with the latest model will improve the machine's overall performance, being

- Rear broom attachment for removing excess stone from the roadway.
- Self cleansing nozzles, preventing blockages and downtime.
- Operator friendly controls.
- Load Management system.

Public consultation

Considerable public feedback has been received during the Special Rate Variation meetings and regular Rural Contact Forums. Staff have adopted a new pothole management strategy which address many of the community concerns. Also the recommended machine has the ability to sweep off loose stone from patches.

Conclusion

From the assessment process the recommended purchase is for a Paveline Patching machine, mounted on an Isuzu FVY1400 cab/chassis.

Attachment/s

1. Pavement Patching Summary

Recommendation

That Council:

1. Accept the tendered offer from Paveline International Pty Ltd (Option 1) for a Paveline Autopatch on an Isuzu FVY1400 Auto Cab/chassis at a total cost of \$369,656 plus GST.
2. Sell by auction Plant No 167, a Paveline Autopatch on an Isuzu cab/chassis.

Tender T2011-21		Description of Tender												
		Pavement Patcher 22.5 GVM		Tendered by:										
				Pavelive Option 1		Paveline Option 2		Paveline Option 3		Ausroad Systems		Ausroad Systems		
				Make: Paveline Body/Isuzu Chassis		Paveline Body/DAF Cab Chassis		Paveline Body/Isuzu Chassis		Jetpatcher Unit/Hino		Jetpatcher Unit/Isuzu		
				Model: FVY1400 Autocab				FVZ1400 Med Auto		FM2630 Auto Spring		FVZ1400 Med Auto		
				Tender 1		Tender 2		Tender 3		Tender 4		Tender 5		
Criteria		Weighting from Tender Docs	Raw Score	Weighted & calculated	Raw Score	Weighted & calculated	Raw Score	Weighted & calculated	Raw Score	Weighted & calculated	Raw Score	Weighted & calculated	Raw Score	Weighted & calculated
1	Total Price (out of 10; against average)	40%	2.8	1.11	2.5	0.98	3.0	1.18	3.3	1.32	3.2	1.30		
2	Capability and Experience (out of 10)	30%	7.0	2.80	6.5	2.60	6.0	2.40	5.3	2.10	5.3	2.10		
3	Quality and Safety (out of 10)	5%	7.3	0.37	7.3	0.37	7.3	0.37	5.7	0.28	5.7	0.28		
4	Environment and Community (out of 10)	5%	7.0	0.35	7.0	0.35	7.0	0.35	6.0	0.30	6.0	0.30		
5	Local Content Minimum 10% (Out of 10)	18%	6.0	0.60	6.0	0.60	6.0	0.60	6.0	0.60	6.0	0.60		
		100%		5.23		4.90		4.90		4.61		4.58		
			Overall score out of 100			52.25		49.01		49.01		46.07		45.81

Report

Subject	Section 356 Miscellaneous Community Donations 2011-2012
TRIM Record No	BP11/486:EF11/9
Prepared by	Community Services Officer (Social Planner)
Reason	For Council to determine the S356 miscellaneous community donations for 2011/2012
Community Strategic Plan Link	Social Inclusion and Participation

Overview of Report

Council has an annual funding process under Section 356 for miscellaneous community donations. This report shows the results of the 2011/2012 voting and recommends the allocation of these funds.

Background

Council has allocated \$30,500 in its 2011/2012 Budget for Miscellaneous Section 356 Community Donations. In accordance with Council policy, applications were sought from community groups and a total of 24 organisations lodged eligible applications. In an offline poll, the following 14 projects were voted by Councillors as being preferred projects for funding, scoring 7 votes and above out of a possible 11.

Organisation	Amount	Total
1. Lismore Diabetes Branch	\$2,200	11
2. On Track Programs – Rent it, Keep it	\$2,200	10
3. Lismore Regional Mission	\$2,200	10
4. LBH Auxiliary	\$2,200	9
5. Lismore High School P&C	\$2,200	8
6. MH Support Group	\$2,200	8
7. In Good Company	\$2,200	8
8. 1st Lismore Scout Group	\$2,200	7
9. Cedar Guitar Awards	\$2,200	7
10. NR Wildlife Carers Inc	\$2,179	7
11. Mental Health Family/Carers Support	\$2,200	7
12. Lismore Neighbourhood Centre	\$2,000	7
13. WIRES Northern Rivers	\$2,000	7
14. Kids in Community	\$2,200	7
TOTAL	\$30,379.00	

Sustainability Assessment

Sustainable Economic Growth and Development

Council allocates \$30,500 in the annual recurrent budget for this purpose.

Social Inclusion and Participation

Positive and sustainable social outcomes result from the provision of this funding to local community groups in the Lismore Local Government Area.

Comments

Finance

Council has allocated \$30,500 in the 2011/2012 Budget for this purpose.

Public consultation

The funding round was advertised in the Northern Rivers Echo for a period of 40 days from 3 March 2011 until 11 April 2011. Notification of the funding round was also disseminated through the Lismore Interagency and Disability and Ageing networks.

Conclusion

\$30,379 of the 2011/2012 S356 miscellaneous community donations budget (\$30,500) will be expended by applying it to the 14 community groups who received the strongest support from Councillors.

Attachment/s

There are no attachments for this report.

Recommendation

That Council endorse the 2011/2012 Section 356 miscellaneous community donations to the projects identified in the table below:

Lismore Diabetes Branch	\$2,200
On Track Programs – Rent it, Keep it	\$2,200
Lismore Regional Mission	\$2,200
LBH Auxiliary	\$2,200
Lismore High School P&C	\$2,200
MH Support Group	\$2,200
In Good Company	\$2,200
1st Lismore Scout Group	\$2,200
Cedar Guitar Awards	\$2,200
NR Wildlife Carers Inc	\$2,179
Mental Health Family/Carers Support	\$2,200
Lismore Neighbourhood Centre	\$2,000
WIRES Northern Rivers	\$2,000
Kids in Community	\$2,200

Report

Subject	Festivals and Events Strategy and Festivals and Events Contributions Policy
TRIM Record No	BP11/416:EF10/174
Prepared by	Events Coordinator
Reason	To adopt the Festivals and Events Strategy and adopt the Festivals and Events Contributions Policy
Community Strategic Plan Link	Develop and Support Art, Cultural, Sporting and Tourism Activities

Overview of Report

Following the Council meeting of 12 April 2011 the draft Festivals and Events Strategy and Festivals and Events Contributions Policy were placed on public exhibition. One submission was received and is outlined in this report.

Background

The draft strategy and policy were advertised for public comment for a period of twenty eight days concluding 27 May 2011. One submission was received from the Northern Rivers Social Development Council (NRSDC). Their submission stated:

"NRSDC lodged a "transport based" submission after discussion with the Lismore Sustainable Transport Reference Group. The group suggested additions to the "Specific Strategies/Future actions" section of the strategy they being;

- *Lismore City Council to work with festival and event organisers and public transport providers on joint ticketing options for all major events*
- *Lismore City Council to promote usage of public transport through Development Applications conditions (e.g. parking restrictions)*
- *Lismore City Council will promote car pooling through a Development Applications condition that all event and festival advertising contain a link to the Northern Rivers CarPool website and all festivals and events be added to the car pool website."*

Staff comment

The strategy should (and does) acknowledge options regarding public transport. The NRSDC submission is supported in principle, however the following comments are made in clarification:

- Not all events have to lodge a Development Application, e.g. major sporting events at Oakes Oval. Therefore Development Application conditioning is not always possible.
- Venues/events do not always lend themselves towards public transport options, i.e. too costly or too logistically difficult.
- Some events websites are virtually "owned" by sponsors with elaborate contractual obligations and therefore dictating content can be difficult.

The recommendations within the submission have merit and accordingly amendments have been made to page 7 of the strategy to state the actions listed will be considered 'where possible'.

Sustainability Assessment

Sustainable Economic Growth and Development

The draft Strategy has a positive effect on the local economy and local employment by attracting residents and visitors to the Lismore local government area to attend festival and events. It supports the priority objectives in relation to the central business district. Events that have a longer stay component (i.e. at least 2 or 3 day/nights) significantly contribute to Lismore's economy and should therefore be a priority bidding target.

Social Inclusion and Participation

Events undertaken by or supported by Council's Events Unit are socially inclusive for all groups as identified in the Community Strategic Plan 2008-2018.

Protect, Conserve and Enhance the Environment and Biodiversity

The Event Policy assessment criteria states event organisers should consider "compatibility with the environment and assessment of any positive or negative environmental impacts. This includes compatibility with Council's Community Strategic Plan and associated planning requirements".

Best-Practice Corporate Governance

The draft Strategy supports the efficient use of Council resources particular in relation to its primary target market.

Other staff comments

Tourism Coordinator

Festivals and events are important economic drivers for Lismore, providing significant financial benefits for the tourism industry and broader business community. The draft Festivals and Events Strategy is an important plan that will continue to build Lismore's reputation as a great place to host festivals and events. The draft Festivals and Events Contributions Policy is also an important initiative that will see council and key business stakeholders working together to attract events to the City of Lismore.

Public consultation

Consultation has been undertaken with community stakeholders. Random surveys also provided valuable feedback with respect to Council's involvement in festivals and events. The strategy and policy were placed on public exhibition for a period of twenty eight days in alignment with the Council resolution of 12 April 2011.

Upon adoption of the draft Festivals and Events Strategy and Festivals and Events Contributions Policy expressions of interest will be sought from the community for membership to the Local Community/Sporting and Major Events/Conferences Sponsorship Industry Group. As detailed within the policy, this group will assess and determine each application based on criteria listed within the policy.

To enable the timely adoption of the group membership expressions of interest it is proposed that these be sought for a period of sixteen days. This timeframe will enable the adoption of the group at the Ordinary Meeting of August 2011 followed promptly by the inaugural meeting of the Local Community/Sporting and Major Events/Conferences Sponsorship Industry Group to be undertaken during August to ensure fund allocations can be determined in August, as outlined within the 'Fund Allocation Process' within the Policy.

Conclusion

As demonstrated by survey results, there is considerable community support for Council's traditional methods of supporting events. The continuation of funding, support and management of events that provide economic and socio-cultural benefits to the residents and businesses of Lismore's local government area is strongly supported by the community.

As per the attached Festivals and Events Contributions Policy, it is recommended that one Councillor is nominated to join the Local Community/Sporting and Major Events/Conference Sponsorship Industry Group to assist with the allocation of funds in excess of \$5,000 per application.

Attachment/s

1. Festivals and Events Strategy (Over 7 pages)
2. Festivals and Events Contributions Policy (Over 7 pages)

Recommendation

That:

1. Council adopt the revised Festivals and Events Strategy as tabled within this report.
2. Council adopt the Festivals and Events Contributions Policy as tabled within this report.
3. Councillor be appointed to the Local Community/Sporting and Major Events/Conference Sponsorship Industry Group.
4. Council note the timeframe relating to calling for nominations for members with event industry background to the Local Community/Sporting and Major Events/Conferences Sponsorship Industry Group.

Report

Subject	Draft Pedestrian Access and Mobility and Draft Cycleway Plan Reviews
TRIM Record No	BP11/487:EF09/2168
Prepared by	Project Officer - Road Safety
Reason	To advise Council of the Draft Pedestrian Access and Mobility Plan and the Draft Cycleway Plan and seek endorsement in principle prior to the Public Exhibition period.
Community Strategic Plan Link	Improve Roads, Cycleways and Footpaths

Overview of Report

This report provides information about the Draft Pedestrian Access and Mobility Plan and Draft Cycleway Plan. The recommended plans incorporate new work programs which have been developed using a prioritised point scoring system.

This report seeks endorsement of the DRAFT Pedestrian Access and Mobility Plan and the DRAFT Cycleway Plan by Council. We are also seeking endorsement by Council for both plans to be placed on Public Exhibition from 18 July 2011 for a period of 28 days prior to being reported back to Council for final consideration in September 2011.

Background

Council staff have been working consistently on the review of the Pedestrian Access and Mobility Plan (PAMP) and the Cycleway Plan for the past six (6) months.

A major review has been undertaken of the PAMP as this plan was last adopted by Council in 2003. The revised PAMP now also includes an additional listing for new footpaths which considers socio economic status in determining priorities, as resolved by Council in August 2010. However, it is to be noted that there is no funding currently provided in Council's budget for the construction of new footpaths.

The Cycleway Plan was last reviewed in 2007 by Local Government Engineering Services and it was agreed that this plan would undergo a minor review with efforts concentrated on the priority listing for Cycleway works whilst adhering to RTA guidelines. The plan also takes into consideration Councillor Requests and public submissions received throughout the review process.

The focus for each plan is quite specific; the PAMP focuses on increasing pedestrian safety and accessibility for the whole community, including those with mobility impairment whilst the Cycleway Plan focuses on creating a comprehensive cycleway network within the urban area of Lismore catering for both commuter and recreational cyclists. Both Plans have been developed with a road safety focus to ensure the safety of all road users.

Presentations have been delivered to the Infrastructure Assets Policy Advisory Group, the Sustainable Environment Policy Advisory Group, the Sport and Recreation Policy Advisory Group and Councillors outlining the process undertaken in reviewing both Plans and seeking feedback on the resulting Works Programs. Feedback from these presentations and feedback received through the community consultation process has been taken into consideration prior to reporting at the July 2011 Council meeting.

This report accompanies the draft plans which will be distributed to Councillors in preparation for the July 2011 Council meeting.

Officers continue to expect feedback throughout the process with both the PAMP and Cycleway Plan proposed to go on public exhibition from 18 July 2011.

Pending further feedback and results from the public exhibition period, it is anticipated that the final report will go to Council for adoption at the September 2011 meeting.

Sustainability Assessment

Sustainable Economic Growth and Development

The proposed capital works that arise from both the PAMP and the Cycleway Plan will enhance transport infrastructure in the Lismore area. Both Plans have been developed in conjunction with the Sport and Recreation Plan and it is anticipated that the increase in facilities will encourage participation in healthy activities for community members and potentially reduce the number of vehicles on our roads. New infrastructure and maintenance of existing infrastructure will provide a road safety alternative for both pedestrians and cyclists in the area.

Social Inclusion and Participation

The projects will improve the quality of service provided and the facilities available in the transport infrastructure area.

Protect, Conserve and Enhance the Environment and Biodiversity

All environmental impacts will be addressed through the REF process in accordance with the *Environmental Protection Act 1979*. Recycling of pavement materials will be undertaken where possible to reduce the amount of imported materials required.

Best-Practice Corporate Governance

All projects will be designed and constructed to industry standards to ensure maximum life of the new asset can be realised.

Comments

Finance

The revised PAMP and Cycleway Plans are supported within the constraints of funds currently provided in the 2011/12 Operational Plan. Council's 2011/12 Operational Plan provides a recurring capital budget of \$120,000 (urban) and \$18,800 (rural) for footpaths construction, \$30,000 for the PAMP program and \$305,600 for cycleways. The budget allocation for footpaths is currently fully allocated to the upgrade of existing footpaths in accordance with Council's risk management procedure with no funds provided for new footpaths other than Section 94 funds which are development specific. In relation to cycleways, Council has included new loan funding of \$100,000 each year for the next three years which when added to Council general revenue funding of \$52,800 and matched by anticipated RTA grants provide a construction budget of approximately \$300,000 each year.

Other staff comments

Manager - Works

To ensure the accuracy of the revised PAMP and Cycleway plans, extensive consultation has been undertaken with key Works staff. In particular, the revised works program for both the PAMP and the Cycleway plans have been developed in conjunction with Council Engineers and will be utilised to conduct future works and apply for funding opportunities as they arise. The revised PAMP and Cycleway Plans are supported by the Works Department.

Public consultation

Council advertised for a 28 day period in March 2011 for community members to provide comment on the Pedestrian Access and Mobility Plan by way of written submission or through an on-line survey available on Council's website. Key stakeholders were identified and sent written correspondence inviting comment. Following Policy Advisory Group presentations and Councillor Workshops it is anticipated that both Plans will go on public exhibition from 18 July 2011 for a period of 28 days with the final report being prepared for proposed adoption at the September 2011 Council meeting.

Conclusion

All information has been collected and the field component of this project is now complete. It is anticipated that endorsement in principle will be received from Councillors prior to both Plans going on Public Exhibition in July.

Attachment/s

1. Draft PAMP 2011- 2014 (Over 7 pages)
2. Draft Cycleway Plan 2011-2014 (Over 7 pages)

Recommendation

That the Draft Pedestrian Access and Mobility Plan and Draft Cycleway Plan are endorsed for Public Exhibition from 18 July to 12 August 2011.

Report

Subject	Draft Sport and Recreation Plan 2011 - 2021
TRIM Record No	BP11/515:EF09/1333
Prepared by	Community Services Officer (Sport and Recreation)
Reason	To provide information and seek endorsement of the draft Sport and Recreation Plan
Community Strategic Plan Link	Improve Passive and Active Recreational Facilities

Overview of Report

The Draft Sport and Recreation Plan (DSRP) 2011-2021 aims to provide a planning framework for sport and recreation in the Lismore Local Government Area (LGA) for the next ten years. This report seeks endorsement by Council for a public exhibition period of twenty eight days prior to its final consideration and endorsement by Council. The draft Plan is attached for Council's consideration.

Background

In May 1998 a Recreation Needs Study was completed for Lismore City Council by Michael King and Associates. The main findings in this report focussed on:

- (i) the need for a major regional indoor aquatic facility in Lismore.
- (ii) the Goonellabah Sport and Aquatic Centre site being developed.
- (iii) a master plan for Hepburn Park being completed to accommodate a second synthetic hockey pitch.
- (iv) the development of a master plan and works program for the Riverview Park Athletics Facility.
- (v) the adoption of a policy of jointly developing school recreation facilities.
- (vi) a review of projects in the S94 plan.
- (vii) the Council's Bike strategy being a high annual priority in the budget.
- (viii) the implementation of an urban and rural playground improvement scheme.
- (ix) the endorsement of a strategy to concentrate improvements to key regional facilities.

It will be obvious that there has been significant progress on the implementation of some of these key findings in the last thirteen years. However, there is no evidence of the Study being reviewed or regularly assessed since its adoption.

With the dated nature of this Study and with recreation trends changing rapidly including a growing community emphasis on healthy lifestyles, it was apparent that a new Sport and Recreation Plan was required.

In late 2010, Brisbane based consultants, *Strategic Leisure*, were engaged to assist Council compile a planning framework for sport and recreation for the next ten years.

The study approach included:

- an extensive analysis of background reports, strategies and plans within Lismore City Council;
- an inspection of sport and recreation facilities throughout the region;
- analysis of the population profile and estimates of current and projected population changes within the Lismore LGA;

- a review of sport and recreation participation trends; and
- a contemporary analysis of the benefits of participation in physical activity.

Furthermore, a comprehensive consultation process was undertaken within Council and throughout the wider Lismore LGA.

At the conclusion of this research and consultation a number of key findings were identified. These key findings helped to identify a series of recommendations which were classified to enable integration with other strategic planning which is currently being conducted within Council. The recommendations have been classified as short, medium or long term. It is not intended to summarise the draft Plan's findings etc in this report.

The draft Sport and Recreation Plan (provided as a separate attachment to this report) highlights the fact that the cost of implementing all recommendations is beyond the responsibility and/or capacity of Council alone. To that end, external funding contributions and partnerships with other agencies and sporting bodies will need to be established. It is most important that recommended actions be reviewed annually and a major review undertaken in approximately five years.

Draft Plan Implications - Executive Director Sustainable Development

The Draft Sport and Recreation Plan is best practice, comprehensive, wide ranging and reflects extensive consultation. Because of this the Draft Plan will have to be given intensive consideration by stakeholder groups, internal staff and the Sport and Recreation Policy Advisory Group (SRPAG) during and after the exhibition period.

In particular the implications of adopting the recommendations will have to be fully considered by staff. Hence, if Council resolves to put the Draft Plan on exhibition the final Plan may not be brought back for adoption until October 2011 due to the time that it will take to work through these implications. Prior to the Council report the matter will be referred to Council's Executive Committee (ExCom) to ensure a corporate position is arrived at in terms of recommendations due to the organisation wide implications in the Draft Plan.

Funding some of the recommended initiatives in the Draft Plan will be central to these considerations. Of course as pointed out in this report, funding sources go wider than just the Council e.g. grants and other sporting groups funding. All those matter will be covered in the final report back to Council.

Sustainability Assessment

Sustainable Economic Growth and Development

As it is anticipated that the current challenging economic environment is likely to continue for much of the life of the Plan, recognition that funding opportunities will be both limited and highly competitive underpins its recommendations. In the light of these economic pressures, it is proposed that investment priorities focus on those facilities and services that are both sustainable and also provide the greatest community benefit. Council funding schemes will therefore need to ensure that guidelines enable maximum community benefit.

Social Inclusion and Participation

Section 3 of the draft Plan's recommendations focuses on social inclusion and community participation.

This section of the draft Plan as been informed by:

1. Council's *Access and Inclusion Plan 2010 – 2014*. This Plan seeks to ensure that people with a disability have equitable access to the infrastructure, services and opportunities provided by Lismore City Council in accordance with the Disability Discrimination Act 1992.

2. The Council's *Community Strategic Plan 2008 -2018* identified the need to improve active and passive recreation areas through the development of Nesbitt Park and is consistent with one of its strategic priorities of supporting an aging population. Council's Access Committee has identified Nesbitt Park as an appropriate "all access" park.
3. Council's developing *Reconciliation Action Plan*. Feedback from a number community forums identified Clifford Park as requiring upgrading. The Indigenous community forum particularly highlighted the need to enhance and renovate the facilities at that park and encouraged the concept of Clifford Park being developed as a "Reconciliation Park". This facility is currently the home ground of the Northern United Rugby League Football Club which is Lismore's Indigenous football team. The concept under consideration shares some similarities to the Redfern Park and Oval Redevelopment. This Redfern initiative created a public space with a strong focus on Indigenous community access and use as part of a wider sporting precinct development.

Protect, Conserve and Enhance the Environment and Biodiversity

There are two areas of the draft Plan that have the potential to enhance the environment and biodiversity.

1. The development/redevelopment of pathways such as the Bird wing Butterfly Walk at Goonellabah, the Wilsons Walking Track at East Lismore and the River Walk beside the Wilson River.
2. The naturalisation of Brown's Creek within Lismore Park. Council's Environmental Strategies Section has collaborated closely with the development of the Sport and Recreation Plan and the delivery of this particular strategy is seen as a high priority within the Plan's strategies.

Best-Practice Corporate Governance

Section 9 of the draft Plan focuses on trends influencing sport and recreation participation. Understanding these trends will ensure that a best practice planning framework is created for the Lismore LGA.

These trends include:

- changing patterns of work and declining availability
- limited time availability
- participation in organised sport is static and there is a greater demand for social forms of participation
- greater demand for floodlighting so that people can participate at more convenient times and reduce exposure to the sun
- volunteering is declining
- cost of insurance is increasing
- walking is consistently identified as the most popular form of active recreation.

Comments

Finance

The draft report is comprehensive with recommendations categorised into 10 headings. They are listed from Page 5 to Page 24 of the Draft Sport and Recreation Plan. To assist Council in determining priorities, each recommendation has a rating of short, medium, long or ongoing.

The report rightly states that the cost of implementation of all recommendations is beyond the Council's financial capability; hence other funding sources will need to be procured.

As indicated by the Executive Director - Sustainable Development, management will report back to Council in conjunction with any submissions received from the consultation process on an implementation plan. Funding recommendations will be addressed as part of the implementation plan.

Other staff comments

Manager Arts, Tourism and Leisure

The draft Plan reviews current recreation provision and outlines key findings and recommendations across a wide range of facilities and activities within the local government area. With respect to recommendations regarding the Goonellabah Sports and Aquatic Centre, the Lismore Memorial Baths and Lismore Lake Pool, there are no objections to the report going on public exhibition.

Environmental Strategies Coordinator

From an environmental and sustainability perspective this draft Plan highlights an important need to improve facilities for passive recreation (walking, cycling) which ideally should be integrated with a 'nature' experience. The draft Plan also recognises the integration of proposed stormwater works on Browns Creek with the future management of Lismore Park. There are a number of issues/recommendations in the draft Plan which will impact on the Environmental Strategies section. At this point there is no objection to the report going on public exhibition.

Parks Coordinator

There are a number of recommendations made within the plan that will need further consideration before the impact upon the Parks section can be determined. It is recommended that the report go on public exhibition. This will allow the time to determine the impacts and provide appropriate advice.

Strategic Planning Coordinator

A Sports and Recreation Strategy is an important component of the strategic planning framework for the Lismore Local Government Area. The process followed to develop the draft Plan has been robust. It is now appropriate for the draft Plan to be publicly exhibited and further community input obtained. During this time, the strategic planning section will further review the potential impacts and provide advice as necessary.

Public consultation

An extensive consultation process was undertaken within Council and externally, in the wider community. Section 9 of the draft Sport and Recreation Plan gives a detailed overview of this process which included sport and recreation clubs, community surveys, school surveys, community forums and discussions with other potential stakeholders,

Conclusion

This draft Plan, when adopted, will provide a ten year planning framework for sport and recreation in the Lismore LGA and will include strategies for the future use and development of facilities, services and programs for the community.

The project steering committee intends to hold a Sport and Recreation Policy Advisory Group (SRPAG) meeting in mid August. This proposed time is after the public exhibition period has concluded and will therefore enable community submissions and comments from internal stakeholders on the draft Plan to be considered. The SRPAG will be asked to provide guidance to Council on all recommendations and on the guidelines as set out in Appendix 2 of the draft Sport and Recreation Plan.

Attachment/s

1. Draft Sport and Recreation Plan (Over 7 pages)

Recommendation

That:

1. Council endorse the exhibition of the draft Sport and Recreation Plan, 2011 – 2021 for a period of twenty eight days.
2. At the conclusion of the exhibition period that the draft Sport and Recreation Plan 2011 – 2021 be reported back to Council for final consideration and adoption subject to recommended changes including implementation and funding implications.

Report

Subject	Annual Code of Conduct Review 2010-2011
TRIM Record No	BP11/498:EF09/645
Prepared by	Corporate Compliance Coordinator
Reason	Required by the Code of Conduct
Community Strategic Plan Link	Best-Practice Corporate Governance

Overview of Report

The report provides information as requested by the Code of Conduct into complaints received by Council.

Background

Council at its meeting on 12 August 2008 adopted the Model Code of Conduct as provided by the Division of Local Government.

Clause 12.33 of the Code requires that:

The General Manager must report annually to Council on Code of Conduct complaints. This report should include, as a minimum a summary of the:

1. *Number of complaints received;*
2. *Nature of the issues raised by complainants; and*
3. *Outcomes of complaints.*

Complaints lodged with Council alleging a breach of the Code of Conduct can be dealt with in a variety of ways and these are outlined in Section 12 of the Code.

The General Manager is responsible for making determining enquiries into complaints regarding staff. In respect to Councillors, the General Manager is responsible for initial enquiries, with the Mayor performing a similar role in respect to the General Manager.

After initial investigation, the Code provides that the Mayor/General Manager can:

- Take no further action;
- Resolve the complaint;
- Refer it to an external body; or
- Refer it to the Conduct Review/Committee Reviewer.

Summary of Complaints

Since 1 July 2010, seven complaints have been considered under the terms of the Code. Of these:

- One was in respect to staff conflict of interest.
- Six were in respect to customer/staff interaction.

Outcome

- Six matters were determined by the General Manager as being unsupported.
- One matter is still the subject of continuing investigation.

Sustainability Assessment

Sustainable Economic Growth and Development

There is no impact upon the recurrent budget or Delivery Plan.

Social Inclusion and Participation

The impact of the report is expected to be minimal.

Protect, Conserve and Enhance the Environment and Biodiversity

No impact upon the sustainability of the environment.

Best-Practice Corporate Governance

This report satisfies the reporting requirements as set out in Council's Code of Conduct.

Public consultation

Not required by the Code.

Attachment/s

There are no attachments for this report.

Recommendation

That the report be received and noted.

Report

Subject	Councillor Attendance at Interstate Conference
TRIM Record No	BP11/516:EF10/136
Prepared by	Corporate Compliance Coordinator
Reason	Authorisation required by Councillors Expenses and Facilities Policy
Community Strategic Plan Link	Best-Practice Corporate Governance

Overview of Report

Council approval is sought for the attendance of Councillor Smith at a Conference to be held in Hobart in accordance with Council policy.

Background

Councillor Smith has requested approval from Council to attend the 12th International Cities Town Centres and Communities Society Conference to be held in Hobart from the 25th to 28th October 2011. In addition to attending the Conference, Councillor Smith has been invited to present a paper to the Conference.

There is a strong linkage between the Conference/Paper and professional development that is being undertaken by Councillor Smith.

As Councillors are aware, nomination to attend conferences/training opportunities is usually by self nomination. However, the Councillors Expenses and Facilities Policy provides that where the cost to attend an interstate conference exceeds \$2,000, authorisation must be sought from Council. It is expected that in this case the cost is expected to be in the range of \$2,200 to \$2,500 and will be funded from his component of the Councillors Professional Development Budget.

The aims of the Conference are to:

- To discuss the latest developments in urban design, planning, development, project management and sustainability on an international and national basis.
- Mix with professionals from varying backgrounds in a true cross disciplinary event.
- Provide access to and hands on experience from national and international specialists.
- Provide national and international case studies for discussion and analysis.

Sustainability Assessment

Sustainable Economic Growth and Development

This issue is featured amongst the conference topics.

Best-Practice Corporate Governance

The on going training and development of Councillors is to be encouraged as it brings broad benefits to the Council as a whole.

Comments

Finance

The 2011/12 Budget includes \$22,000 for the Mayor and Councillors professional development.

For 2010/11, approximately \$12,800 was spent. Approximately \$13,400 was spent in 2009/10.

Based on the last two years experience and assuming similar professional development requirements for the Mayor and Councillors, it is reasonable to conclude that there will be sufficient funds available in the 2011/12 Budget for this purpose.

Attachment/s

There are no attachments for this report.

Recommendation

That approval is given for Councillor Smith to attend the 12th International Cities Town Centres and Communities Society Conference.

Report

Subject	Investments - June 2011
TRIM Record No	BP11/474:EF09/586
Prepared by	Management Accountant
Reason	Required by Local Government Act 1993, Local Government (General) Regulations 2005 and Council's Investment Policy
Community Strategic Plan Link	Best-Practice Corporate Governance

Overview of Report

Investments as at 30 June 2011 are estimated to be \$40,573,588 subject to final market valuations typically provided after month end.

The interest rate reported for June 2011 is estimated to be 5.55% which is above the Bank Bill Swap Rate for the period of 5.01%. The final interest return may vary due to actual returns achieved on investments advised after month end.

Background

The Local Government Act 1993 (Section 625), Local Government (General) Regulations 2005 (Regulation 212) and Council's Investment Policy requires a monthly report be provided to Council on investments. The report is to include the source and amount of funds invested, 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 – 31 May 2011</i> | <i>\$40,223,588</i> |
| • <i>Estimated Investments – at Market Value – 30 June 2011</i> | <i>\$40,573,588</i> |

The current rate of return on investments for June 2011 is estimated to be 5.55% which is above the Bank Bill Swap Rate for the period of 5.01%. 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. A coupon payment has not been recognised as a return on investment this month.

Two new "At Call" accounts are currently being set up to manage cashflow requirements while at the same time achieving higher interest rates than the Commonwealth Business On Line Banking Account. An ANZ Bank account will provide a higher interest rate for longer, short term funds (30 days) and an AMP account that currently has a slightly lower interest rate but allows more flexibility with funds on a daily basis. Funds will be transferred to these accounts once confirmation has been received from the respective Financial Institutions.

The estimated interest earned for the financial year to June 2011 remains favourable compared to the pro rata Budget.

Quarterly Investment Report

Each quarter Council's independent investment advisors, CPG Research and Advisory, prepare a Quarterly Investment Report on the investment holdings compared to the Target Credit Quality, Counterparty Exposure, Target Asset Allocation and Target Maturity Profile. The report for the March Quarter indicates strong compliance to the Policy after the lack of liquidity in some investments is taken into consideration. Councillors have been provided with a copy of this report along with a brief summary of the contents.

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 supported.

Conclusion

A report on investments is required to be submitted to Council monthly. This report meets that requirement. As at 30 June 2011 investments total \$40,573,588 and the annualised rate of return was 5.55%.

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 Movement 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 a percentage of total portfolio - graphical

Recommendation

That the report be received and noted.

**Capital Value Movements
Summary of Investments held as at
30 June 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)	
Cash Based Returns									
Blackrock Care & Maintenance Fund	Managed Fund	Not Rated (Note 7)	High	15/10/2008	N/A	21/04/2011	\$ 1,799,597	\$ 2,066,329	Note 3
CBA Business On Line Banking A/C	Cash Management Account	Cash	High	N/A	N/A	28/06/2011	\$ 5,917,500	\$ 5,917,500	
Macquarie Cash Management Trust	Cash Management Account	Cash	High	1/9/2006	N/A	31/05/2011	\$ 264,791	\$ 264,791	
UBS Cash Management Trust	Cash Management Account	Cash	High	N/A	N/A	31/05/2011	\$ 122,018	\$ 122,018	
New England Credit Union	Term Deposit	Not Rated (Note 7)	High	7/6/2011	7/7/2011	7/06/2011	\$ 2,000,000	\$ 2,000,000	
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	
Police & Nurses Credit Union	Term Deposit	Not Rated (Note 7)	High	31/1/2011	1/8/2011	31/01/2011	\$ 1,000,000	\$ 1,000,000	
Southern Cross Credit Union	Term Deposit	Not Rated (Note 7)	High	31/1/2011	1/8/2011	31/01/2011	\$ 1,000,000	\$ 1,000,000	
IMB Banking & Financial Services	Term Deposit	A-2	High	2/2/2011	2/8/2011	2/02/2011	\$ 2,000,000	\$ 2,000,000	
Bank of Queensland	Term Deposit	A-2	High	7/12/2010	8/8/2011	7/12/2010	\$ 2,000,000	\$ 2,000,000	
Suncorp Bank	Term Deposit	A-1	High	15/2/2011	15/8/2011	15/02/2011	\$ 2,000,000	\$ 2,000,000	
Credit Union Australia (CUA)	Term Deposit	A-2	High	7/3/2011	5/9/2011	7/03/2011	\$ 2,000,000	\$ 2,000,000	
Bank of Cypress (Australia) Ltd	Term Deposit	Not Rated (Note 7)	High	7/6/2011	5/9/2011	7/06/2011	\$ 2,000,000	\$ 2,000,000	
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
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	
Magnolia (Flinders)	Floating Rate CDO	BB-	Low	1/9/2006	20/3/2012	30/06/2010	\$ 255,000	\$ 255,000	Note 5
ING Bank Australia Limited	Term Deposit	A1+	High	5/4/2011	4/4/2012	5/04/2011	\$ 2,000,000	\$ 2,000,000	
RaboDirect (Rabobank Australia Ltd)	Term Deposit	A1+	High	12/4/2011	12/4/2012	12/04/2011	\$ 1,000,000	\$ 1,000,000	
Australian Defence Credit Union	Term Deposit	Not Rated (Note 7)	High	7/6/2011	6/6/2012	7/06/2011	\$ 1,000,000	\$ 1,000,000	
Omega (Herley)	Floating Rate CDO	CCC	Low	1/9/2006	22/6/2012	30/06/2010	\$ 280,000	\$ 280,000	Note 5
Commonwealth Bank of Australia	Term Deposit	A1+	High	30/11/2009	29/11/2012	30/11/2009	\$ 400,000	\$ 400,000	
Beryl (Esperance 2)	Floating Rate CDO	Early Termination	Low	1/9/2006	20/3/2013	30/06/2010	\$ -	\$ -	Note 5
RaboDirect (Rabobank Australia Ltd)	Term Deposit	A1+	High	8/6/2011	6/6/2013	8/06/2011	\$ 1,000,000	\$ 1,000,000	
Investec Bank (Australia)	Term Deposit	A2	High	20/6/2011	19/6/2013	20/06/2011	\$ 1,000,000	\$ 1,000,000	
Queensland Teachers' Credit Union Ltd	Term Deposit	Not Rated (Note 7)	High	20/6/2011	19/6/2013	20/06/2011	\$ 1,000,000	\$ 1,000,000	
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
Investec Bank (Australia)	Term Deposit	A2	High	12/5/2011	12/5/2014	12/05/2011	\$ 1,000,000	\$ 1,000,000	
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
30 June 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)	
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 (Glennelg)	Floating Rate CDO	CCC-	Low	1/9/2006	22/12/2014	30/06/2010	\$ 100,000	\$ 100,000	Note 5
Zircon (Miami)	Floating Rate CDO	Early Termination	Low	1/9/2006	20/3/2017	30/06/2010	\$ -	\$ -	Note 5
Investment on Hand							\$ 40,306,857	\$ 40,573,588	

Investments Redeemed during period (Note 6)

Westpac Banking Corporation	Term Deposit	AA	High	7/12/2010	7/6/2011	7/12/2010	\$ 2,000,000	\$ 2,000,000
Newcastle Permanent	Term Deposit	A-2	High	15/2/2011	15/6/2011	15/02/2011	\$ 1,000,000	\$ 1,000,000
Bank of Cypriess	Term Deposit	Not Rated (Note 7)	High	15/2/2011	15/6/2011	15/02/2011	\$ 1,000,000	\$ 1,000,000
Savings & Loans Credit Union	Term Deposit	Not Rated (Note 7)	High	15/2/2011	15/6/2011	15/02/2011	\$ 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

\$ 47,306,857 \$ 47,573,588

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 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	31,050,967
Internally Restricted	9,522,621
	<u>\$ 40,573,588</u>

**Estimated Interest
Summary of Investments held as at
30 June 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
Cash Based Returns						
Blackrock Care & Maintenance Fund	Managed Fund	Not Rated	0.00%	\$ 2,066,329	\$ -	0.00%
CBA Business On Line Banking A/C	Cash Management Account	Cash	4.10%	\$ 5,917,500	\$ 19,941	0.59%
Macquarie Cash Management Trust	Cash Management Account	Cash	4.75%	\$ 264,791	\$ 1,034	0.03%
UBS Cash Management Trust	Cash Management Account	Cash	3.82%	\$ 122,018	\$ 383	0.01%
New England Credit Union	Term Deposit	Not Rated	5.74%	\$ 2,000,000	\$ 7,234	0.21%
Credit Union Australia (CUA)	Term Deposit	A-2	6.20%	\$ 1,000,000	\$ 5,096	0.15%
Southern Cross Credit Union	Term Deposit	Not Rated	6.10%	\$ 2,000,000	\$ 10,027	0.30%
IMB Banking & Financial Services	Term Deposit	A-2	6.24%	\$ 1,000,000	\$ 5,129	0.15%
Bank of Queensland	Term Deposit	A-2	6.45%	\$ 1,000,000	\$ 5,301	0.16%
Police & Nurses Credit Union	Term Deposit	Not Rated	6.25%	\$ 1,000,000	\$ 5,137	0.15%
Southern Cross Credit Union	Term Deposit	Not Rated	6.40%	\$ 1,000,000	\$ 5,260	0.16%
IMB Banking & Financial Services	Term Deposit	A-2	6.20%	\$ 2,000,000	\$ 10,192	0.30%
Bank of Queensland	Term Deposit	A-2	6.45%	\$ 2,000,000	\$ 10,603	0.32%
Suncorp Bank	Term Deposit	A-1	6.28%	\$ 2,000,000	\$ 10,323	0.31%
Credit Union Australia (CUA)	Term Deposit	A-2	6.29%	\$ 2,000,000	\$ 10,340	0.31%
Bank of Cypress (Australia) Ltd	Term Deposit	Not Rated	6.16%	\$ 2,000,000	\$ 7,763	0.23%
Deutsche Bank CG Yield Curve Note	Euro Bond	A+	6.99%	\$ 247,500	\$ 1,436	0.04%
National Australia Bank	Term Deposit	A1+	6.60%	\$ 2,000,000	\$ 10,849	0.32%
Summerland Credit Union	Term Deposit	A-2	6.35%	\$ 1,000,000	\$ 5,219	0.16%
Magnolia (Flinders)	Floating Rate CDO	BB-	6.24%	\$ 255,000	\$ 1,539	0.04%
ING Bank Australia Limited	Term Deposit	A1+	6.31%	\$ 2,000,000	\$ 10,373	0.31%
RaboDirect (Rabobank Australia Ltd)	Term Deposit	A1+	6.60%	\$ 1,000,000	\$ 5,425	0.16%
Australian Defence Credit Union	Term Deposit	Not Rated	6.55%	\$ 1,000,000	\$ 4,127	0.12%
Omega (Henley)	Floating Rate CDO	CCC	5.63%	\$ 280,000	\$ 1,851	0.04%
Commonwealth Bank of Australia	Term Deposit	A1+	7.00%	\$ 400,000	\$ 2,301	0.07%
Beryl (Esperance 2)	Floating Rate CDO	Early Termination	0.00%	\$ -	\$ -	0.00%
RaboDirect (Rabobank Australia Ltd)	Term Deposit	A1+	6.70%	\$ 1,000,000	\$ 4,038	0.12%
Investec Bank (Australia)	Term Deposit	A2	6.52%	\$ 1,000,000	\$ 1,786	0.05%
Queensland Teachers' Credit Union Ltd	Term Deposit	Not Rated	6.40%	\$ 1,000,000	\$ 1,753	0.05%
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
30 June 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	\$ 2,523	0.02%
Longreach - Series 25	Equity Linked Investment	A+	0.00%	\$ 759,450	\$ -	0.00%
Investec Bank (Australia)	Term Deposit	A2	7.49%	\$ 1,000,000	\$ 6,156	0.18%
Helium (Scarborough)	Floating Rate CDO	CCC-	6.63%	\$ 16,000	\$ 1,090	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 (Glenelg)	Floating Rate CDO	CCC-	6.53%	\$ 100,000	\$ 2,684	0.02%
Zircon (Miami)	Floating Rate CDO	Early Termination	0.00%	\$ -	\$ -	0.00%
Investment on Hand				\$ 40,573,588	\$ 176,915	5.08%

Note 2,5

Note 4

Investments Redeemed during period

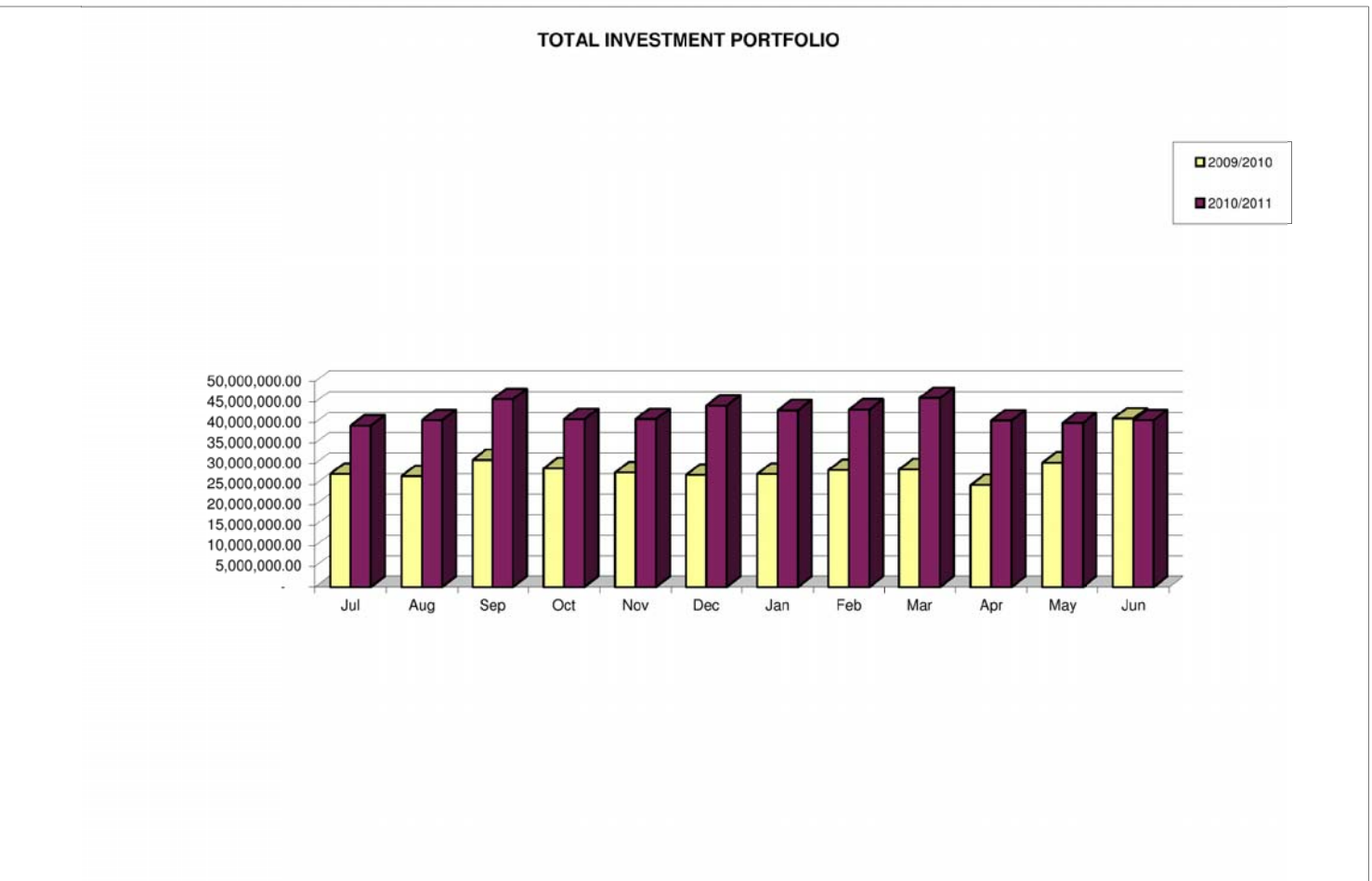
Westpac Banking Corporation	Term Deposit	AA	6.14%	\$ 2,000,000	\$ 2,355	0.07%
Newcastle Permanent	Term Deposit	A-2	5.88%	\$ 1,000,000	\$ 2,416	0.07%
Bank of Cypress	Term Deposit	Not Rated	6.15%	\$ 1,000,000	\$ 2,527	0.08%
Savings & Loans Credit Union	Term Deposit	Not Rated	6.03%	\$ 2,000,000	\$ 4,956	0.15%
Savings & Loans Credit Union	Term Deposit	Not Rated	6.26%	\$ 1,000,000	\$ 3,430	0.10%

30/6/2011	5.55%
\$ 47,573,588	\$ 192,600

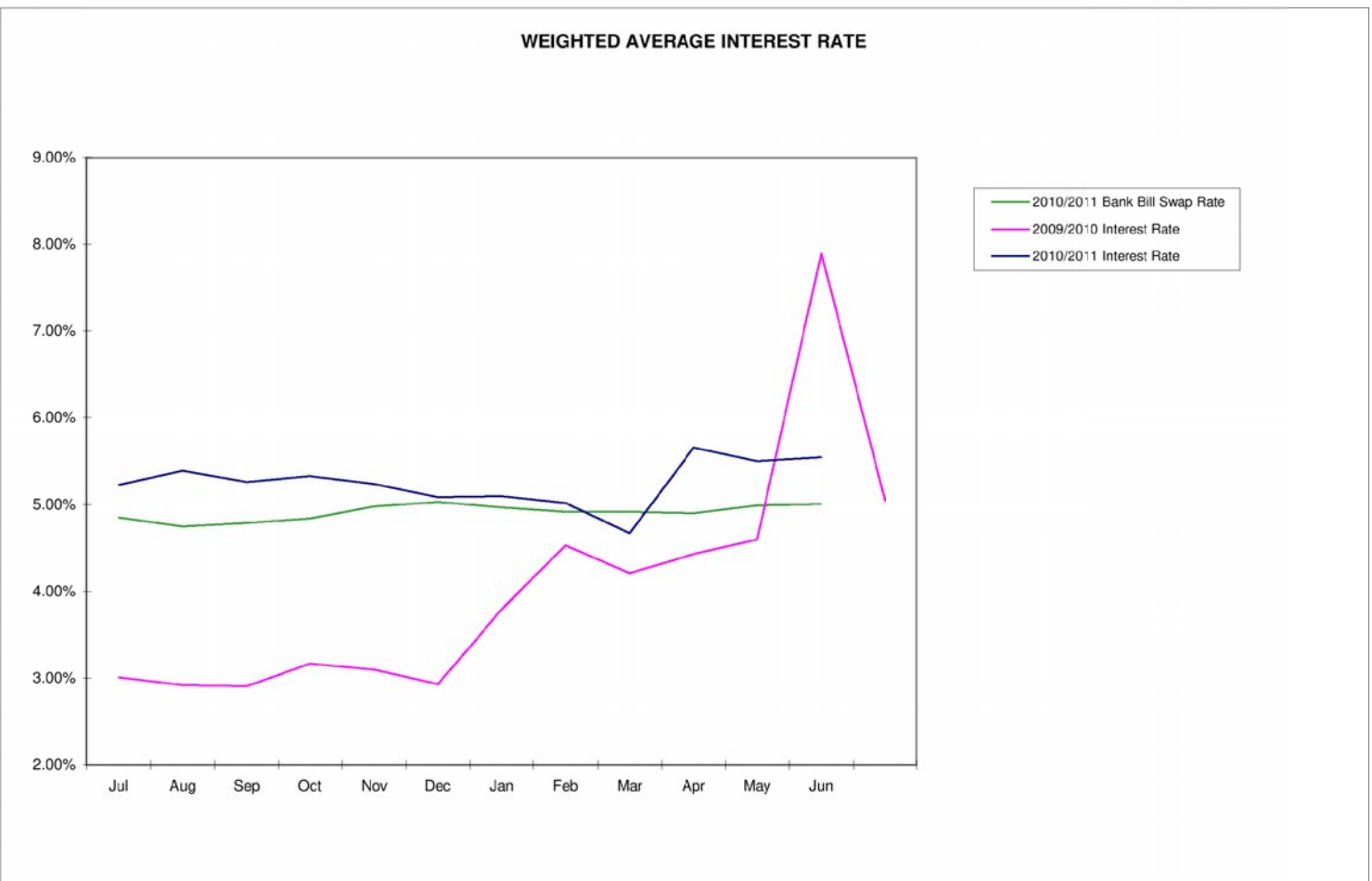
Investment Income Earned vs. Budget Year to Date

Estimated interest earned to date \$ 2,385,196
Pro Rata annual budget \$ 2,152,100

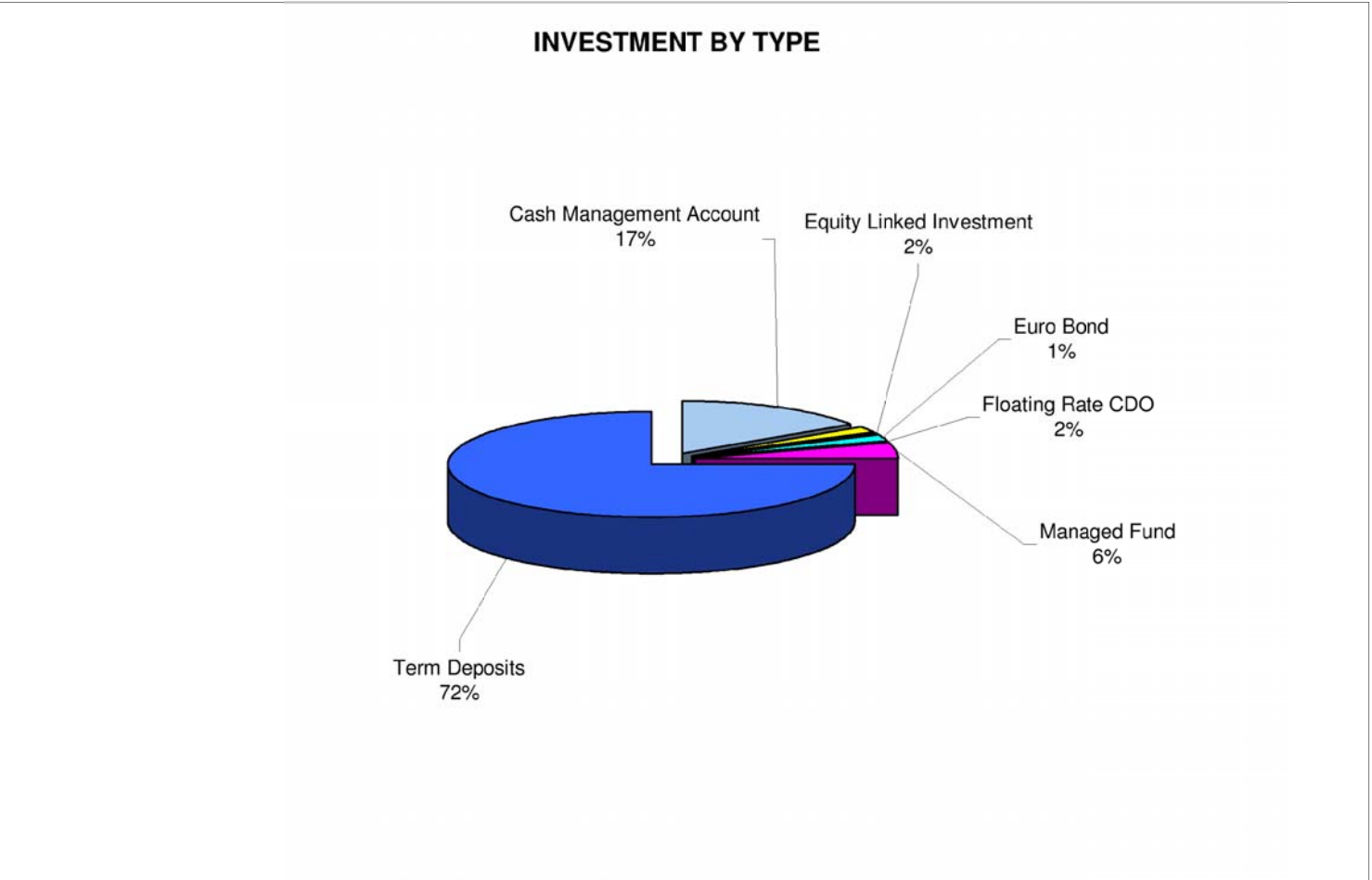
- Note 1: Interest return is calculated on (actual interest + accrued interest + realised gains - losses on disposal - expenses) / principal value
- Note 2: Capital Guaranteed note if held to maturity
- Note 3: Blackrock Care & Maintenance Fund interest rate is shown as zero as regular distributions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

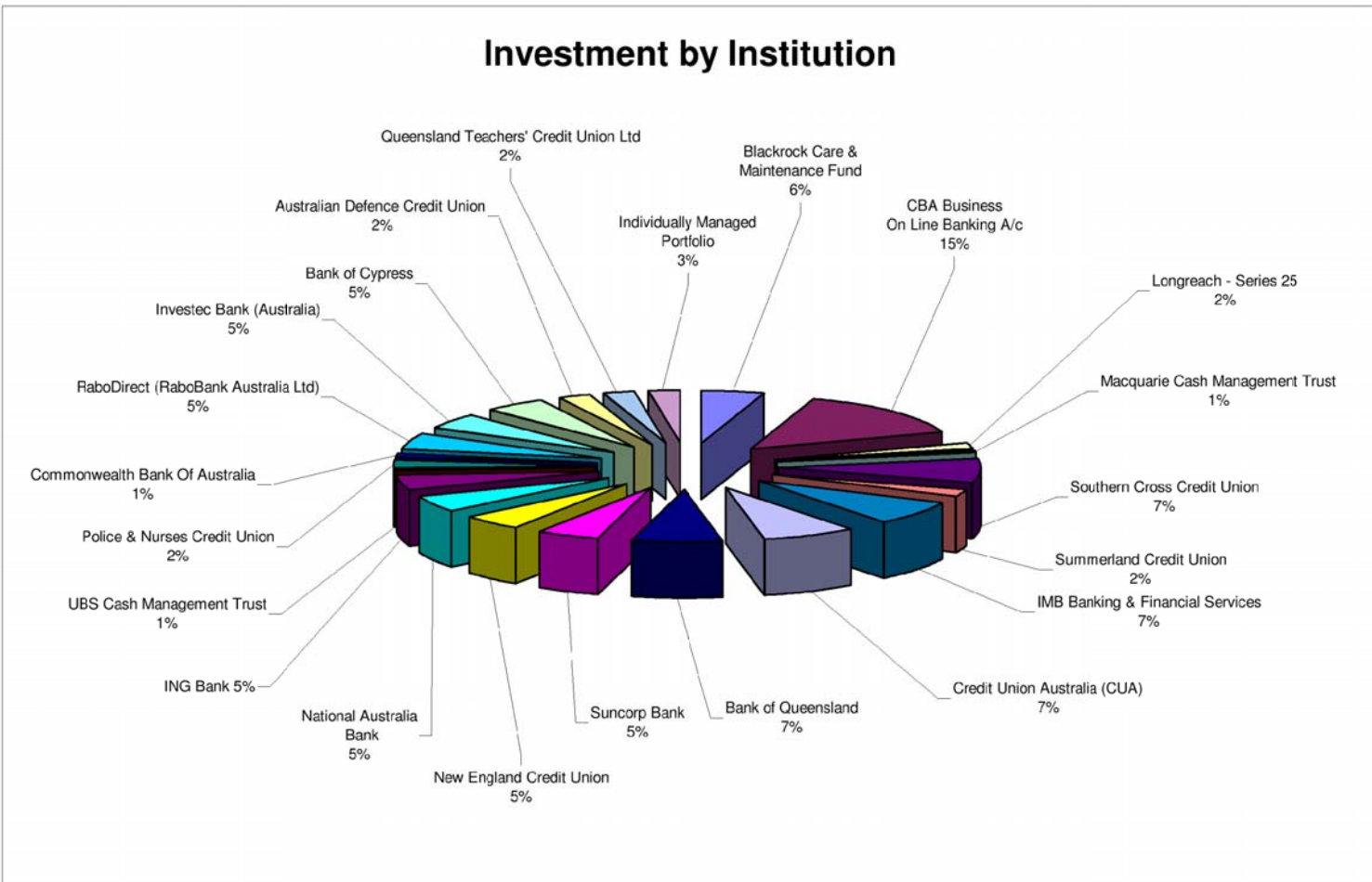


2010-11 Investment Report for council.xls



2010-11 Investment Report for council.xls





Committee Recommendations



Committee Recommendation

Traffic Advisory Committee

Attachment/s

1. Minutes Traffic Advisory Committee 15 June 2011

Recommendation

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

MINUTES OF THE TRAFFIC ADVISORY COMMITTEE HELD IN CBD CENTRE, 55 MAGELLAN STREET, LISMORE ON WEDNESDAY, 15 JUNE 2011 AT 10.00AM.

Present

Councillor Jenny Dowell (*Chairperson*) and Frank Smallman (*RTA*).

In Attendance

Garry Hemsworth (*Executive Director-Infrastructure Services*), Lisa Marshall (*Road Safety Officer*) and Annie Armstrong (*on behalf of Thomas George MP, Member for Lismore*).

Apologies

TAC54/11 Apologies for non-attendance on behalf of Snr. Const Rob Clarke (*Lismore Police*), Thomas George MP (*Member for Lismore*) and Bill MacDonald (*Traffic & Emergency Services Co-ordinator*), were received and accepted.

Confirmation of Minutes

TAC55/11 The Committee was advised that the minutes of the Traffic Advisory Committee held on 18 May 2011 were confirmed by Council on 14 June 2011 subject to the following:

1. The amendment of TAC 45/11 **DA 2011/146 – Adaptive Re-use of Former St Mary’s Convent to Office** Item 3 to read:
The introduction of a NO Stopping Monday to Friday zone on the western side of Dawson Street, between the underpass structure, including the new deliveries driveway entrance, down to the new location of the accessible parking space to prohibit parking in this area and provide maximum available sight distance for vehicle exiting the new delivery driveway loop.
2. TAC 52/11 **Recently Completed Bridge Street Upgrade** being referred back to the Traffic Committee to review the parking layout

Disclosure of Interest

NIL

Part ‘A’ – Committee Recommendations

Thomas Noble Russell – Intersection Bounty and Carrington Streets

Outlining concerns regarding motorists not giving way at the intersection when exiting from Carrington Street and requesting consideration be given to installing either a ‘Give Way’ or ‘Stop’ sign in Carrington Street at its intersection with Bounty Street

(CI11/11412: R7301)

Thomas Noble Russell – Intersection Bounty and Carrington Streets (*Cont’d*)

Although the intersection is a standard T-junction formation generally not requiring any additional controls, there will be a considerable increase in traffic movements in this area as a result of the Blood Bank’s relocation to Bounty Street.

Bearing in mind that the Bounty Motel also attracts a substantial amount of non local traffic the installation of a ‘Give Way’ or ‘Stop’ sign would assist in reducing any potential for conflict.

TAC56/11 Recommended that subject to undertaking a sight assessment, a 'Give Way' or 'Stop' sign be installed in Carrington Street at its intersection with Bounty Street.

Chris Markey – Traffic Obstruction Bruxner Crescent

Requesting 'No Parking' zones be installed on Ballina Road from the eastern end of Bruxner Crescent heading west to the bus stop and along the western side of the western leg of Bruxner Crescent from Ballina Road down to Mountain View Drive due to vehicles being parked in these areas and compromising available sight distance of oncoming traffic. (CI11/11484: R6414-02)

Vehicles parked in front of 528 Ballina Road close to the corner of the eastern leg of Bruxner Crescent would severely restrict vision of approaching east bound traffic on Ballina Road. Parking in this area needs to be prohibited to increase safety of motorists exiting Bruxner Crescent.

Likewise parking along the western side of the western leg of Bruxner Crescent would create the potential for conflict with vehicles entering Bruxner Crescent and those exiting if they were parked close to the highway.

The imposition of a lengthy 'No Stopping' zone down Bruxner Crescent is not considered warranted and would eliminate on street parking for adjoining residents, however the first 20m does need to be kept clear.

TAC57/11 Recommended:

- 1 That a 'No Stopping' zone be introduced on the northern side of Ballina Road from the driveway of 528 Ballina Road east to Bruxner Crescent.
- 2 Further that a 'No Stopping' zone be introduced on the western side of the western leg of Bruxner Crescent for a distance of 20m from Ballina Road.
- 3 Further that a letter be written to the two affected property owners advising of the parking restrictions and outlining the reason for the installation of 'No Stopping' signs.

Herne's Freight Service – B-Double Application

Submitting application for B-Double access from Union Street through Foleys Road, Taylor Street, Wardell Street to Hollingworth Street to Herne's depot.

(CI11/11679: EF09/1968)

An assessment was carried out on 26 May 2011 which determined that the proposed route was suitable for B-Double use. It would appear that the company is currently parking B-Doubles in Union Street and single trailers are transported separately to the depot, requiring several trips rather than one with a B-Double. The approval of the proposed route will significantly reduce the number of truck movements as well as reduce heavy vehicle noise.

Council's Manager of Development & Compliance has advised that the residential dwellings located along the proposed route are within an industrial zone under the provisions of Council's Local Environment Plan and that Herne's have been located on its present site for the last 25 years. It is therefore reasonable to conclude that residents living within an industrial zone are not afforded the same level of amenity as that available with residential zones due to the different nature of permissible businesses and activities.

TAC58/11 **Recommended** that with the knowledge that this is an industrial zone, approval be granted for the B-Double route as proposed from the Bruxner Highway and including Foleys Road, Taylor Street, Wardell Street and Hollingworth Street terminating at Herne's Transport Depot at 13 Hollingworth Street, South Lismore to reduce any unnecessary vehicle movements.

Richmond River High School – Traffic Issues

Setting out issues relating to disability access, pedestrian crossings and lack of parking for parents/ carers when dropping off or picking up students. (C111/13541:EF09/1993)

An onsite meeting was held with the Principal on 7 June 2011 where the above issues were discussed in more detail. Longer term there were concerns regarding provision of additional parking for students as well as parents dropping off and picking up students, possibly adjacent to McKenzie Park, and creation of a specific accessible parking area and sealing of the road shoulder where buses pull in, in front of the school in Alexandra Parade.

The Principal acknowledged that these issues would require significant funding which would be partly pursued through the Department of Education in the future. In the shorter term the creation of an accessible parking bay in Lake Street at the western end of the bus zone and clearer identification of footpath crossing points leading to the school would assist.

It was noted that the footpath issue had been identified in Council's revised Pedestrian Access and Mobility Plan.

TAC59/11 **Recommended:**

- 1 That an accessible parking bay be installed on the northern side of Lake Street west of the existing bus zone.
- 2 Further that vegetation adjacent to the footpath where it meets Bridge Street, south of Pitt Street, be cleared back to afford better visibility of pedestrians.
- 3 Further that correspondence be sent to Richmond River High School to encourage the school to investigate an internal drop off zone for accessible parking from Lake Street as opposed to the initial suggestion for accessible parking in Alexandra Parade. It should be highlighted that the traffic volumes may increase on Alexandra Parade as a result of the proposed North Lismore Plateau development making access from Lake Street a safer option for the school and accessibility in general.

Part 'B' – Determined by Committee

Didier Marceau – Request for Mirror - Corndale Road

Requesting consideration of installing a safety mirror prior to 440 Corndale Road and pointing out that this driveway is just around a bend and there are a number of speeding motorists in this area. (R3801-03)

Although the bend in question is well signposted, the position of the driveway would create some concern for motorists exiting onto Corndale Road. It would be difficult to locate a mirror to enable good vision of oncoming vehicles and its installation in such an open speed environment is not supported. However, the installation of a 'Concealed Driveway' symbol sign may assist.

TAC60/11 **It was agreed** that a 'Concealed Driveway' symbol sign be installed near the end of the kerb and gutter in front of 446 Corndale Road for Bexhill bound traffic.

North Coast Livestock Health and Pest Authority (LHPA) – Parking in Conway Street and Forbes Lane

Requesting consideration of introducing 15 minute parking for the two parallel parking bays in front of their property in Conway Street and the introduction of 'No Stopping' on one side of Forbes Lane and 'one way' traffic movement in Forbes Lane, north bound.

(CI11/13711:RP09/18)

The two parking bays referred to are in fact in front of the residence next to the LHPA. There is still some doubt as to any impact the introduction of 15 minute parking on the northern side of Conway Street will have on other parking. Whilst parking may not always be available in the immediate vicinity of the LHPA office, it is felt parking generally in Conway Street will be. This can be monitored and further considered at a later date if required.

North Coast Livestock Health and Pest Authority (LHPA) – Parking in Conway Street and Forbes Lane (Cont'd)

Forbes Lane is a narrow lane with a mix of residential and commercial development along its length. The writer has suggested that 'one way' traffic flow, northbound, be introduced with parking being restricted to one side of the lane. Several factors that need consideration is the amount of traffic that would be forced down Forbes Lane from the car wash as well as the potential for rear end accidents on Ballina Road involving motorists slowing to turn into Forbes Lane.

Should one way movement be introduced then restricting parking to one side, possibly the western side, would assist in ensuring more orderly traffic flows. Prior to any decision regarding this proposal it is suggested that a letter be sent to all adjoining Forbes Lane property owners and businesses in order to gauge their support or otherwise.

TAC61/11

It was agreed:

- 1 That the issue of the need for additional time limited parking on the southern side of Conway Street be monitored once the reconstruction is completed.
- 2 Further that a letter be written to all Forbes Lane property owners and businesses to gauge support for the proposed 'one way' traffic movement and parking restrictions with the results being brought back to the Committee for further consideration.

Coralie Gardiner and Don Newman – Speed limit on Koonorigan Road

Raising concerns regarding the current speed restrictions and state of Koonorigan Road and requesting the recent introduction of an 80kph speed limit on Koonorigan Road be further reviewed with a view to it being reduced further. (CI11/13891:R3101)

Mr Smallman has advised that the recently introduced 80kph speed limit is the maximum speed motorists are allowed to travel and not an indication of a safe travel speed under all conditions. The whole length of Koonorigan Road was considered as part of the recent speed limit determination and the RTA is reluctant to undertake a further review given that conditions have not changed.

Council's Road Safety Officer is currently conducting an extensive 'Drive to Conditions' campaign in the hope that more care will be taken generally by all motorists in driving to the variable road conditions that exist on many rural roads in particular. Notwithstanding the above, if individual locations require additional warning signage then this is a more appropriate option to explore. Road widening and other physical requirements such as guard rail are a matter for Council's Works Section to investigate.

TAC62/11 It was agreed:

- 1 That the writers be advised that the RTA has determined that 80 kph is the most appropriate speed limit for Koonorigan Road and that further investigations will be carried out into the need for additional warning signage.
- 2 Further that the road maintenance and construction issues be referred to Council's Works Section for information and investigation.

Daniel & Son Road Transport Pty Ltd - Application for B-Double

Application for B-Double, Road Train Access or 4.6 metre high vehicle.

(CI11/14185: R6911)

A letter was received from the Roads and Traffic Authority requesting Council to undertake an assessment for the request from Daniel & Son Road Transport for B-Double access from the Bruxner Highway to 1 Cook Street, South Lismore.

If this access was granted it would decrease the number of vehicle movements and allow direct access which would increase efficiencies.

TAC63/11 It was agreed that a route assessment would be carried out and the results referred back to the Committee for further consideration.**Street Lighting Intersection Bruxner Highway and Richmond Hill Road**

A letter has been received by Thomas George MP requesting street lighting at the Bruxner Highway/ Richmond Hill intersection. (R6408)

A request for street lighting at this intersection has been received as a result of a number of near misses. Thomas George's office is to forward that section of the letter for our records.

TAC64/11 It was agreed that this be referred for investigation of the current line markings and should be referred to the Roads and Traffic Authority if action is required, including the installation of street lighting.**Closure**

This concluded the business and the meeting terminated at 11.00am.

Documents for Signing and Sealing



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

The Department of Human Services funding agreement requires signatures to be executed under the Common Seal for renewable funding allocated as wages subsidy for a Community Development Worker of \$16,547, and fixed funding of \$11,377 (3 years only) for hosting community events. The Department funds Council to conduct community strengthening events and activities in the Lismore local government area.

Easement over Kirklands/Riviera Car Park Essential Energy (P27569)

Essential Energy have requested Council consent to the granting of an easement for underground power lines through part of the eastern section of the car park. Compensation for the granting of the easement will be determined by valuation.

Lease - Northern Rivers Radio Controlled Model Club Inc – Nesbitt Park Old Tennis Courts (P1863)

Northern Rivers Radio Controlled Model Club Inc has requested renewal of their lease of the above property which expired on 30 April 2011. A notice of the proposed lease was advertised in The Northern Rivers Echo on 19 May 2011 and no submissions were received. The Lease is for a period of five years from 1 May 2011.

Outdoor Dining Licence – Pizzarama – 88 Keen Street, Lismore (P5757)

Licence for outdoor dining comprising an area of 9m² over the footpath adjacent to the premises at 88 Keen Street, Lismore. The licence is in accordance with Lismore City Council Outdoor Dining Policy. The term of the licence is 17 June 2011 – 31 December 2012 and is fee-free in accordance with the Policy.

Outdoor Dining Licence – Zen Sushi – 104 Keen Street, Lismore (P5753)

Licence for outdoor dining comprising an area of 6.6m² over the footpath adjacent to the premises at 104 Keen Street, Lismore. The licence is in accordance with Lismore City Council Outdoor Dining Policy. The term of the licence is 20 June 2011 – 31 December 2012 and is fee-free in accordance with the Policy.

Financial Assistance - Section 356



Financial Assistance – Section 356

a) Representative Selection – Policy 1.4.10 (GL390.735.15)

Budget: \$1,100 Spent to date: \$0

Shawn Sivewright, a 14 year old resident of Lismore, has been selected to represent Australia at the Commonwealth Karate Championships in July 2011 (CI11/15289).

\$186*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: \$14,063.24

May 2011

Multitask \$250.42

Nimbin Aquarius Landcare Group \$9.09

Five Loaves \$133.63

Friends of the Koala \$69.53

Youth Connections North Coast \$64.45

LifeLine \$212.12

Westpac Life Saver Helicopter \$87.30

Total \$826.54*In accordance with policy.***c) Mayor's Discretionary Fund (GL390.485.15)**

Budget: \$2,700 Spent to date: \$0

Mr Vann Harris-Kennedy, aged 14 years, is seeking a donation to assist him in costs associated with his selection for representative North Coast Group 1 Rugby League in Port Macquarie on 2 July 2011. The contribution will go towards accommodation and travel costs (ED11/23076).

\$50

RaRa Youth Theatre is seeking a donation towards hall hire costs for a fundraiser performance *Sending Hope* at The Channon Hall on 29 and 30 of July 2011. Ticket sales will go to Amnesty International Rethink Refugee Campaign and The Letter Writing Project (ED11/22765).

\$100

Mr Brendan Pearce, Kadina High School Student, is seeking a donation to attend the YMCA NSW Youth Parliament in Sydney from 3-8 July 2011 (ED11/22766).

\$50

Financial Assistance – Section 356

South Lismore Celtic Football Club is seeking a donation towards costs for young players aged between 10 and 13 to compete in the McDonald's Mini World Cup Tournament in September 2011(CI111/14700).

\$100

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 COUNCIL CHAMBERS ON TUESDAY, 14 JUNE 2011 AT 6.00PM.

Present

Mayor, Councillor Dowell; Councillors Battista, Chant, Clough, Ekins, Graham, Houston, Marks, Meineke, Smith and Yarnall, together with the General Manager, Executive Director-Sustainable Development, Executive Director-Infrastructure Services, Manager-Finance, Manager- Development and Compliance, Manager-Commercial Services, City Centre Manager, Gallery Director, Media and Community Relations Coordinator, Corporate Compliance Coordinator and General Manager's Personal Assistant.

Leave of Absence

388/11 **RESOLVED** that a leave of absence be granted for:

Councillor Houston from 22-24 June 2011.
Councillor Battista from 7-8 July 2011.
Councillor Chant from 3-10 July 2011.

(Councillors Clough/Chant)

Confirmation of Minutes

389/11 **RESOLVED** that the minutes of the Lismore City Council held on 10 May 2011 be confirmed.

(Councillors Clough/Chant)

Disclosure of Interest

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

Report – Section 96 Modification of DA2003.711.1 - Alterations and additions to dwelling at 46 Nielson Street, East Lismore

Nature of Interest: Childhood friendship with the son of the principal objectors to the Section 96 application.

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

Report – 2011-2013 Lismore Business Marketing Plan

Nature of Interest: Spouse operates a business within the CBD.

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:

Janet Auret - Clunes Telecommunications Tower

Ms Auret spoke against the proposed erection of a telecommunications tower at Clunes citing concerns at the potential expansion of the tower, adjacent to a dip site, close to residential sites, proximity to a proposed sports ground, electrical radiation emissions and adverse health effects. She requested Council's support to oppose the current site and seek an alternative site.

At this juncture Councillor Smith left the meeting.

Janine Wilson - Section 96 Modification of DA2003.711.1 - Alterations and additions to dwelling at 46 Nielson Street, East Lismore

Ms Wilson thanked Council for the mediation efforts, stressed this was not a neighbourhood dispute but arose from a flawed assessment process. She detailed history of the application and urged Council defer a decision until a consulting engineering report is received.

Karin Hazan - Section 96 Modification of DA2003.711.1 - Alterations and additions to dwelling at 46 Nielson Street, East Lismore

Ms Hazan described the development as compatible to other developments in the area. She spoke to the process, urged Council not to delay the assessment process but to do it in a legal manner and on merit.

At this juncture Councillor Smith returned to the meeting.

Daniel McCabe and Michael Hadden – 2011-2013 Lismore Business Marketing Plan

Mr McCabe and Mr Hadden spoke to the merits of the plan, citing its benefits to the CBD and the city overall the support this plan would give local businesses.

At this juncture Councillor Graham arrived at the meeting, the time being 06:29pm.

Notice of Motions

10.1 Retrospective Reduction in the Solar Bonus Scheme

A NOTICE OF MOTION was submitted by Councillor Smith that Council write to the State Minister for Energy with copies to the Premier and the Local State Member expressing Council's grave concern about the proposed retrospective reduction in the Solar Bonus Scheme. The letter should state that Council:

1. Has deep concerns over the plans to introduce retrospective legislation that will reduce the gross feed in tariff for solar energy. Council believes that such legislation will undermine the community's trust in government and create a dangerous precedent.
2. Is concerned for the impact of these proposed changes on the local solar industry considering our postcode area has one of the highest uptakes of photo voltaic systems in the country.
3. Sees these changes as having a very negative impact on the State's greenhouse gas reduction targets.

At the request of the mover the MOTION was WITHDRAWN.

(Councillors Smith) (BP11/401)

10.2 Clunes Telecommunications Tower

390/11

RESOLVED that Council:

1. Requests Optus consider alternative locations for the proposed telecommunications tower in Clunes to ensure the tower is removed from residences and does not detract from the amenity of the Clunes village.
2. Extend the community consultation period for one month as not all residents within the notification area received the documentation relating to the matter.
3. Notify the appropriate telecommunications authority of the proximity of a dip site to the proposed Clunes Optus telecommunications tower.
4. Prepare a policy for the erection of Telecommunication towers Incorporating distance to Homes, Schools, Sporting fields and community infrastructure (suggestion of 500 metres), community consultations not just neighbours and that this policy be put in place immediately and be sent to appropriate state and federal departments.

(Councillors Yarnall/Clough) (BP11/417)

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

Voting against: Nil

10.3 Road Funding

A MOTION WAS MOVED that:

1. Includes in the 2011/12 Operational Plan the \$940,000 per annum a shortfall on rural sealed roads as identified in Council's Asset Management Plan.
2. The above amount be an ongoing inclusion in Council's subsequent Operational Plans.

On submission to the meeting the MOTION was DEFEATED.

(Councillors Yarnall/Graham) (BP11/420)

Voting for: Councillors Meineke, Graham and Yarnall

Voting against: Councillors Houston, Clough, Chant, Marks, Battista, Dowell, Ekins and Smith

Reports

At this juncture Councillor Smith left the meeting.

12.1 Section 96 Modification of DA2003.711.1 - Alterations and additions to dwelling at 46 Nielson Street, East Lismore

391/11 A MOTION WAS MOVED that:

1. Council, as the consent authority, approve application 2003.711.3 seeking modification of development consent for alterations and additions at 46 Nielson Street, Lismore to allow for 2 x (800mm x 600mm) windows in the southern elevation of the garage, deletion of a window serving the downstairs living area from the eastern elevation, internal layout changes, and retaining wall construction and drainage along the southern boundary, pursuant to the provisions of section 96 of the Environmental Planning & Assessment Act 1979, in the following manner:

Delete condition 29 and insert the following replacement condition:

29. The applicant shall engage a practicing civil/structural engineer (agreed to by the owners of 48 Nielson Street) to inspect (and conduct associated soil testing of) the existing retaining wall on the boundary of 46 and 48 Nielson Street, Lismore, and provide to owners of 46 and 48 Nielson Street a report (within 30 days of the date of receiving written notification of the determination of s.96 modification application 2003.711.3) regarding the structural integrity and appropriate drainage for the retaining wall between respective properties and recommend a basic plan regarding any structural and drainage adjustments required to the retaining wall. The fee for such report and cost of carrying out any recommendations made in such report shall be met the applicant.

The report shall include or address (but not necessarily be limited to) details of the following:

- (a) The extent of demolition/reconstruction of the retaining wall.

- (b) The proposed method(s) of providing subsurface drainage behind the wall.
- (c) The direction of subsurface and surface water flow from above and behind the retaining wall by pipe or channel to the street alignment unless this is not possible to be achieved by gravity.
- (d) The location and level of discharge points for drainage.
- (e) Calculations and design details for an appropriately located and sized storm water absorption/dispersal pit (taking into account (c) above) in accordance with accepted engineering practice to avoid potential for adverse drainage impacts to adjoining premises.
- (f) Pegging the boundaries between the properties so that the retaining wall is properly positioned entirely within the property of 46 Nielson Street.
- (g) During the progress of recommended works to the retaining wall in accordance with the report, provisions and timing for the inspection of any works carried out in accordance with the report recommendations at two points during the works. The first inspection should be at the foundation stage of the retaining wall and the second inspection should be at the drainage stage.
- (h) A proposed schedule for completion of the works.

Upon completion of the report, the engineer shall allow each owner a period of fourteen (14) days for comment in reply to the report, and include details of any response received from the respective owners with a response/amendments to any comments received. The report shall then be submitted to Council with a Construction Certificate application for written approval prior to the works proceeding.

The content of the report shall be complied with, and if there is any dispute regarding the adequacy, terms or compliance of, or with, the final engineering report, the Manager – Development & Compliance of Lismore City Council will determine an appropriate course of action to resolve the matter in dispute.

Reason: *To ensure the retaining wall and associated drainage is constructed to appropriate standards and is fit for its intended purpose.*

Modification of condition 30 to read as follows:

30. The retaining wall shall be provided with subsurface and surface (dish drain) drainage connected directly to the street drainage system (or otherwise in accordance with the requirements of the engineering report required by condition 29 of this consent), and located entirely within the boundaries of the allotment.

Reason: To ensure surface water is not adversely impacting on adjoining properties.

Insert the following new condition 30a:

30a. Within twenty one (21) days of the completion of the works identified in the approved engineering report referred to in conditions 29 and 30, certification from a practising civil/structural engineer shall be provided to Council that the completed retaining wall works are structurally adequate and drainage has been provided in accordance with relevant construction and drainage standards, which must be specified in the certificate.

Note: The provision of this certificate will satisfy compliance with the terms of condition 3 of DA2003.711.

Reason: *To ensure the retaining wall and associated drainage is constructed to appropriate standards and is fit for its intended purpose.*

The addition of a new condition 35:

35. No approval is granted for any windows in the southern elevation of the garage at 46 Nielson Street.

Reason: *To ensure there are no adverse amenity impacts or consequences from light spill to windows of habitable rooms within the adjoining premises at 48 Nielson Street*

(Councillors Yarnall/Clough) (BP11/405)

AN AMENDMENT WAS MOVED

That:

1. Council, as the consent authority, approve application 2003.711.3 seeking modification of development consent for alterations and additions at 46 Nielson Street, Lismore to allow for 2 x (800mm x 600mm) windows in the southern elevation of the garage, deletion of a window serving the downstairs living area from the eastern elevation, internal layout changes, and retaining wall construction and drainage along the southern boundary, pursuant to the provisions of section 96 of the Environmental Planning & Assessment Act 1979, in the following manner:

Delete condition 29 and insert the following replacement condition:

29. The applicant shall engage a practicing civil/structural engineer (agreed to by the owners of 48 Nielson Street) to inspect (and conduct associated soil testing of) the existing retaining wall on the boundary of 46 and 48 Nielson Street, Lismore, and provide to owners of 46 and 48 Nielson Street a report (within 30 days of the date of receiving written notification of the determination of s.96 modification application 2003.711.3) regarding the structural integrity and appropriate drainage for the retaining wall between respective properties and recommend a basic plan regarding any structural and drainage adjustments required to the retaining wall. The fee for such report and cost of carrying out any recommendations made in such report shall be met the applicant.

The report shall include or address (but not necessarily be limited to) details of the following:

- (a) The extent of demolition/reconstruction of the retaining wall.
- (b) The proposed method(s) of providing subsurface drainage behind the wall.
- (c) The direction of subsurface and surface water flow from above and behind the retaining wall by pipe or channel to the street alignment unless this is not possible to be achieved by gravity.
- (d) The location and level of discharge points for drainage.
- (e) Calculations and design details for an appropriately located and sized storm water absorption/dispersal pit (taking into account (c) above) in accordance with accepted engineering practice to avoid potential for adverse drainage impacts to adjoining premises.

- (f) Pegging the boundaries between the properties so that the retaining wall is properly positioned entirely within the property of 46 Nielson Street.
- (g) During the progress of recommended works to the retaining wall in accordance with the report, provisions and timing for the inspection of any works carried out in accordance with the report recommendations at two points during the works. The first inspection should be at the foundation stage of the retaining wall and the second inspection should be at the drainage stage.
- (h) A proposed schedule for completion of the works.

Upon completion of the report, the engineer shall allow each owner a period of fourteen (14) days for comment in reply to the report, and include details of any response received from the respective owners with a response/amendments to any comments received. The report shall then be submitted to Council with a Construction Certificate application for written approval prior to the works proceeding.

The content of the report shall be complied with, and if there is any dispute regarding the adequacy, terms or compliance of, or with, the final engineering report, the Manager – Development & Compliance of Lismore City Council will determine an appropriate course of action to resolve the matter in dispute.

Reason: *To ensure the retaining wall and associated drainage is constructed to appropriate standards and is fit for its intended purpose.*

Modification of condition 30 to read as follows:

30. The retaining wall shall be provided with subsurface and surface (dish drain) drainage connected directly to the street drainage system (or otherwise in accordance with the requirements of the engineering report required by condition 29 of this consent), and located entirely within the boundaries of the allotment.

Reason: *To ensure surface water is not adversely impacting on adjoining properties.*

Insert the following new condition 30a:

30a. Within twenty one (21) days of the completion of the works identified in the approved engineering report referred to in conditions 29 and 30, certification from a practising civil/structural engineer shall be provided to Council that the completed retaining wall works are structurally adequate and drainage has been provided in accordance with relevant construction and drainage standards, which must be specified in the certificate.

Note: *The provision of this certificate will satisfy compliance with the terms of condition 3 of DA2003.711.*

Reason: *To ensure the retaining wall and associated drainage is constructed to appropriate standards and is fit for its intended purpose.*

The addition of a new condition 35:

35. The lighting provided within the garage shall be located in a position that ensures there is no direct line of sight between any light fitting in the garage and the windows of the adjoining premises at 48 Nielson Street, to the satisfaction of Council's Development Assessment Officer (Building). Any changes to light fittings to comply with this requirement must be undertaken within 28 days of a written direction for compliance being received from Lismore City Council.

***Reason:** To ensure that light emanating from the garage area is ambient light, and preserves a reasonable level of amenity to the adjoining premises at 48 Nielson Street.*

(Councillors Graham/Houston) (BP11/405)

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

Section 375A Voting Record

Voting for: Councillors Meineke, Chant, Marks, Dowell and Graham

Voting against: Councillors Houston, Battista, Clough, Yarnall and Ekins

391/11

The voting being tied the Mayor declared the AMENDMENT APPROVED with her casting vote.

RESOLVED that:

1. Council, as the consent authority, approve application 2003.711.3 seeking modification of development consent for alterations and additions at 46 Nielson Street, Lismore to allow for 2 x (800mm x 600mm) windows in the southern elevation of the garage, deletion of a window serving the downstairs living area from the eastern elevation, internal layout changes, and retaining wall construction and drainage along the southern boundary, pursuant to the provisions of section 96 of the Environmental Planning & Assessment Act 1979, in the following manner:

Delete condition 29 and insert the following replacement condition:

29. The applicant shall engage a practicing civil/structural engineer (agreed to by the owners of 48 Nielson Street) to inspect (and conduct associated soil testing of) the existing retaining wall on the boundary of 46 and 48 Nielson Street, Lismore, and provide to owners of 46 and 48 Nielson Street a report (within 30 days of the date of receiving written notification of the determination of s.96 modification application 2003.711.3) regarding the structural integrity and appropriate drainage for the retaining wall between respective properties and recommend a basic plan regarding any structural and drainage adjustments required to the retaining wall. The fee for such report and cost of carrying out any recommendations made in such report shall be met the applicant.

The report shall include or address (but not necessarily be limited to) details of the following:

- (a) The extent of demolition/reconstruction of the retaining wall.
- (b) The proposed method(s) of providing subsurface drainage behind the wall.
- (c) The direction of subsurface and surface water flow from above and behind the retaining wall by pipe or channel to the street alignment unless this is not possible to be achieved by gravity.
- (d) The location and level of discharge points for drainage.
- (e) Calculations and design details for an appropriately located and sized storm water absorption/dispersal pit (taking into account (c) above) in accordance with accepted engineering practice to avoid potential for adverse drainage impacts to adjoining premises.
- (f) Pegging the boundaries between the properties so that the retaining wall is properly positioned entirely within the property of 46 Nielson Street.
- (g) During the progress of recommended works to the retaining wall in accordance with the report, provisions and timing for the inspection of any works carried out in accordance with the report recommendations at two points during the works. The first inspection should be at the foundation stage of the retaining wall and the second inspection should be at the drainage stage.
- (h) A proposed schedule for completion of the works.

Upon completion of the report, the engineer shall allow each owner a period of fourteen (14) days for comment in reply to the report, and include details of any response received from the respective owners with a response/amendments to any comments received. The report shall then be submitted to Council with a Construction Certificate application for written approval prior to the works proceeding.

The content of the report shall be complied with, and if there is any dispute regarding the adequacy, terms or compliance of, or with, the final engineering report, the Manager – Development & Compliance of Lismore City Council will determine an appropriate course of action to resolve the matter in dispute.

Reason: *To ensure the retaining wall and associated drainage is constructed to appropriate standards and is fit for its intended purpose.*

Modification of condition 30 to read as follows:

30. The retaining wall shall be provided with subsurface and surface (dish drain) drainage connected directly to the street drainage system (or otherwise in accordance with the requirements of the engineering report required by condition 29 of this consent), and located entirely within the boundaries of the allotment.

Reason: *To ensure surface water is not adversely impacting on adjoining properties.*

Insert the following new condition 30a:

30a. Within twenty one (21) days of the completion of the works identified in the approved engineering report referred to in conditions 29 and 30, certification from a practising civil/structural engineer shall be provided to Council that the completed retaining wall works are structurally adequate and drainage has been provided in accordance with relevant construction and drainage

standards, which must be specified in the certificate.

Note: The provision of this certificate will satisfy compliance with the terms of condition 3 of DA2003.711.

Reason: *To ensure the retaining wall and associated drainage is constructed to appropriate standards and is fit for its intended purpose.*

The addition of a new condition 35:

35. The lighting provided within the garage shall be located in a position that ensures there is no direct line of sight between any light fitting in the garage and the windows of the adjoining premises at 48 Nielson Street, to the satisfaction of Council's Development Assessment Officer (Building). Any changes to light fittings to comply with this requirement must be undertaken within 28 days of a written direction for compliance being received from Lismore City Council.

Reason: *To ensure that light emanating from the garage area is ambient light, and preserves a reasonable level of amenity to the adjoining premises at 48 Nielson Street.*

The voting being tied the Mayor declared the MOTION APPROVED with her casting vote.

Section 375A Voting Record

Voting for: Councillors Meineke, Chant, Marks, Dowell and Graham

Voting against: Councillors Houston, Battista, Clough, Yarnall and Ekins

(Councillors Graham/Houston) (BP11/405)

At this juncture Councillor Smith returned to the meeting.

12.2 2011-2013 Lismore Business Marketing Plan

392/11

RESOLVED that Council adopt the '2011-2013 Lismore Business Marketing Plan' as outlined in the attached document subject to the approval of the 2011-2012 Operational Plan.

(Councillors Smith/Chant) (BP11/403)

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

Voting against: Nil

12.3 Draft Arts and Culture Policy

393/11 **RESOLVED** that the draft Arts and Culture Policy be placed on public exhibition for a period of twenty eight days and be brought back to Council for finalisation.

(Councillors Battista/Ekins) (BP11/288)

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

Voting against: Councillor Clough

12.4 Art Gallery café

394/11 **RESOLVED** that Council as Reserve Trust Manager for Spinks Park:

1. Having conducted two unsuccessful tender processes in an attempt to secure a lessee for the Art Gallery Café, resolve in accordance with section 178(3) (e) of the Local Government (General) Regulation, to enter into negotiations with Mr Perry Hill and Ms Sally Lewington.
2. 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 is that two tender processes have already been conducted and a satisfactory outcome has not been achieved through those processes.
3. In accordance with Clause 178(4) (b) of the Local Government (General) Regulation, the reasons that Council will enter into negotiations with the identified party is that:
 - a. negotiations with all other parties identified in the earlier consideration of this matter by Council have failed to deliver a suitable outcome for Council and the Reserve Trust.
 - b. the party has submitted an unsolicited proposal to Council which appears to be satisfactory.
 - c. a satisfactory outcome can be achieved through a negotiation process.
4. The General Manager be delegated authority to undertake negotiations with Mr Perry Hill and Ms Sally Lewington and finalise a suitable outcome for lease of the Art Gallery Café on behalf of Council and the Reserve Trust.
5. In the event that negotiations with Mr Perry Hill and Ms Sally Lewington are not resolved, or fail to progress to the satisfaction of Council, the General Manager be authorised to conduct an advertising program with a commercial real-estate agent, to find a suitable lessee for the Art Gallery café.
6. If and when an advertising program proceeds, and suitable respondents are identified, the General Manager be authorised to finalise negotiations on behalf of Council and the Reserve Trust and enter into a lease for the Art Gallery café, with any preferred respondent to the advertising program.

7. The common seal of Council be applied to any necessary documentation as required.

(Councillors Meineke/Graham) (BP11/369)

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

Voting against: Councillors Battista and Ekins

12.5 Annual Remuneration Fees for Mayor and Councillors

395/11 **RESOLVED** that Council:

1. Adopt the maximum Councillor remuneration fee, as set by the Local Government Remuneration Tribunal in their 2011 determination.
2. Include an estimated amount for Councillor Remuneration, via CPI and inline with past decisions, in future budget consideration and documentation.

(Councillors Graham/Smith) (BP11/376)

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

Voting against: Councillors Battista and Dowell

12.6 Tender T2011-18 - Supply of Two Graders

396/11 **RESOLVED** that Council:

1. Accept the following tendered offer by:
 - a) Hitachi Construction Machinery for two (2) John Deere 670G graders at a total cost of \$668,100.00 plus GST.
2. Sell via auction:
 - a) Plant No. 309, a Caterpillar 12H grader.
 - b) Plant No. 322, a Caterpillar 120H grader.

(Councillors Chant/Smith) (BP11/402)

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

Voting against: Nil

12.7 Tender T2011- 26 - Supply of Pre-stressed Concrete Bridge Girders

397/11

RESOLVED that:

1. The contract for the supply of pre-stressed concrete bridge girders for Myotts Bridge outlined as part of the Regional Roads Timber Bridge Replacement Program be awarded to Con-Tec Pty Ltd with the total price of works being \$214,800.00 (exclusive of GST), based on the tender submission.
2. The General Manager on behalf of Council be authorised to execute the contract and attach the Common Seal of the Council.

(Councillors Chant/Marks) (BP11/400)

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

Voting against: Nil

12.8 Tender T2011-17 - Lease of Nimbin Caravan Park and Operation and Maintenance of Nimbin Public Pool

392/11

RESOLVED that consideration of this matter be deferred until the end of the Business Paper.

(Councillors Ekins/Marks) (BP11/404)

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

Voting against: Nil

12.9 Tender T2011-28 - Cleaning Services

399/11

RESOLVED that:

1. Council decline to call open tenders for the provision of cleaning services for Council facilities.
2. In accordance with Section 55(3) of the *Local Government Act, 1993* Council procure its cleaning services through the NSW State Government Contract administered by the Department of Commerce in accordance with the terms and conditions of that contract.
3. The General Manager be authorised to finalise and execute the relevant documentation required to enter into a contract with ISS Facilities Services.
4. The common seal of Council be applied to any necessary contract documentation as required.

(Councillors Graham/Marks) (BP11/406)

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

Voting against: Nil

12.10 2011 Local Government Association of NSW

400/11

RESOLVED that:

1. Council's voting delegates to the 2011 Local Government Association NSW Conference be the Mayor and Councillor Marks.
2. Council's Observer to the Conference be the General Manager.

(Councillors Marks/Smith) (BP11/370)

Voting for: Councillors Houston, Meineke, Chant, Marks, Battista, Dowell, Ekins and Smith

Voting against: Councillors Clough, Graham and Yarnall

12.11 Investments - May 2011

401/11

RESOLVED that the report be received and noted.

(Councillors Smith/Houston) (BP11/78)

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

Voting against: Councillor Ekins

Committee Recommendations

13.1 Traffic Advisory Committee Minutes

393/11 **RESOLVED** that the minutes be received and adopted and the recommendations contained therein be adopted.

Subject to:

1. The amendment of TAC 45/11 item 3 to read:

The introduction of a NO Stopping Monday to Friday zone on the western side of Dawson Street, between the underpass structure, including the new deliveries driveway entrance, down to the new location of the accessible parking space to prohibit parking in this area and provide maximum available sight distance for vehicle exiting the new delivery driveway loop.

2. TAC 52/11 being referred back to the Traffic Committee to review the parking layout

(Councillors Meineke/Clough) (BP11/418)

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

Voting against: Councillor Ekins

(Councillors Meineke/Clough) (BP11/418)

Documents for Signing and Sealing

14.1 Documents for Signing and Sealing

403/11 **RESOLVED** that the following documents be executed under the Common Seal of the Council:

Sale to Reo Investments – 2 Industry Drive, East Lismore (P5144)

Linen plan of subdivision and associated documents and Transfer of Title for the sale of a small strip of Council land (approximately 400 m²) to the adjoining land owner (Reo Investments Pty. Ltd.) A report to Council meeting of 14 December 2010 passed a resolution (279/10) to proceed with the sale and execution under Common Seal of the Contract for Sale. However, the resolution did not refer to execution of any other documents necessary for completion of the transaction.

NSW Rural Fire Service Zoning Agreement

Agreement has been reached between the NSW Rural Fire Service and Lismore, Richmond Valley and Kyogle Councils regarding a zoning arrangement for the Northern Rivers region. Council agreed in principle to the zoning arrangement at its meeting of 23 July 2010 and delegated authority to the General Manager to finalise the agreement. The document is now ready for execution under Seal.

(Councillors Graham/Clough) (BP11/419)

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

Financial Assistance – Section 356

15.1 Financial Assistance – Section 356 Report

404/11 **RESOLVED** that in accordance with Section 356(1) of the Local Government Act 1993, the assistance to persons as listed above is hereby approved.

Representative Selection – Policy 1.4.10 (GL390.735.15)

Budget: \$1,100 Spent to date: \$375

Mr Matt Tickle is seeking financial assistance to attend the Commonwealth Karate Games in July 2011 in Sydney as the men's open heavyweight karate champion (C111/11094).

\$375

In accordance with policy.

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

Budget: \$21,400 Spent to date: \$20,382

Lismore Symphony Orchestra requesting Council discount the hire fees (\$844) by 60% for the use of the City Hall for a rehearsal and concerts on 2, 4 and 5 June 2011.

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

\$168.80

Project Seres requesting Council waive or discount the hire fees (\$386) for use of the City Hall on 16 June 2011 to hold a benefit function to raise funds to work with at risk rural communities in Guatemala.

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

\$77.20

Bahai's of Lismore requesting Council discount the hire fees (\$129) for use of the City Hall on 3 April 2011 to hold a quarterly Cluster meeting that brings together the majority of Baha'i believers within the Northern Rivers to reflect on past activities and plan for the social and economic development activities.

Recommendation: In accordance with Clause 5 of the policy, a donation 25% of the hire fees applies.

\$32.25

Lismore Community College requesting Council discount the hire fees (\$98 per hire) for the occasional use of the City Hall kitchen to hold kitchen classes in 2011.

Recommendation: In accordance with Clause 5 of the policy, a donation 20% of the hire fees applies each hire.

\$19.60

AM Marketing on behalf of the Northern Rivers Careers Expo 2011 requesting Council discount the hire fees (\$1.260) for use of the City Hall on 4 May 2011 to hold the Northern Rivers Careers Expo 2011.

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

\$252.00

Northern Rivers Community Legal Centre requesting Council discount the hire fees (\$227) for use of the City Hall on 4 June 2011 to hold a 'Rights at Work' seminar for the African communities in Lismore.

Recommendation: In accordance with Clause 5 of the policy, a donation 25% of the hire fees applies.

\$56.75

In accordance with policy.

Mayor's Discretionary Fund (GL390.485.15)

Budget: \$2,700

Spent to date: \$2,300

Eltham Arts Awards 2011 to be held on 28 October 2011 are seeking financial assistance in the form of sponsorship (ED11/20241).

\$100

(Councillors Graham/Smith) (BP11/410)

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

Voting against: Nil

Confidential Matters – Closed Council Meeting

405/11	RESOLVED that Council now exclude the press and public and meet in Closed Council to consider the following matters;
Item	Tender T2011-17 Lease of Nimbin Caravan park and Operation and Maintenance of Nimbin Public Pool
Grounds for Closure	Section 10A(2) g:
Public Interest	Discussion of this matter in an open meeting would on balance be contrary to the public interest because it relates to legal advice of a confidential nature that would, if disclosed place Council at a legal disadvantage.
(Councillors Graham/Marks)	
Voting for:	Councillors Houston, Meineke, Clough, Chant, Marks, Battista, Dowell, Graham, Yarnall, Ekins and Smith
Voting against:	Nil

Resumption of Open Council

Resumption of Open Council - EF/363

A MOTION WAS MOVED that:

1. The report be received and noted.
2. The General Manager continue to progress the matter in accordance with Council's decision of 12 April 2011, noting that a lease agreement is now proposed for the entire Caravan Park and Pool Complex.
3. The General Manager be delegated authority to finalise details and proceed to execute the lease agreement and any other required documentation, under the common seal of Council.

(Councillors Smith/Marks) (BP11/404)

AN AMENDMENT WAS MOVED that Council defer consideration of this matter until the Extra Ordinary meeting in June to allow further reflection of legal advice by Councillors.

(Councillors Yarnall/Clough) (BP11/404)

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

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

Voting against: Councillor Graham

406/11

RESOLVED that Council defer consideration of this matter until the Extra Ordinary meeting in June to allow further reflection of legal advice by Councillors.

(Councillors Yarnall/Clough)

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

Voting against: Councillor Graham

(Councillors Yarnall/Clough) (BP11/410)

(Councillors Yarnall/Clough)

Closure

This concluded the business and the meeting terminated at 9.10pm.

CONFIRMED this TWELFTH DAY of JULY 2011 at which meeting the signature herein was subscribed.

MAYOR

**MINUTES OF THE EXTRA ORDINARY MEETING OF THE COUNCIL OF THE CITY OF LISMORE
HELD IN COUNCIL CHAMBERS ON TUESDAY, 21 JUNE 2011 AT 6.00PM.**

Present

Mayor, Councillor Dowell; Councillors Houston, Battista, Meineke, Clough, Chant, Graham, Yarnall, Ekins, Marks, and Smith, together with the General Manager, Executive Director-Sustainable Development, Executive Director-Infrastructure Services, Manager-Finance, Manager -Assets, Manager-Corporate Services, Principal Accountant, Management Accountant and Corporate Compliance Coordinator.

Disclosure of Interest

Nil

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:

Martin Field - Amended 2010-2014 Delivery Plan and 2011/12 Operational Plan

Mr Field described the budget figures in respect to the Richmond Tweed Regional Library as misleading, overstating the contribution. He claimed a reduction in investment income and a general decline in financial resources. This he claimed would result in a decline in library standards.

Reports

12.1 Funding for Roads

407/11 **RESOLVED** that an objective to finance an extra \$940,000 per annum on rural sealed roads and approximately \$1,000,000 on unsealed roads be considered during the review of the Lismore Community Strategic Plan 2008-2018 in 2012.

(Councillors Yarnall/Clough) (BP11/434)

Voting for: Councillors Houston, Meineke, Clough, Marks, Battista, Dowell, Graham, Yarnall and Ekins

Voting against: Councillors Chant and Smith

12.2 Amended 2010-2014 Delivery Plan and 2011/12 Operational Plan

A MOTION WAS MOVED that Council:

1. Acknowledge receipt and consideration of all public submissions.
2. Adopt the amended 2010-2014 Delivery Plan and 2011/12 Operational Plan based on that advertised and recommended changes included in the report.
3. Advise the Division of Local Government of its intention to borrow up to \$9,863,000 during 2011/12 as included in the 2011/12 Operational Plan for Capital Works.

(Councillors Clough/Smith) (BP11/435)

AN AMENDMENT WAS MOVED that Council:

1. Acknowledge receipt and consideration of all public submissions.
2. Adopt the amended 2010-2014 Delivery Plan and 2011/12 Operational Plan based on that advertised and recommended changes included in the report, excluding items:

7,12,17,18,19,20,21,22,23,24,25,26,27,28,29,30,31,33,34,35,36,37,38,40,41,43,44,52,56,57,58,60,and 61.
3. Advise the Division of Local Government of its intention to borrow up to \$9,863,000 during 2011/12 as included in the 2011/12 Operational Plan for Capital Works.
4. That council allocates the approx \$420,300 savings in point 2 to the rural roads construction and maintenance budget 2011/2012.

On submission to the meeting the AMENDMENT was DEFEATED.

(Councillors Yarnall/Battista) (BP11/435)

Voting for: Councillors Battista and Yarnall

Voting against: Councillors Houston, Meineke, Clough, Chant, Marks, Dowell, Graham, Ekins and Smith

A FORESHADOWED AMENDMENT WAS MOVED that Council:

1. Acknowledge receipt and consideration of all public submissions.
2. Adopt the amended 2010-2014 Delivery Plan and 2011/12 Operational Plan based on the advertised and recommended changes included in the report but excluding the Compliance Charge placed on Development Applications (ie 0.1% of cost) and Subdivisions (\$100/lot) and the Subdivision Construction Certificate fee of \$260/lot.

3. Advise the Division of Local Government of its intention to borrow up to \$9,863,000 during 2011/12 as included in the 2011/12 Operational Plan for Capital Works.

On submission to the meeting the FORESHADOWED AMENDMENT was DEFEATED.

Voting for: Councillors Meineke, Chant, Marks, Battista and Graham

Voting against: Councillors Houston, Clough, Dowell, Yarnall, Ekins and Smith

(Councillors Meineke/Graham) (BP11/435)

A FORESHADOWED AMENDMENT WAS MOVED that Council:

1. Acknowledge receipt and consideration of all public submissions.
2. Adopt the amended 2010-2014 Delivery Plan and 2011/12 Operational Plan based on the advertised and recommended changes included in the report subject to the Compliance Charge placed on Development Applications (ie 0.1% of cost) and Subdivisions (\$100/lot) being capped at a maximum of \$2,000 per development application.
3. Advise the Division of Local Government of its intention to borrow up to \$9,863,000 during 2011/12 as included in the 2011/12 Operational Plan for Capital Works.

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

(Councillors Clough/Marks) (BP11/435)

Voting for: Councillors Houston, Clough, Marks, Dowell, Yarnall and Smith

Voting against: Councillors Meineke, Chant, Battista, Graham and Ekins

408/11

RESOLVED that Council:

1. Acknowledge receipt and consideration of all public submissions.
2. Adopt the amended 2010-2014 Delivery Plan and 2011/12 Operational Plan based on the advertised and recommended changes included in the report subject to the Compliance Charge placed on Development Applications (ie 0.1% of cost) and Subdivisions (\$100/lot) being capped at a maximum of \$2,000 per development application.
3. Advise the Division of Local Government of its intention to borrow up to \$9,863,000 during 2011/12 as included in the 2011/12 Operational Plan for Capital Works.

(Councillors Clough/Marks) (BP11/435)

Voting for: Councillors Houston, Clough, Chant, Graham, Marks, Dowell, and Smith

Voting against: Councillors Meineke, Battista, Yarnall and Ekins

12.3 2011/12 Rates & Annual Charges

A MOTION WAS MOVED that following advertisement of the draft 2011/12 Operational Plan in accordance with Section 405 of the Local Government Act, 1993, and the consideration of submissions received:

RATES

- (1) It is hereby resolved that a **Business Rate** to be known as the '**Business Inner CBD**' rate of **four point one three three two (4.1332) cents in the dollar** per assessment, on the land value as at base date 1 July 2009 with a **base amount of three hundred and thirty dollars (\$330.00)** per assessment be now made for the rating year 1 July 2011 to 30 June 2012, on all rateable land within the centre of activity known as the Inner CBD shown as within the red boundary of the map, Schedule 'C,' and that meets the definition of Business as defined in Section 518 of the Local Government Act , 1993. The total income from base amounts equates to **four point six (4.6%) percent of the Business Inner CBD income.**
- (2) It is hereby resolved that a **Business Rate** to be known as the '**Business Urban**' rate of **one point three six three six (1.3636) cents in the dollar** per assessment, on the land value as at base date 1 July 2009 with a **base amount of three hundred and thirty dollars (\$330.00)** per assessment be now made for the rating year 1 July 2011 to 30 June 2012, on all rateable land within the centre of activity outside the Inner CBD shown as within the red boundary of the map, Schedule 'C', but within the urban area of Lismore as shown by the red boundary on the map, Schedule 'D' and that meets the definition of Business as defined in Section 518 of the Local Government Act, 1993. The total income from base amounts equates to **eight point nine (8.9%) percent of the Business Urban income.**
- (3) It is hereby resolved that a **Business Rate** to be known as the '**Business Other**' rate of **point seven nine nine seven (0.7997) cents in the dollar** per assessment on the land value as at base date 1 July 2009 with a **base amount of three hundred and thirty dollars (\$330.00)** per assessment be now made for the rating year 1 July 2011 to 30 June 2012, on all rateable land in the City of Lismore but not within the areas defined within the maps, Schedules 'C' and 'D' attached and the Village of Nimbin, as defined by the map of Nimbin in Schedule 'A', and that meets the definition of Business as defined in Section 518 of the Local Government Act, 1993. The total income from base amounts equates to **twenty two point two (22.2%) percent of the Business Other income.**

- (4) It is hereby resolved that a **Business Rate** to be known as the '**Nimbin Business**' rate of **one point zero eight eight five (1.0885) cents in the dollar** per assessment on the land value as at base date 1 July 2009 with a **base amount of three hundred and thirty dollars (\$330.00)** per assessment that represents be now made for the rating year 1 July 2011 to 30 June 2012, on all rateable land within the Village of Nimbin, as defined by the map of Nimbin in Schedule 'A', that meets the definition of Business as defined in Section 518 of the Local Government Act , 1993 The total income from base amounts equates to **sixteen point four (16.4%) percent of the Nimbin Business income.**
- (5) It is hereby resolved that a **Residential Rate** to be known as the '**Residential**' rate of **point five four four eight (0.5448) of a cent in the dollar** per assessment, on the land value as at base date 1 July 2009, with a base amount of **three hundred and thirty dollars (\$330.00)** per assessment, be now made for the rating year 1 July 2011 to 30 June 2012, on all rateable land within the centres of population defined and within the red lines shown on the maps in Schedule 'A' attached and meeting the definition of Residential as defined in Section 516 of the Local Government Act, 1993. The total income from base amounts equates to **thirty three point four (33.4%) percent of the Residential income.**
- (6) It is hereby resolved that a **Residential Rate** to be known as the '**Residential Rural**' rate of **point four two four eight (0.4248) of a cent in the dollar** per assessment on the land value as at base date 1 July 2009, with a base amount of **three hundred and thirty dollars (\$330.00)** per assessment, be now made for the rating year 1 July 2011 to 30 June 2012, that meets the definition of Residential on all rateable land except for land within the centres of population defined by the maps in Schedule 'A' attached and meeting the definition of Residential as defined by Section 516 of the Local Government Act, 1993. The total income from base amounts equates to **thirty six point seven (26.7%) percent of the Residential Rural income.**
- (7) It is hereby resolved that a **Farmland Rate** to be known as the '**Farmland**' rate of **point three nine five eight (0.3958) of a cent in the dollar** per assessment, on the land value as at base date 1 July 2009 with a **base amount of three hundred and thirty dollars (\$330.00)** per assessment be now made for the rating year 1 July 2011 to 30 June 2012, on all rateable land in the City of Lismore area that meets the definition of Farmland as defined in Section 515 of the Local Government Act, 1993. The total income from base amounts equates to **sixteen point six (16.6%) percent of the Farmland income.**

WASTEWATER CHARGES

- (8) It is hereby resolved that in accordance with Sections 501 and 539 of the Local Government Act, 1993, an annual charge be now made for the provision of sewerage services to single units of residential occupation, residential, as defined in Section 516 (1) (a) of the Local Government Act, 1993, including residential strata units of **six hundred and sixty seven dollars (\$667.00)** per assessment. This charge applies to properties connected to the Lismore Sewer Scheme and is to be known as the '**Sewer**' charge for the period 1 July 2011 to 30 June 2012.

- (9) It is hereby resolved that in accordance with Sections 501 and 539 of the Local Government Act, 1993, an annual charge be now made for the availability of sewerage of **five hundred dollars and twenty five cents (\$500.25)** per assessment for all rateable land within the proposed North Woodburn sewer scheme area as defined by Schedule 'K', to be known as the '**Nth Woodburn Sewer**' charge for the period 1 July 2011 to 30 June 2012.
- (10) It is hereby resolved that in accordance with Sections 501 and 539 of the Local Government Act, 1993, an annual charge, as per the attached Schedule 'F', where the charge is indicated by the number of units of residential occupancy located on a property, be now made for the provision of sewerage services to a parcel of land connected to the Lismore Sewer Scheme to be known as the '**Sewer Multiple**' charge for the period 1 July 2011 to 30 June 2012, excluding residential Strata Units.
- (11) It is hereby resolved that in accordance with Sections 501 and 539 of the Local Government Act, 1993, for all other properties, not being residential land as defined in Section 516 (1) (a) of the Local Government Act, 1993, an annual charge be now made for the provision of trade waste services for properties connected to the Lismore Sewer Scheme, as per the attached Schedule "G", where the charge is indicated by the number of equivalent tenants or part thereof allocated to an assessment in accordance with the methodology set out in Council's Wastewater Usage Charging Strategy to be known as the '**Non-Residential Sewer**' charge, except for properties declared by Lismore City Council to be Established Strength Users, for the period 1 July 2011 to 30 June 2012.

WASTE MANAGEMENT CHARGES

- (12) It is hereby resolved that an annual charge be now made, in accordance with Section 496 of the Local Government Act 1993, for all land within the declared scavenging area within the Lismore Urban Area, a map of which is available at Council's office, for the removal, weekly, of the approved organic contents of a 240 litre approved mobile waste bin. In addition, on a fortnightly basis, Council will collect the approved recyclable contents a 240 litre approved mobile bin as well as the approved waste contents of a 120 or 140 litre approved mobile bin. This charge is to be known as the '**Integrated Waste**' collection service for the period 1 July 2011 to 30 June 2012 and will be charged at **two hundred and forty eight dollars (\$248.00)** per annum. Additional services will be charged at **two hundred and forty eight dollars (\$248.00)** per annum. Services commenced during the charging period will be charged for on a proportional basis.
- (13) It is hereby resolved that an annual charge be now made, in accordance with Section 496 of the Local Government Act 1993, for all land within the declared scavenging area within the Lismore Urban Area, a map of which is available at Council's office, for the removal, on a fortnightly basis, of the approved organic contents of a 240 litre approved mobile waste bin. In addition, on a monthly basis, Council will collect the approved recyclable contents a 240 litre approved mobile bin as well as the approved waste contents of a 120 or 140 litre approved mobile bin. This charge is to be known as the '**Integrated Waste - Urban Half**' collection service for the period 1 July 2011 to 30 June 2012 and will be charged at **one hundred and thirty six dollars (\$136.00)** per annum. Additional services will be charged **one hundred and thirty six dollars (\$136.00)** at per annum. Services commenced during the charging period will be charged for on a proportional basis.

- (14) It is hereby resolved that an annual charge be now made, in accordance with Section 496 of the Local Government Act 1993, for all land within the declared scavenging area within the Lismore Urban Area, a map of which is available at Council's office, for the removal, weekly, of the approved organic contents of a 240 litre approved mobile bin. In addition, on a fortnightly basis, Council will collect the approved recyclable contents a 240 litre approved mobile bin as well as the approved waste contents of a 240 litre approved mobile bin, the cost of the provision of this bin is the ratepayer's cost. This charge is to be known as the '**Integrated Waste - Waste Plus**' collection service for the period 1 July 2011 to 30 June 2012 and will be charged at **four hundred and nine dollars (\$409.00)** per annum. Additional services will be charged at **four hundred and nine dollars (\$409.00)** per annum. Services commenced during the charging period will be charged for on a proportional basis.
- (15) It is hereby resolved that an annual charge be now made, in accordance with Section 496 of the Local Government Act 1993, for all land within the declared scavenging area within the Lismore Urban Area, a map of which is available at Council's office, for the removal, weekly, of the approved organic contents of a 240 litre approved mobile bin and the approved waste contents of a 240 litre approved mobile bin. In addition, on a fortnightly basis, Council will collect the approved recyclable contents a 240 litre approved mobile bin. This charge is to be known as the '**Integrated Waste – Premium**' collection service for the period 1 July 2011 to 30 June 2012 and will be charged at **four hundred and seventy one dollars (\$471.00)** per annum. Additional services will be charged at **four hundred and seventy one dollars (\$471.00)** per annum. Services commenced during the charging period will be charged for on a proportional basis.
- (16) It is hereby resolved that an annual charge be now made, in accordance with Section 496 of the Local Government Act 1993, for all land within the declared scavenging area within the Lismore Urban Area, a map of which is available at Council's office, for the removal, weekly, of the organic contents of a 240 litre approved mobile waste bin. In addition, on a fortnightly basis, Council will collect the approved recyclable contents a 240 litre approved mobile bin as well as the approved waste contents of a 80 litre approved mobile bin, the cost of the provision of this bin is at the ratepayer's cost This charge is to be known as the '**Integrated Waste – Discount**' collection service for the period 1 July 2011 to 30 June 2012 and will be charged at **one hundred and eighty six dollars (\$186.00)** per annum. Additional services will be charged at **one hundred and eighty six dollars (\$186.00)** per annum. Services commenced during the charging period will be charged for on a proportional basis.
- (17) It is hereby resolved that an annual charge be now made, in accordance with Section 496 of the Local Government Act 1993, for all land within the declared scavenging area within the Lismore Urban Area, a map of which is available at Council's office, for the removal, subject to the approval of the Manager of Northern Rivers Waste, fortnightly, of the approved waste contents a 240 litre approved mobile bin. This charge is to be known as the '**Special Needs**' collection service for the period 1 July 2011 to 30 June 2012 and will be charged at **two hundred and eighty five dollars (\$285.00)** per annum. Additional services will be charged at **two hundred and eighty five dollars (\$285.00)** per annum. Services commenced during the charging period will be charged for on a proportional basis.

- (18) It is hereby resolved that an annual charge be now made, in accordance with Section 496 of the Local Government Act 1993, for all land, located outside the urban area of Lismore but within the declared domestic waste scavenging area, a map of which is available at Council's Corporate Centre for the removal, weekly, of the approved waste contents a 240 litre approved mobile bin and on a fortnightly basis, the approved recycling contents of a 240 litre approved mobile bin. This charge is to be known as the '**Waste Collection Service - Rural**' collection service for the period 1 July 2011 to 30 June 2012 and will be charged at **two hundred and sixty five dollars (\$265.00)** per annum. Additional services will be charged at **two hundred and sixty five dollars (\$265.00)** per annum. Services commenced during the charging period will be charged for on a proportional basis.
- (19) It is hereby resolved that an annual charge be now made, in accordance with Section 496 of the Local Government Act 1993, for all land, located outside the urban area of Lismore but within the declared domestic waste scavenging area, a map of which is available at Council's Oliver Avenue Office for the removal, fortnightly, of the approved waste contents a 240 litre approved mobile bin and on a monthly basis the approved recyclable contents of a 240 litre approved mobile bin. This charge is to be known as the '**Waste Collection Service - Rural Half**' collection service for the period 1 July 2011 to 30 June 2012 and will be charged at **one hundred and forty six dollars (\$146.00)** per annum. Additional services will be charged at **one hundred and forty six dollars (\$146.00)** per annum. Services commenced during the charging period will be charged for on a proportional basis.
- (20) It is hereby resolved that an annual charge be now made, in accordance with Section 501 of the Local Government Act, 1993, for all properties, located within the Urban area of Lismore , a map of which is available at Council's Administration offices, whose waste does not meet the definition of domestic waste contained within the Local Government Act 1993 and where Council collects the approved waste contents of a approved 240 litre mobile waste bin and the approved contents of a 240 litre approved resource recovery bin on a weekly basis from that property, of **two hundred and seventy dollars (\$270.00)** per annum, to be known as the '**Commercial/Industrial Integrated**' charge for the period 1 July 2011 to 30 June 2012. Additional services will be charged at **two hundred and seventy dollars (\$270.00)** per annum. For services commenced during the year a proportional charge will be made.
- (21) It is hereby resolved that an annual charge be now made, in accordance with Section 501 of the Local Government Act, 1993, for all land within the Lismore City Council area, to be known as the '**Waste Minimisation**' charge, of **thirty three dollars (\$33.00)** per assessment, except for those properties within the Nimbin Section 94 Plan Area, maps of which are available at Council's Corporate Centre, that are levied the Transfer Station charge, for the period 1 July 2011 to 30 June 2012. Two resource recovery vouchers are included as part of the 'Waste Minimisation' Charge.
- (22) It is hereby resolved that an annual charge be now made, in accordance with Sections 501 and 541 of the Local Government Act, 1993, for all land located within the Nimbin Section 94 Plan Area, maps of which are available at Council's Corporate Centre, for the provision of the Nimbin Transfer Station Facility, of **ninety eight dollars (\$98.00)** per assessment and for properties with multiple units of residential

occupancy a charge of **ninety eight dollars (\$98.00)** per unit of residential occupancy located on each assessment, to be known as the '**Transfer Station**' charge for the period 1 July 2011 to 30 June 2012. Properties paying for a waste collection service are exempt from this charge. Two resource recovery vouchers are included for each 'Transfer Station' charge.

WATER CHARGES

- (23) In accordance with Section 502 of the Local Government Act, 1993 for water recorded by the water meter on a property, a charge of **two dollars and thirty six cents (\$2.36)** per kilolitre for the year 1 July 2011 to 30 June 2012 to be known as the '**Consumption**' charge is hereby made.
- (24) It is hereby resolved that in accordance with Section 501, 539 and 541 of the Local Government Act, 1993 an annual charge be now made for the year 1 July 2011 to 30 June 2012 for the provision of water and water service availability, based on the size of the water service connected to a property. For a property which has two or more water connections, the cost of the services will be the total number of services multiplied by the fixed service charged; in cases where different sized services are connected, the sum of the cost of the fixed service charges, except for Perradenya (Recycled) services which are not charged an annual charge, and water connections used solely for fire fighting services, the cost of which shall be **one hundred and fifty nine dollars (\$159.00)** per fire fighting service, to be known as the '**Fixed Service Charge**' is hereby made in respect of:

Size of Service	Fixed Service Charge
20mm	\$ 159.00
25mm	\$ 248.44
32mm	\$ 407.04
40mm	\$ 636.00
50mm	\$ 993.76
65mm	\$1,679.44
80mm	\$2,544.00
100mm	\$3,975.00
150mm	\$8,943.76

STORMWATER MANAGEMENT SERVICES CHARGE

- (25) It is hereby resolved that an annual charge be now made, in accordance with Section 496A (1) of the Local Government Act, 1993, for all eligible residential property, as define, excluding residential strata units, within the Tucki Tucki Creek catchment area shown on Schedule 'H', of **twenty five dollars (\$25.00)** per assessment, to be known as the '**Stormwater Charge - Residential - Tucki**' for the period 1 July 2011 to 30 June 2012.
- (26) It is hereby resolved that an annual charge be now made, in accordance with Section 496A (1) of the Local Government Act, 1993, for all eligible residential property, as define, excluding residential strata units, within the Wilsons River catchment area shown on Schedule 'I', of **twenty five dollars (\$25.00)** per assessment, to be known as the '**Stormwater Charge - Residential - Wilsons River**' for the period 1 July 2011 to 30 June 2012.

- (27) It is hereby resolved that an annual charge be now made, in accordance with Section 496A (1) of the Local Government Act, 1993, for all residential strata units and all residential company titled units within the Tucki Tucki Creek catchment area shown on the map in Schedule 'H', of **twelve dollars fifty cents (\$12.50)**, to be known as the '**Stormwater Charge - Res Strata -Tucki**' for the period 1 July 2011 to 30 June 2012.
- (28) It is hereby resolved that an annual charge be now made, in accordance with Section 496A (1) of the Local Government Act, 1993, for all residential strata units and all residential company titled units within the Wilsons River catchment area shown on the map in Schedule 'I', of **twelve dollars fifty cents (\$12.50)**, to be known as the '**Stormwater Charge - Res Strata - Wilsons River**' for the period 1 July 2011 to 30 June 2012.
- (29) It is hereby resolved that an annual charge be now made, in accordance with Section 496A (1) of the Local Government Act, 1993, for all business/commercial and industrial property, except for business/commercial and industrial strata units and company titled units , located within the Tucki Tucki Creek catchment area of Lismore shown on the map in Schedule 'H', of **twenty five dollars (\$25.00)** for each 350m² or part thereof subject to the following; for properties up to 4,200m² in area, the charge will be \$25 per 350m² or part thereof to a maximum of \$300; for properties whose area exceeds 4,200m², \$25 for each 350m² or part thereof, subject to any reduction due to the porous nature of the property which has determined using Council's adopted Stormwater Appeals Procedure and the charge is to be known as the '**Stormwater Charge - Business Tucki**' for the period 1 July 2011 to 30 June 2012.
- (30) It is hereby resolved that an annual charge be now made, in accordance with Section 496A (1) of the Local Government Act, 1993, for all business/commercial and industrial property, except for business/commercial and industrial strata units and company titled units , located within the Wilsons River catchment area of Lismore shown on the map in Schedule 'I', of **twenty five dollars (\$25.00)** for each 350m² or part thereof subject to the following; for properties up to 4,200m² in area, the charge will be \$25 per 350m² or part thereof to a maximum of \$300; for properties whose area exceeds 4,200m², \$25 for each 350m² or part thereof, subject to any reduction due to the porous nature of the property which has determined using Council's adopted Stormwater Appeals Procedure and the charge is to be known as the '**Stormwater Charge - Business - Wilsons River**' for the period 1 July 2011 to 30 June 2012.
- (31) It is hereby resolved that an annual charge be now made, in accordance with Section 496A (1) of the Local Government Act, 1993, for all eligible business/ commercial and industrial strata units and company titled units, located within the Tucki Tucki Creek catchment area of Lismore shown on the map in Schedule 'H', to be calculated at **twenty five dollars (\$25.00)** for every 350m² or part thereof of the total property and the product of that calculation being divided by the sum of the strata unit entitlement or the total sum of units of the company title with the product of that calculation being multiplied by the individual strata unit entitlement or company title entitlement to give the charge that is to be known as the '**Stormwater Charge - Bus Strata - Tucki**', subject to a minimum charge of \$25 per assessment, for the period 1 July 2011 to 30 June 2012.

- (32) It is hereby resolved that an annual charge be now made, in accordance with Section 496A (1) of the Local Government Act, 1993, for all eligible business/ commercial and industrial strata units and company titled units, located within the Wilsons River catchment area of Lismore shown on the map in Schedule 'I', to be calculated at **twenty five dollars (\$25.00)** for every 350m² or part thereof of the total property and the product of that calculation being divided by the sum of the strata unit entitlement or the total sum of units of the company title with the product of that calculation being multiplied by the individual strata unit entitlement or company title entitlement to give the charge that is to be known as the '**Stormwater Charge - Bus Strata - Wilsons River**', subject to a minimum charge of \$25 per assessment, for the period 1 July 2011 to 30 June 2012.

INTEREST CHARGES

- (33) It is hereby resolved in accordance with Section 566 (3) of the Local Government Act, 1993, for the period 1 July 2011 to 30 June 2012, the interest rate on outstanding rates and charges will be the maximum allowable set by the Minister of Local Government.

(Councillors Ekins/Clough) (BP11/371)

AN AMENDMENT WAS MOVED that following advertisement of the draft 2011/12 Operational Plan in accordance with Section 405 of the Local Government Act, 1993, and the consideration of submissions received:

RATES

- (1) It is hereby resolved that a **Business Rate** to be known as the '**Business Inner CBD**' rate of **four point one three three two (4.1332) cents in the dollar** per assessment, on the land value as at base date 1 July 2009 with a **base amount of three hundred and thirty dollars (\$330.00)** per assessment be now made for the rating year 1 July 2011 to 30 June 2012, on all rateable land within the centre of activity known as the Inner CBD shown as within the red boundary of the map, Schedule 'C,' and that meets the definition of Business as defined in Section 518 of the Local Government Act , 1993. The total income from base amounts equates to **four point six (4.6%) percent of the Business Inner CBD income.**
- (2) It is hereby resolved that a **Business Rate** to be known as the '**Business Urban**' rate of **one point three six three six (1.3636) cents in the dollar** per assessment, on the land value as at base date 1 July 2009 with a **base amount of three hundred and thirty dollars (\$330.00)** per assessment be now made for the rating year 1 July 2011 to 30 June 2012, on all rateable land within the centre of activity outside the Inner CBD shown as within the red boundary of the map, Schedule 'C', but within the urban area of Lismore as shown by the red boundary on the map, Schedule 'D' and that meets the definition of Business as defined in Section 518 of the Local Government Act, 1993. The total income from base amounts equates to **eight point nine (8.9%) percent of the Business Urban income.**

- (3) It is hereby resolved that a **Business Rate** to be known as the '**Business Other**' rate of **point seven nine nine seven (0.7997) cents in the dollar** per assessment on the land value as at base date 1 July 2009 with a **base amount of three hundred and thirty dollars (\$330.00)** per assessment be now made for the rating year 1 July 2011 to 30 June 2012, on all rateable land in the City of Lismore but not within the areas defined within the maps, Schedules 'C' and 'D' attached and the Village of Nimbin, as defined by the map of Nimbin in Schedule 'A', and that meets the definition of Business as defined in Section 518 of the Local Government Act, 1993. The total income from base amounts equates to **twenty two point two (22.2%) percent of the Business Other income.**
- (4) It is hereby resolved that a **Business Rate** to be known as the '**Nimbin Business**' rate of **one point zero eight eight five (1.0885) cents in the dollar** per assessment on the land value as at base date 1 July 2009 with a **base amount of three hundred and thirty dollars (\$330.00)** per assessment that represents be now made for the rating year 1 July 2011 to 30 June 2012, on all rateable land within the Village of Nimbin, as defined by the map of Nimbin in Schedule 'A', that meets the definition of Business as defined in Section 518 of the Local Government Act , 1993 The total income from base amounts equates to **sixteen point four (16.4%) percent of the Nimbin Business income.**
- (5) It is hereby resolved that a **Residential Rate** to be known as the '**Residential**' rate of **point five four four eight (0.5448) of a cent in the dollar** per assessment, on the land value as at base date 1 July 2009, with a base amount of **three hundred and thirty dollars (\$330.00)** per assessment, be now made for the rating year 1 July 2011 to 30 June 2012, on all rateable land within the centres of population defined and within the red lines shown on the maps in Schedule 'A' attached and meeting the definition of Residential as defined in Section 516 of the Local Government Act, 1993. The total income from base amounts equates to **thirty three point four (33.4%) percent of the Residential income.**
- (6) It is hereby resolved that a **Residential Rate** to be known as the '**Residential Rural**' rate of **point four two four eight (0.4248) of a cent in the dollar** per assessment on the land value as at base date 1 July 2009, with a base amount of **three hundred and thirty dollars (\$330.00)** per assessment, be now made for the rating year 1 July 2011 to 30 June 2012, that meets the definition of Residential on all rateable land except for land within the centres of population defined by the maps in Schedule 'A' attached and meeting the definition of Residential as defined by Section 516 of the Local Government Act, 1993. The total income from base amounts equates to **thirty six point seven (26.7%) percent of the Residential Rural income.**
- (7) It is hereby resolved that a **Farmland Rate** to be known as the '**Farmland**' rate of **point three nine five eight (0.3958) of a cent in the dollar** per assessment, on the land value as at base date 1 July 2009 with a **base amount of three hundred and thirty dollars (\$330.00)** per assessment be now made for the rating year 1 July 2011 to 30 June 2012, on all rateable land in the City of Lismore area that meets the definition of Farmland as defined in Section 515 of the Local Government Act, 1993. The total income from base amounts equates to **sixteen point six (16.6%) percent of the Farmland income.**

WASTEWATER CHARGES

- (8) It is hereby resolved that in accordance with Sections 501 and 539 of the Local Government Act, 1993, an annual charge be now made for the provision of sewerage services to single units of residential occupation, residential, as defined in Section 516 (1) (a) of the Local Government Act, 1993, including residential strata units of **six hundred and sixty seven dollars (\$667.00)** per assessment. This charge applies to properties connected to the Lismore Sewer Scheme and is to be known as the '**Sewer**' charge for the period 1 July 2011 to 30 June 2012.
- (9) It is hereby resolved that in accordance with Sections 501 and 539 of the Local Government Act, 1993, an annual charge be now made for the availability of sewerage of **five hundred dollars and twenty five cents (\$500.25)** per assessment for all rateable land within the proposed North Woodburn sewer scheme area as defined by Schedule 'K', to be known as the '**Nth Woodburn Sewer**' charge for the period 1 July 2011 to 30 June 2012.
- (10) It is hereby resolved that in accordance with Sections 501 and 539 of the Local Government Act, 1993, an annual charge, as per the attached Schedule 'F', where the charge is indicated by the number of units of residential occupancy located on a property, be now made for the provision of sewerage services to a parcel of land connected to the Lismore Sewer Scheme to be known as the '**Sewer Multiple**' charge for the period 1 July 2011 to 30 June 2012, excluding residential Strata Units.
- (11) It is hereby resolved that in accordance with Sections 501 and 539 of the Local Government Act, 1993, for all other properties, not being residential land as defined in Section 516 (1) (a) of the Local Government Act, 1993, an annual charge be now made for the provision of trade waste services for properties connected to the Lismore Sewer Scheme, as per the attached Schedule "G", where the charge is indicated by the number of equivalent tenants or part thereof allocated to an assessment in accordance with the methodology set out in Council's Wastewater Usage Charging Strategy to be known as the '**Non-Residential Sewer**' charge, except for properties declared by Lismore City Council to be Established Strength Users, for the period 1 July 2011 to 30 June 2012.
- (12) It is hereby resolved that in accordance with Sections 501 and 539 of the Local Government Act, 1993, an annual charge be now made for the availability of sewerage of **four hundred and zero dollars and twenty cents (\$400.20)** per assessment for all rateable parcels of land within 75 metres of a Lismore Sewer Scheme main and capable of discharging into that main but not connected thereto to be known as the '**Sewer Unconnected**' charge for the period 1 July 2011 to 30 June 2012.

WASTE MANAGEMENT CHARGES

- (13) It is hereby resolved that an annual charge be now made, in accordance with Section 496 of the Local Government Act 1993, for all land within the declared scavenging area within the Lismore Urban Area, a map of which is available at Council's office, for the removal, weekly, of the approved organic contents of a 240 litre approved mobile waste bin. In addition, on a fortnightly basis, Council will collect the approved recyclable contents a 240 litre approved mobile bin as well as the approved waste contents of a 120 or 140 litre approved mobile bin. This charge is to be known as the '**Integrated Waste**' collection service for the period 1 July 2011 to 30 June 2012 and

will be charged at **two hundred and forty eight dollars (\$248.00)** per annum. Additional services will be charged at **two hundred and forty eight dollars (\$248.00)** per annum. Services commenced during the charging period will be charged for on a proportional basis.

- (14) It is hereby resolved that an annual charge be now made, in accordance with Section 496 of the Local Government Act 1993, for all land within the declared scavenging area within the Lismore Urban Area, a map of which is available at Council's office, for the removal, on a fortnightly basis, of the approved organic contents of a 240 litre approved mobile waste bin. In addition, on a monthly basis, Council will collect the approved recyclable contents a 240 litre approved mobile bin as well as the approved waste contents of a 120 or 140 litre approved mobile bin. This charge is to be known as the '**Integrated Waste - Urban Half**' collection service for the period 1 July 2011 to 30 June 2012 and will be charged at **one hundred and thirty six dollars (\$136.00)** per annum. Additional services will be charged **one hundred and thirty six dollars (\$136.00)** at per annum. Services commenced during the charging period will be charged for on a proportional basis.
- (15) It is hereby resolved that an annual charge be now made, in accordance with Section 496 of the Local Government Act 1993, for all land within the declared scavenging area within the Lismore Urban Area, a map of which is available at Council's office, for the removal, weekly, of the approved organic contents of a 240 litre approved mobile bin. In addition, on a fortnightly basis, Council will collect the approved recyclable contents a 240 litre approved mobile bin as well as the approved waste contents of a 240 litre approved mobile bin, the cost of the provision of this bin is the ratepayer's cost. This charge is to be known as the '**Integrated Waste - Waste Plus**' collection service for the period 1 July 2011 to 30 June 2012 and will be charged at **four hundred and nine dollars (\$409.00)** per annum. Additional services will be charged at **four hundred and nine dollars (\$409.00)** per annum. Services commenced during the charging period will be charged for on a proportional basis.
- (16) It is hereby resolved that an annual charge be now made, in accordance with Section 496 of the Local Government Act 1993, for all land within the declared scavenging area within the Lismore Urban Area, a map of which is available at Council's office, for the removal, weekly, of the approved organic contents of a 240 litre approved mobile bin and the approved waste contents of a 240 litre approved mobile bin. In addition, on a fortnightly basis, Council will collect the approved recyclable contents a 240 litre approved mobile bin. This charge is to be known as the '**Integrated Waste – Premium**' collection service for the period 1 July 2011 to 30 June 2012 and will be charged at **four hundred and seventy one dollars (\$471.00)** per annum. Additional services will be charged at **four hundred and seventy one dollars (\$471.00)** per annum. Services commenced during the charging period will be charged for on a proportional basis.
- (17) It is hereby resolved that an annual charge be now made, in accordance with Section 496 of the Local Government Act 1993, for all land within the declared scavenging area within the Lismore Urban Area, a map of which is available at Council's office, for the removal, weekly, of the organic contents of a 240 litre approved mobile waste bin. In addition, on a fortnightly basis, Council will collect the approved recyclable contents a 240 litre approved mobile bin as well as the approved waste contents of a 80 litre approved mobile bin, the cost of the provision of this bin is at the ratepayer's cost This charge is to be known as the '**Integrated Waste – Discount**' collection

service for the period 1 July 2011 to 30 June 2012 and will be charged at **one hundred and eighty six dollars (\$186.00)** per annum. Additional services will be charged at **one hundred and eighty six dollars (\$186.00)** per annum. Services commenced during the charging period will be charged for on a proportional basis.

- (18) It is hereby resolved that an annual charge be now made, in accordance with Section 496 of the Local Government Act 1993, for all land within the declared scavenging area within the Lismore Urban Area, a map of which is available at Council's office, for the removal, subject to the approval of the Manager of Northern Rivers Waste, fortnightly, of the approved waste contents a 240 litre approved mobile bin. This charge is to be known as the '**Special Needs**' collection service for the period 1 July 2011 to 30 June 2012 and will be charged at **two hundred and eighty five dollars (\$285.00)** per annum. Additional services will be charged at **two hundred and eighty five dollars (\$285.00)** per annum. Services commenced during the charging period will be charged for on a proportional basis.
- (19) It is hereby resolved that an annual charge be now made, in accordance with Section 496 of the Local Government Act 1993, for all land, located outside the urban area of Lismore but within the declared domestic waste scavenging area, a map of which is available at Council's Corporate Centre for the removal, weekly, of the approved waste contents a 240 litre approved mobile bin and on a fortnightly basis, the approved recycling contents of a 240 litre approved mobile bin. This charge is to be known as the '**Waste Collection Service - Rural**' collection service for the period 1 July 2011 to 30 June 2012 and will be charged at **two hundred and sixty five dollars (\$265.00)** per annum. Additional services will be charged at **two hundred and sixty five dollars (\$265.00)** per annum. Services commenced during the charging period will be charged for on a proportional basis.
- (20) It is hereby resolved that an annual charge be now made, in accordance with Section 496 of the Local Government Act 1993, for all land, located outside the urban area of Lismore but within the declared domestic waste scavenging area, a map of which is available at Council's Oliver Avenue Office for the removal, fortnightly, of the approved waste contents a 240 litre approved mobile bin and on a monthly basis the approved recyclable contents of a 240 litre approved mobile bin. This charge is to be known as the '**Waste Collection Service - Rural Half**' collection service for the period 1 July 2011 to 30 June 2012 and will be charged at **one hundred and forty six dollars (\$146.00)** per annum. Additional services will be charged at **one hundred and forty six dollars (\$146.00)** per annum. Services commenced during the charging period will be charged for on a proportional basis.
- (21) It is hereby resolved that an annual charge be now made, in accordance with Section 501 of the Local Government Act, 1993, for all properties, located within the Urban area of Lismore , a map of which is available at Council's Administration offices, whose waste does not meet the definition of domestic waste contained within the Local Government Act 1993 and where Council collects the approved waste contents of a approved 240 litre mobile waste bin and the approved contents of a 240 litre approved resource recovery bin on a weekly basis from that property, of **two hundred and seventy dollars (\$270.00)** per annum, to be known as the '**Commercial/Industrial Integrated**' charge for the period 1 July 2011 to 30 June 2012. Additional services will be charged at **two hundred and seventy dollars (\$270.00)** per annum. For services commenced during the year a proportional charge will be made.

- (22) It is hereby resolved that an annual charge be now made, in accordance with Sections 496 of the Local Government Act, 1993, for all land within the declared domestic waste scavenging areas, both urban and rural, maps of which are available at Council's Corporate Centre, not utilising the domestic waste management service provided by Council to be known as the '**Waste Availability**' charge, of **ten dollars (\$10.00)** per assessment, except for those properties within the Nimbin Section 94 Plan Area, maps of which are available at Council's Corporate Centre, that are levied the Transfer Station charge, for the period 1 July 2011 to 30 June 2012.
- (23) It is hereby resolved that an annual charge be now made, in accordance with Section 501 of the Local Government Act, 1993, for all land within the Lismore City Council area, to be known as the '**Waste Minimisation**' charge, of **thirty three dollars (\$33.00)** per assessment, except for those properties within the Nimbin Section 94 Plan Area, maps of which are available at Council's Corporate Centre, that are levied the Transfer Station charge, for the period 1 July 2011 to 30 June 2012. Two resource recovery vouchers are included as part of the 'Waste Minimisation' Charge.
- (24) It is hereby resolved that an annual charge be now made, in accordance with Sections 501 and 541 of the Local Government Act, 1993, for all land located within the Nimbin Section 94 Plan Area, maps of which are available at Council's Corporate Centre, for the provision of the Nimbin Transfer Station Facility, of **ninety eight dollars (\$98.00)** per assessment and for properties with multiple units of residential occupancy a charge of **ninety eight dollars (\$98.00)** per unit of residential occupancy located on each assessment, to be known as the '**Transfer Station**' charge for the period 1 July 2011 to 30 June 2012. Properties paying for a waste collection service are exempt from this charge. Two resource recovery vouchers are included for each 'Transfer Station' charge.

WATER CHARGES

- (25) In accordance with Section 502 of the Local Government Act, 1993 for water recorded by the water meter on a property, a charge of **two dollars and thirty six cents (\$2.36)** per kilolitre for the year 1 July 2011 to 30 June 2012 to be known as the '**Consumption**' charge is hereby made.
- (26) It is hereby resolved that in accordance with Section 501, 539 and 541 of the Local Government Act, 1993 an annual charge be now made for the year 1 July 2011 to 30 June 2012 for the provision of water and water service availability, based on the size of the water service connected to a property. For a property which has two or more water connections, the cost of the services will be the total number of services multiplied by the fixed service charged; in cases where different sized services are connected, the sum of the cost of the fixed service charges, except for Perradenya (Recycled) services which are not charged an annual charge, and water connections used solely for fire fighting services, the cost of which shall be **one hundred and fifty nine dollars (\$159.00)** per fire fighting service, to be known as the '**Fixed Service Charge**' is hereby made in respect of:

Size of Service	Fixed Service Charge	
	20mm	\$ 159.00
	25mm	\$ 248.44
	32mm	\$ 407.04
	40mm	\$ 636.00
	50mm	\$ 993.76
	65mm	\$1,679.44
	80mm	\$2,544.00
	100mm	\$3,975.00
	150mm	\$8,943.76

- (27) In accordance with Sections 501, 539 and 541 of the Local Government Act, 1993 an annual charge, for the availability of water to property not connected to Council's water supply but capable of connection thereto and within 225 metres of a Council water main in accordance with Section 552 (1)(b) of the Local Government Act, 1993, for the year 1 July 2011 to 30 June 2012, to be known as the '**Water Availability**' charge, of **one hundred and fifty nine dollars (\$159.00)** per assessment is hereby made.

STORMWATER MANAGEMENT SERVICES CHARGE

- (28) It is hereby resolved that an annual charge be now made, in accordance with Section 496A (1) of the Local Government Act, 1993, for all eligible residential property, as define, excluding residential strata units, within the Tucki Tucki Creek catchment area shown on Schedule 'H', of **twenty five dollars (\$25.00)** per assessment, to be known as the '**Stormwater Charge - Residential - Tucki**' for the period 1 July 2011 to 30 June 2012.
- (29) It is hereby resolved that an annual charge be now made, in accordance with Section 496A (1) of the Local Government Act, 1993, for all eligible residential property, as define, excluding residential strata units, within the Wilsons River catchment area shown on Schedule 'I', of **twenty five dollars (\$25.00)** per assessment, to be known as the '**Stormwater Charge - Residential - Wilsons River**' for the period 1 July 2011 to 30 June 2012.
- (30) It is hereby resolved that an annual charge be now made, in accordance with Section 496A (1) of the Local Government Act, 1993, for all residential strata units and all residential company titled units within the Tucki Tucki Creek catchment area shown on the map in Schedule 'H', of **twelve dollars fifty cents (\$12.50)**, to be known as the '**Stormwater Charge - Res Strata -Tucki**' for the period 1 July 2011 to 30 June 2012.
- (31) It is hereby resolved that an annual charge be now made, in accordance with Section 496A (1) of the Local Government Act, 1993, for all residential strata units and all residential company titled units within the Wilsons River catchment area shown on the map in Schedule 'I', of **twelve dollars fifty cents (\$12.50)**, to be known as the '**Stormwater Charge - Res Strata - Wilsons River**' for the period 1 July 2011 to 30 June 2012.

- (32) It is hereby resolved that an annual charge be now made, in accordance with Section 496A (1) of the Local Government Act, 1993, for all business/commercial and industrial property, except for business/commercial and industrial strata units and company titled units, located within the Tucki Tucki Creek catchment area of Lismore shown on the map in Schedule 'H', of **twenty five dollars (\$25.00)** for each 350m² or part thereof subject to the following; for properties up to 4,200m² in area, the charge will be \$25 per 350m² or part thereof to a maximum of \$300; for properties whose area exceeds 4,200m², \$25 for each 350m² or part thereof, subject to any reduction due to the porous nature of the property which has determined using Council's adopted Stormwater Appeals Procedure and the charge is to be known as the '**Stormwater Charge - Business Tucki**' for the period 1 July 2011 to 30 June 2012.
- (33) It is hereby resolved that an annual charge be now made, in accordance with Section 496A (1) of the Local Government Act, 1993, for all business/commercial and industrial property, except for business/commercial and industrial strata units and company titled units, located within the Wilsons River catchment area of Lismore shown on the map in Schedule 'I', of **twenty five dollars (\$25.00)** for each 350m² or part thereof subject to the following; for properties up to 4,200m² in area, the charge will be \$25 per 350m² or part thereof to a maximum of \$300; for properties whose area exceeds 4,200m², \$25 for each 350m² or part thereof, subject to any reduction due to the porous nature of the property which has determined using Council's adopted Stormwater Appeals Procedure and the charge is to be known as the '**Stormwater Charge - Business - Wilsons River**' for the period 1 July 2011 to 30 June 2012.
- (34) It is hereby resolved that an annual charge be now made, in accordance with Section 496A (1) of the Local Government Act, 1993, for all eligible business/ commercial and industrial strata units and company titled units, located within the Tucki Tucki Creek catchment area of Lismore shown on the map in Schedule 'H', to be calculated at **twenty five dollars (\$25.00)** for every 350m² or part thereof of the total property and the product of that calculation being divided by the sum of the strata unit entitlement or the total sum of units of the company title with the product of that calculation being multiplied by the individual strata unit entitlement or company title entitlement to give the charge that is to be known as the '**Stormwater Charge - Bus Strata - Tucki**', subject to a minimum charge of \$25 per assessment, for the period 1 July 2011 to 30 June 2012.
- (35) It is hereby resolved that an annual charge be now made, in accordance with Section 496A (1) of the Local Government Act, 1993, for all eligible business/ commercial and industrial strata units and company titled units, located within the Wilsons River catchment area of Lismore shown on the map in Schedule 'I', to be calculated at **twenty five dollars (\$25.00)** for every 350m² or part thereof of the total property and the product of that calculation being divided by the sum of the strata unit entitlement or the total sum of units of the company title with the product of that calculation being multiplied by the individual strata unit entitlement or company title entitlement to give the charge that is to be known as the '**Stormwater Charge - Bus Strata - Wilsons River**', subject to a minimum charge of \$25 per assessment, for the period 1 July 2011 to 30 June 2012.

INTEREST CHARGES

- (36) It is hereby resolved in accordance with Section 566 (3) of the Local Government Act, 1993, for the period 1 July 2011 to 30 June 2012, the interest rate on outstanding rates and charges will be the maximum allowable set by the Minister of Local Government.

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

(Councillors Smith/Chant) (BP11/371)

Voting for: Councillors Houston, Meineke, Clough, Chant, Dowell, Graham, Yarnall and Smith

Voting against: Councillors Marks, Battista and Ekins

- 409/11 **RESOLVED** that following advertisement of the draft 2011/12 Operational Plan in accordance with Section 405 of the Local Government Act, 1993, and the consideration of submissions received:

RATES

- (1) It is hereby resolved that a **Business Rate** to be known as the '**Business Inner CBD**' rate of **four point one three three two (4.1332) cents in the dollar** per assessment, on the land value as at base date 1 July 2009 with a **base amount of three hundred and thirty dollars (\$330.00)** per assessment be now made for the rating year 1 July 2011 to 30 June 2012, on all rateable land within the centre of activity known as the Inner CBD shown as within the red boundary of the map, Schedule 'C,' and that meets the definition of Business as defined in Section 518 of the Local Government Act , 1993. The total income from base amounts equates to **four point six (4.6%) percent of the Business Inner CBD income.**
- (2) It is hereby resolved that a **Business Rate** to be known as the '**Business Urban**' rate of **one point three six three six (1.3636) cents in the dollar** per assessment, on the land value as at base date 1 July 2009 with a **base amount of three hundred and thirty dollars (\$330.00)** per assessment be now made for the rating year 1 July 2011 to 30 June 2012, on all rateable land within the centre of activity outside the Inner CBD shown as within the red boundary of the map, Schedule 'C', but within the urban area of Lismore as shown by the red boundary on the map, Schedule 'D' and that meets the definition of Business as defined in Section 518 of the Local Government Act, 1993. The total income from base amounts equates to **eight point nine (8.9%) percent of the Business Urban income.**
- (3) It is hereby resolved that a **Business Rate** to be known as the '**Business Other**' rate of **point seven nine nine seven (0.7997) cents in the dollar** per assessment on the land value as at base date 1 July 2009 with a **base amount of three hundred and thirty dollars (\$330.00)** per assessment be now made for the rating year 1 July 2011 to 30 June 2012, on all rateable land in the City of Lismore but not within the

areas defined within the maps, Schedules 'C' and 'D' attached and the Village of Nimbin, as defined by the map of Nimbin in Schedule 'A', and that meets the definition of Business as defined in Section 518 of the Local Government Act, 1993. The total income from base amounts equates to **twenty two point two (22.2%) percent of the Business Other income.**

- (4) It is hereby resolved that a **Business Rate** to be known as the '**Nimbin Business**' rate of **one point zero eight eight five (1.0885) cents in the dollar** per assessment on the land value as at base date 1 July 2009 with a **base amount of three hundred and thirty dollars (\$330.00)** per assessment that represents be now made for the rating year 1 July 2011 to 30 June 2012, on all rateable land within the Village of Nimbin, as defined by the map of Nimbin in Schedule 'A', that meets the definition of Business as defined in Section 518 of the Local Government Act, 1993. The total income from base amounts equates to **sixteen point four (16.4%) percent of the Nimbin Business income.**
- (5) It is hereby resolved that a **Residential Rate** to be known as the '**Residential**' rate of **point five four four eight (0.5448) of a cent in the dollar** per assessment, on the land value as at base date 1 July 2009, with a base amount of **three hundred and thirty dollars (\$330.00)** per assessment, be now made for the rating year 1 July 2011 to 30 June 2012, on all rateable land within the centres of population defined and within the red lines shown on the maps in Schedule 'A' attached and meeting the definition of Residential as defined in Section 516 of the Local Government Act, 1993. The total income from base amounts equates to **thirty three point four (33.4%) percent of the Residential income.**
- (6) It is hereby resolved that a **Residential Rate** to be known as the '**Residential Rural**' rate of **point four two four eight (0.4248) of a cent in the dollar** per assessment on the land value as at base date 1 July 2009, with a base amount of **three hundred and thirty dollars (\$330.00)** per assessment, be now made for the rating year 1 July 2011 to 30 June 2012, that meets the definition of Residential on all rateable land except for land within the centres of population defined by the maps in Schedule 'A' attached and meeting the definition of Residential as defined by Section 516 of the Local Government Act, 1993. The total income from base amounts equates to **thirty six point seven (26.7%) percent of the Residential Rural income.**
- (7) It is hereby resolved that a **Farmland Rate** to be known as the '**Farmland**' rate of **point three nine five eight (0.3958) of a cent in the dollar** per assessment, on the land value as at base date 1 July 2009 with a **base amount of three hundred and thirty dollars (\$330.00)** per assessment be now made for the rating year 1 July 2011 to 30 June 2012, on all rateable land in the City of Lismore area that meets the definition of Farmland as defined in Section 515 of the Local Government Act, 1993. The total income from base amounts equates to **sixteen point six (16.6%) percent of the Farmland income.**

WASTEWATER CHARGES

- (8) It is hereby resolved that in accordance with Sections 501 and 539 of the Local Government Act, 1993, an annual charge be now made for the provision of sewerage services to single units of residential occupation, residential, as defined in Section 516 (1) (a) of the Local Government Act, 1993, including residential strata units of **six hundred and sixty seven dollars (\$667.00)** per assessment. This

charge applies to properties connected to the Lismore Sewer Scheme and is to be known as the '**Sewer**' charge for the period 1 July 2011 to 30 June 2012.

- (9) It is hereby resolved that in accordance with Sections 501 and 539 of the Local Government Act, 1993, an annual charge be now made for the availability of sewerage of **five hundred dollars and twenty five cents (\$500.25)** per assessment for all rateable land within the proposed North Woodburn sewer scheme area as defined by Schedule 'K', to be known as the '**Nth Woodburn Sewer**' charge for the period 1 July 2011 to 30 June 2012.
- (10) It is hereby resolved that in accordance with Sections 501 and 539 of the Local Government Act, 1993, an annual charge, as per the attached Schedule 'F', where the charge is indicated by the number of units of residential occupancy located on a property, be now made for the provision of sewerage services to a parcel of land connected to the Lismore Sewer Scheme to be known as the '**Sewer Multiple**' charge for the period 1 July 2011 to 30 June 2012, excluding residential Strata Units.
- (11) It is hereby resolved that in accordance with Sections 501 and 539 of the Local Government Act, 1993, for all other properties, not being residential land as defined in Section 516 (1) (a) of the Local Government Act, 1993, an annual charge be now made for the provision of trade waste services for properties connected to the Lismore Sewer Scheme, as per the attached Schedule "G", where the charge is indicated by the number of equivalent tenants or part thereof allocated to an assessment in accordance with the methodology set out in Council's Wastewater Usage Charging Strategy to be known as the '**Non-Residential Sewer**' charge, except for properties declared by Lismore City Council to be Established Strength Users, for the period 1 July 2011 to 30 June 2012.
- (12) It is hereby resolved that in accordance with Sections 501 and 539 of the Local Government Act, 1993, an annual charge be now made for the availability of sewerage of **four hundred and zero dollars and twenty cents (\$400.20)** per assessment for all rateable parcels of land within 75 metres of a Lismore Sewer Scheme main and capable of discharging into that main but not connected thereto to be known as the '**Sewer Unconnected**' charge for the period 1 July 2011 to 30 June 2012.

WASTE MANAGEMENT CHARGES

- (13) It is hereby resolved that an annual charge be now made, in accordance with Section 496 of the Local Government Act 1993, for all land within the declared scavenging area within the Lismore Urban Area, a map of which is available at Council's office, for the removal, weekly, of the approved organic contents of a 240 litre approved mobile waste bin. In addition, on a fortnightly basis, Council will collect the approved recyclable contents a 240 litre approved mobile bin as well as the approved waste contents of a 120 or 140 litre approved mobile bin. This charge is to be known as the '**Integrated Waste**' collection service for the period 1 July 2011 to 30 June 2012 and will be charged at **two hundred and forty eight dollars (\$248.00)** per annum. Additional services will be charged at **two hundred and forty eight dollars (\$248.00)** per annum. Services commenced during the charging period will be charged for on a proportional basis.

- (14) It is hereby resolved that an annual charge be now made, in accordance with Section 496 of the Local Government Act 1993, for all land within the declared scavenging area within the Lismore Urban Area, a map of which is available at Council's office, for the removal, on a fortnightly basis, of the approved organic contents of a 240 litre approved mobile waste bin. In addition, on a monthly basis, Council will collect the approved recyclable contents a 240 litre approved mobile bin as well as the approved waste contents of a 120 or 140 litre approved mobile bin. This charge is to be known as the '**Integrated Waste - Urban Half**' collection service for the period 1 July 2011 to 30 June 2012 and will be charged at **one hundred and thirty six dollars (\$136.00)** per annum. Additional services will be charged **one hundred and thirty six dollars (\$136.00)** at per annum. Services commenced during the charging period will be charged for on a proportional basis.
- (15) It is hereby resolved that an annual charge be now made, in accordance with Section 496 of the Local Government Act 1993, for all land within the declared scavenging area within the Lismore Urban Area, a map of which is available at Council's office, for the removal, weekly, of the approved organic contents of a 240 litre approved mobile bin. In addition, on a fortnightly basis, Council will collect the approved recyclable contents a 240 litre approved mobile bin as well as the approved waste contents of a 240 litre approved mobile bin, the cost of the provision of this bin is the ratepayer's cost. This charge is to be known as the '**Integrated Waste - Waste Plus**' collection service for the period 1 July 2011 to 30 June 2012 and will be charged at **four hundred and nine dollars (\$409.00)** per annum. Additional services will be charged at **four hundred and nine dollars (\$409.00)** per annum. Services commenced during the charging period will be charged for on a proportional basis.
- (16) It is hereby resolved that an annual charge be now made, in accordance with Section 496 of the Local Government Act 1993, for all land within the declared scavenging area within the Lismore Urban Area, a map of which is available at Council's office, for the removal, weekly, of the approved organic contents of a 240 litre approved mobile bin and the approved waste contents of a 240 litre approved mobile bin. In addition, on a fortnightly basis, Council will collect the approved recyclable contents a 240 litre approved mobile bin. This charge is to be known as the '**Integrated Waste – Premium**' collection service for the period 1 July 2011 to 30 June 2012 and will be charged at **four hundred and seventy one dollars (\$471.00)** per annum. Additional services will be charged at **four hundred and seventy one dollars (\$471.00)** per annum. Services commenced during the charging period will be charged for on a proportional basis.
- (17) It is hereby resolved that an annual charge be now made, in accordance with Section 496 of the Local Government Act 1993, for all land within the declared scavenging area within the Lismore Urban Area, a map of which is available at Council's office, for the removal, weekly, of the organic contents of a 240 litre approved mobile waste bin. In addition, on a fortnightly basis, Council will collect the approved recyclable contents a 240 litre approved mobile bin as well as the approved waste contents of a 80 litre approved mobile bin, the cost of the provision of this bin is at the ratepayer's cost This charge is to be known as the '**Integrated Waste – Discount**' collection service for the period 1 July 2011 to 30 June 2012 and will be charged at **one hundred and eighty six dollars (\$186.00)** per annum. Additional services will be charged at **one hundred and eighty six dollars (\$186.00)** per annum. Services commenced during the charging period will be charged for on a proportional basis.

- (18) It is hereby resolved that an annual charge be now made, in accordance with Section 496 of the Local Government Act 1993, for all land within the declared scavenging area within the Lismore Urban Area, a map of which is available at Council's office, for the removal, subject to the approval of the Manager of Northern Rivers Waste, fortnightly, of the approved waste contents a 240 litre approved mobile bin. This charge is to be known as the '**Special Needs**' collection service for the period 1 July 2011 to 30 June 2012 and will be charged at **two hundred and eighty five dollars (\$285.00)** per annum. Additional services will be charged at **two hundred and eighty five dollars (\$285.00)** per annum. Services commenced during the charging period will be charged for on a proportional basis.
- (19) It is hereby resolved that an annual charge be now made, in accordance with Section 496 of the Local Government Act 1993, for all land, located outside the urban area of Lismore but within the declared domestic waste scavenging area, a map of which is available at Council's Corporate Centre for the removal, weekly, of the approved waste contents a 240 litre approved mobile bin and on a fortnightly basis, the approved recycling contents of a 240 litre approved mobile bin. This charge is to be known as the '**Waste Collection Service - Rural**' collection service for the period 1 July 2011 to 30 June 2012 and will be charged at **two hundred and sixty five dollars (\$265.00)** per annum. Additional services will be charged at **two hundred and sixty five dollars (\$265.00)** per annum. Services commenced during the charging period will be charged for on a proportional basis.
- (20) It is hereby resolved that an annual charge be now made, in accordance with Section 496 of the Local Government Act 1993, for all land, located outside the urban area of Lismore but within the declared domestic waste scavenging area, a map of which is available at Council's Oliver Avenue Office for the removal, fortnightly, of the approved waste contents a 240 litre approved mobile bin and on a monthly basis the approved recyclable contents of a 240 litre approved mobile bin. This charge is to be known as the '**Waste Collection Service - Rural Half**' collection service for the period 1 July 2011 to 30 June 2012 and will be charged at **one hundred and forty six dollars (\$146.00)** per annum. Additional services will be charged at **one hundred and forty six dollars (\$146.00)** per annum. Services commenced during the charging period will be charged for on a proportional basis.
- (21) It is hereby resolved that an annual charge be now made, in accordance with Section 501 of the Local Government Act, 1993, for all properties, located within the Urban area of Lismore , a map of which is available at Council's Administration offices, whose waste does not meet the definition of domestic waste contained within the Local Government Act 1993 and where Council collects the approved waste contents of a approved 240 litre mobile waste bin and the approved contents of a 240 litre approved resource recovery bin on a weekly basis from that property, of **two hundred and seventy dollars (\$270.00)** per annum, to be known as the '**Commercial/Industrial Integrated**' charge for the period 1 July 2011 to 30 June 2012. Additional services will be charged at **two hundred and seventy dollars (\$270.00)** per annum. For services commenced during the year a proportional charge will be made.
- (22) It is hereby resolved that an annual charge be now made, in accordance with Sections 496 of the Local Government Act, 1993, for all land within the declared domestic waste scavenging areas, both urban and rural, maps of which are available at Council's Corporate Centre, not utilising the domestic waste management service provided by Council to be known as the '**Waste Availability**' charge, of **ten dollars**

(\$10.00) per assessment, except for those properties within the Nimbin Section 94 Plan Area, maps of which are available at Council's Corporate Centre, that are levied the Transfer Station charge, for the period 1 July 2011 to 30 June 2012.

- (23) It is hereby resolved that an annual charge be now made, in accordance with Section 501 of the Local Government Act, 1993, for all land within the Lismore City Council area, to be known as the '**Waste Minimisation**' charge, of **thirty three dollars (\$33.00)** per assessment, except for those properties within the Nimbin Section 94 Plan Area, maps of which are available at Council's Corporate Centre, that are levied the Transfer Station charge, for the period 1 July 2011 to 30 June 2012. Two resource recovery vouchers are included as part of the 'Waste Minimisation' Charge.
- (24) It is hereby resolved that an annual charge be now made, in accordance with Sections 501 and 541 of the Local Government Act, 1993, for all land located within the Nimbin Section 94 Plan Area, maps of which are available at Council's Corporate Centre, for the provision of the Nimbin Transfer Station Facility, of **ninety eight dollars (\$98.00)** per assessment and for properties with multiple units of residential occupancy a charge of **ninety eight dollars (\$98.00)** per unit of residential occupancy located on each assessment, to be known as the '**Transfer Station**' charge for the period 1 July 2011 to 30 June 2012. Properties paying for a waste collection service are exempt from this charge. Two resource recovery vouchers are included for each 'Transfer Station' charge.

WATER CHARGES

- (25) In accordance with Section 502 of the Local Government Act, 1993 for water recorded by the water meter on a property, a charge of **two dollars and thirty six cents (\$2.36)** per kilolitre for the year 1 July 2011 to 30 June 2012 to be known as the '**Consumption**' charge is hereby made.
- (26) It is hereby resolved that in accordance with Section 501, 539 and 541 of the Local Government Act, 1993 an annual charge be now made for the year 1 July 2011 to 30 June 2012 for the provision of water and water service availability, based on the size of the water service connected to a property. For a property which has two or more water connections, the cost of the services will be the total number of services multiplied by the fixed service charged; in cases where different sized services are connected, the sum of the cost of the fixed service charges, except for Perradenya (Recycled) services which are not charged an annual charge, and water connections used solely for fire fighting services, the cost of which shall be **one hundred and fifty nine dollars (\$159.00)** per fire fighting service, to be known as the '**Fixed Service Charge**' is hereby made in respect of:

Size of Service	Fixed Service Charge
20mm	\$ 159.00
25mm	\$ 248.44
32mm	\$ 407.04
40mm	\$ 636.00
50mm	\$ 993.76
65mm	\$1,679.44
80mm	\$2,544.00
100mm	\$3,975.00
150mm	\$8,943.76

- (27) In accordance with Sections 501, 539 and 541 of the Local Government Act, 1993 an annual charge, for the availability of water to property not connected to Council's water supply but capable of connection thereto and within 225 metres of a Council water main in accordance with Section 552 (1)(b) of the Local Government Act, 1993, for the year 1 July 2011 to 30 June 2012, to be known as the '**Water Availability**' charge, of **one hundred and fifty nine dollars (\$159.00)** per assessment is hereby made.

STORMWATER MANAGEMENT SERVICES CHARGE

- (28) It is hereby resolved that an annual charge be now made, in accordance with Section 496A (1) of the Local Government Act, 1993, for all eligible residential property, as define, excluding residential strata units, within the Tucki Tucki Creek catchment area shown on Schedule 'H', of **twenty five dollars (\$25.00)** per assessment, to be known as the '**Stormwater Charge - Residential - Tucki**' for the period 1 July 2011 to 30 June 2012.
- (29) It is hereby resolved that an annual charge be now made, in accordance with Section 496A (1) of the Local Government Act, 1993, for all eligible residential property, as define, excluding residential strata units, within the Wilsons River catchment area shown on Schedule 'I', of **twenty five dollars (\$25.00)** per assessment, to be known as the '**Stormwater Charge - Residential - Wilsons River**' for the period 1 July 2011 to 30 June 2012.
- (30) It is hereby resolved that an annual charge be now made, in accordance with Section 496A (1) of the Local Government Act, 1993, for all residential strata units and all residential company titled units within the Tucki Tucki Creek catchment area shown on the map in Schedule 'H', of **twelve dollars fifty cents (\$12.50)**, to be known as the '**Stormwater Charge - Res Strata -Tucki**' for the period 1 July 2011 to 30 June 2012.
- (31) It is hereby resolved that an annual charge be now made, in accordance with Section 496A (1) of the Local Government Act, 1993, for all residential strata units and all residential company titled units within the Wilsons River catchment area shown on the map in Schedule 'I', of **twelve dollars fifty cents (\$12.50)**, to be known as the '**Stormwater Charge - Res Strata - Wilsons River**' for the period 1 July 2011 to 30 June 2012.
- (32) It is hereby resolved that an annual charge be now made, in accordance with Section 496A (1) of the Local Government Act, 1993, for all business/commercial and industrial property, except for business/commercial and industrial strata units and company titled units , located within the Tucki Tucki Creek catchment area of Lismore shown on the map in Schedule 'H', of **twenty five dollars (\$25.00)** for each 350m² or part thereof subject to the following; for properties up to 4,200m² in area, the charge will be \$25 per 350m² or part thereof to a maximum of \$300; for properties whose area exceeds 4,200m², \$25 for each 350m² or part thereof, subject to any reduction due to the porous nature of the property which has determined using Council's adopted Stormwater Appeals Procedure and the charge is to be known as the '**Stormwater Charge - Business Tucki**' for the period 1 July 2011 to 30 June 2012.

- (33) It is hereby resolved that an annual charge be now made, in accordance with Section 496A (1) of the Local Government Act, 1993, for all business/commercial and industrial property, except for business/commercial and industrial strata units and company titled units, located within the Wilsons River catchment area of Lismore shown on the map in Schedule 'I', of **twenty five dollars (\$25.00)** for each 350m² or part thereof subject to the following; for properties up to 4,200m² in area, the charge will be \$25 per 350m² or part thereof to a maximum of \$300; for properties whose area exceeds 4,200m², \$25 for each 350m² or part thereof, subject to any reduction due to the porous nature of the property which has determined using Council's adopted Stormwater Appeals Procedure and the charge is to be known as the '**Stormwater Charge - Business - Wilsons River**' for the period 1 July 2011 to 30 June 2012.
- (34) It is hereby resolved that an annual charge be now made, in accordance with Section 496A (1) of the Local Government Act, 1993, for all eligible business/ commercial and industrial strata units and company titled units, located within the Tucki Tucki Creek catchment area of Lismore shown on the map in Schedule 'H', to be calculated at **twenty five dollars (\$25.00)** for every 350m² or part thereof of the total property and the product of that calculation being divided by the sum of the strata unit entitlement or the total sum of units of the company title with the product of that calculation being multiplied by the individual strata unit entitlement or company title entitlement to give the charge that is to be known as the '**Stormwater Charge - Bus Strata - Tucki**', subject to a minimum charge of \$25 per assessment, for the period 1 July 2011 to 30 June 2012.
- (35) It is hereby resolved that an annual charge be now made, in accordance with Section 496A (1) of the Local Government Act, 1993, for all eligible business/ commercial and industrial strata units and company titled units, located within the Wilsons River catchment area of Lismore shown on the map in Schedule 'I', to be calculated at **twenty five dollars (\$25.00)** for every 350m² or part thereof of the total property and the product of that calculation being divided by the sum of the strata unit entitlement or the total sum of units of the company title with the product of that calculation being multiplied by the individual strata unit entitlement or company title entitlement to give the charge that is to be known as the '**Stormwater Charge - Bus Strata - Wilsons River**', subject to a minimum charge of \$25 per assessment, for the period 1 July 2011 to 30 June 2012.

INTEREST CHARGES

- (36) It is hereby resolved in accordance with Section 566 (3) of the Local Government Act, 1993, for the period 1 July 2011 to 30 June 2012, the interest rate on outstanding rates and charges will be the maximum allowable set by the Minister of Local Government.

(Councillors Smith/Chant) (BP11/371)

Voting for: Councillors Houston, Meineke, Clough, Chant, Dowell, Graham and Smith

Voting against: Councillors Marks, Battista, Yarnall and Ekins

12.4 Tender T2011-17 - Lease of Nimbin Caravan Park and Operation and Maintenance of Nimbin Pool

410/11

RESOLVED that :

1. The report be received and noted.
2. The General Manager continue to progress the matter in accordance with Council's decision of 12 April 2011, noting that a lease agreement is now proposed for the entire Nimbin Caravan Park and Pool Complex.
3. The General Manager be delegated authority to finalise details and Council proceed to execute the lease agreement and any other required documentation, under the common seal of Council.

(Councillors Graham/Marks) (BP11/443)

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

Voting against: Nil

Closure

This concluded the business and the meeting terminated at 7.40pm.

CONFIRMED this TWELFTH DAY of JULY 2011 at which meeting the signature herein was subscribed.

MAYOR