



## **NOTICE OF COUNCIL MEETING**

**An ORDINARY MEETING of LISMORE CITY COUNCIL will be held at the COUNCIL CHAMBERS, Oliver Avenue, GOONELLABAH on TUESDAY, JUNE 8, 2004, at 6.00pm and members of Council are requested to attend.**

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

June 1, 2004

# **COUNCIL BUSINESS AGENDA**

**June 8, 2004**

## **PUBLIC ACCESS SESSION:**

**PAGE NO.**

Ms Ros Derrett re report "Cultural Precinct Draft Master Plan"	2
Mr Peter Fraser, Manager, Lismore Unlimited Opportunities re report "Special Business Rate Variation Levy"	6

## **PUBLIC QUESTION TIME:**

## **OPENING OF MEETING AND PRAYER (MAYOR):**

**APOLOGIES AND LEAVE OF ABSENCE** – Councillor Henry

**CONFIRMATION OF MINUTES** – Ordinary Meeting - May 11, 2004

## **CONDOLENCES**

## **DISCLOSURE OF INTEREST**

## **MAYORAL MINUTES**

## **NOTICES OF RESCISSION**

## **NOTICES OF MOTION**

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## **SUSPENSION OF STANDING ORDERS**

(Consideration of the Suspension of Standing Orders to debate matters raised during Public Access).

## **REPORTS**

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➤ Special Business Rate Variation Levy – 2002/03 Evaluation and Audit – Lismore Unlimited Opportunities	6
➤ Goonellabah Leisure Centre	7 - 12
➤ Proposed 2004/05 Roadworks Programme	13 - 15
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➤ State Environmental Planning Policy (Application of development standards) 2004	19 - 20
➤ Annual Remuneration fee for Mayor and Councillors	21

## **COMMITTEE RECOMMENDATIONS**

➤ Traffic Advisory Committee 19/5/04	22 - 25
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**AGENDA (Cont.)**

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**QUESTIONS WITHOUT NOTICE**

**CONFIDENTIAL MATTERS - COMMITTEE OF THE WHOLE**

**NOTICE OF MOTION**

I hereby give notice of my intention to move at the next meeting of the Council the following motion:

**That Council congratulates Stuart Thomson for the award on 21 May of his Commendation for Brave Conduct and thanks him for his courage in putting his own life at risk to save the life of a young citizen of Lismore.**

**COUNCILLOR**      R M Irwin

**DATE**            May 24, 2004

## LISMORE CITY COUNCIL - Meeting held June 8, 2004

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<b>Subject/File No:</b>	CULTURAL PRECINCT DRAFT MASTER PLAN (S857)
<b>Prepared By:</b>	Manager Special Projects and Properties, Lindsay Walker
<b>Reason:</b>	To inform Councillors
<b>Objective:</b>	Obtain Council resolution to exhibit Draft Master Plan
<b>Management Plan Activity:</b>	Community Services

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### **Background:**

It has long been recognised by Council that the Cultural Precinct, the Old Lismore High School site and the adjoining car park, are the most valuable area of underdeveloped land in the CBD. Out of recognition of the sites value and the interests which will compete for space on the site Council inserted Clause 69A into its LEP in November 2002. This clause defines not only the allowable land uses which can be developed on the site but also the need to ensure community involvement in the development process by the adoption by Council of a 'Master Plan' for the site.

### **Master Plan**

To facilitate the master planning process Council's Project Management Team sought the services of an external consultant. Following the expression of interest process a selected tender was called. This tender was awarded to a team of consultants headed by Thomson Adsett Architects and John Mongard Landscape Architects.

An extensive desktop review of all previous documentation for the site preceded a one-week workshopping visit by the consultants in February 2004.

In accordance with the contract, the consultants have now prepared a Draft Master Plan, extracts of which accompany this report. In accordance with both the requirements of the LEP and good practice it is proposed that the Draft Master Plan be placed on public exhibition and circulated to the relevant community groups.

### **Manager - Finance & Administration Comments**

Not required.

### **Public Consultations**

Significant public consultation had preceded the presentation of the Draft Master Plan.

### **Other Group Comments**

Manager Planning Services endorses the report.

### **Author's Response to Comments from Other Staff**

Nil.

**Conclusion**

It is not only Council's statutory obligation to publicly exhibit the Draft Master Plan, but also part of the process by which Council will ensure that it maximises community input and accommodates the greatest number of interest groups on the site.

The Draft proposal provides for public open space, community buildings, commercial buildings, residential accommodation and increased car parking and follows extensive community and stakeholder consultation.

**Recommendation (GM02)**

1. That Council publicly exhibit the Draft Master Plan for 28 days.
2. That Council invite all interested parties, who made submissions to the Draft Plan, to review the document and provide further comment.
3. That all submissions be reviewed by the Cultural Precinct Project Team and a further report and amended Master Plan be brought back before Council for adoption.

**LISMORE LOCAL ENVIRONMENTAL PLAN 2000**

**69A Lismore "Art in the Heart" Project**

- (1) This clause applies to Lot 14, DP 867281, (150 Keen Street) and Lot 11, DP 859167, (126 Magellan Street), Lismore, as shown edged heavy black on the map marked "Lismore Local Environmental Plan 2000 (Amendment No 9)", deposited in the office of the Lismore City Council.
  - (2) The objectives of this clause are to identify a range of uses proposed for the "Art in the Heart" project and to facilitate their development on the land to which this clause applies.
  - (3) The "Art in the Heart" project may comprise arts and cultural activities, development for the purposes of education, tourism, retail and information technology, commercial and economic development, and residential development, as well as the continued use of part of the land for public car parking.
  - (4) The Council must not grant consent to development on land to which this clause applies unless it has first taken into consideration the master plan adopted by the Council and applying to the land.
  - (5) The master plan is to co-ordinate and guide development on the land and is to include the following matters:
    - (a) distribution of land uses, including identification of areas for community, arts, commercial, residential and car parking uses,
    - (b) the conservation of the heritage significance of heritage items located on the land and in its vicinity,
    - (c) the location of new buildings,
    - (d) urban and building design guidelines to include measures to complement existing heritage buildings, public safety, solar access and energy efficiency, height, form, setbacks and scale of new buildings, colour and appearance,
    - (e) pedestrian access to and through the site,
    - (f) internal road systems, parking and the retention (and possible expansion) of the public car park with a minimum of 313 spaces,
    - (g) provision of public open space, including retention of trees,
    - (h) potential view corridors to and through the site,
    - (i) acknowledgement of flood effects and identification of appropriate flood compatible uses in accordance with Council's Flood Plain Risk Management Plan,
    - (j) implementation or staging (or both),
    - (k) any other matter required by the Council.
  - (6) A draft master plan must be publicly exhibited by the Council for not less than 28 days. At the end of that period, the Council must consider any submissions made about the draft master plan.
  - (7) A draft master plan becomes a master plan if it is adopted by the Council with or without alterations made in response to submissions.
  - (8) A master plan may be amended or revoked by a master plan prepared exhibited and adopted in accordance with this clause.
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- (9) Despite any other provisions of this plan, the Council may grant consent to development for additional commercial uses on the land if it has taken into consideration whether the uses are consistent with the master plan applying to the land and are complementary to development for the purposes of the arts, cultural activities, education and tourism and economic development carried out on the land.

## LISMORE CITY COUNCIL - Meeting held June 8, 2004

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**Subject/File No:** SPECIAL BUSINESS RATE VARIATION LEVY – 2002/03 EVALUATION AND AUDIT – LISMORE UNLIMITED OPPORTUNITIES (RS:S740)

**Prepared By:** Manager – Finance & Administration, Rino Santin

**Reason:** In accordance with Council resolution

**Objective:** To inform Council of the evaluation and audit reports carried out on the promotions element of the special business rate variation levy

**Management Plan Activity:** Economic Development, Events & Tourism

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### **Background:**

Council rates all urban business properties at a slightly higher level to generate a promotion fund. Lismore Unlimited Opportunities (LUO) in accordance with the 'Three Year Marketing Strategy 2003-2005', which was adopted by Council in August 2002, expends this promotion fund. In 2002/03, the promotion fund generated \$159,700.

When considering the first promotion plan for the expenditure of these funds in 1999, Council resolved to require LUO to provide both an evaluation and audit report on the expenditure of the promotion fund.

The purpose of this report is to advice that these reports, "Evaluation of Special Business Rate Variation Levy Funds" for the year ended June 30, 2003 & Report to Lismore City Council - An Audit of the Acquittal of Special Business Rate Variation Levy Funds", prepared by Southern Cross Accountants, have been received to meet this requirement for 2002/03.

While the reports provided are self-explanatory, the following points are made:-

- The Evaluation concludes that the funds have been used in '...such a way that has promoted Lismore as an ideal place to live, visit, establish and do business'.
- It also recommends that '...Council continue to collect the special business rate variation levy and that LUO be engaged to administer the spending of the levy on behalf of the business community'.
- The Audit states that 'In our opinion, the SBRVL funds have been expensed in accordance with the terms outlined in the three year marketing strategy.'

### **Public Consultations**

Not required.

### **Other Group Comments**

Not required.

### **Conclusion**

Both evaluation and audit reports have been received from LUO for the expenditure of the 2002/03 Special Business Rate Variation Levy funds. These have been prepared by Southern Cross Accountants and indicate that the funds have been spent in accordance with the Three Year Marketing Strategy 2003-2005.

From an audit perspective, they meet Council's requirements

### **Recommendation (COR13)**

That the evaluation and audit report submitted by Lismore Unlimited Opportunities for the expenditure of the 2002/03 Promotion Fund be received and noted.

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<b>Subject/File No:</b>	GOONELLABAH LEISURE CENTRE (P22522)
<b>Prepared By:</b>	Recreation Planner, Alex Wilford
<b>Reason:</b>	A revised concept masterplan and draft business plan have been prepared for the proposed Goonellabah Leisure Centre
<b>Objective:</b>	To seek Council approval to further advance the project
<b>Management Plan Activity:</b>	Community Services

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### **Background:**

The need to provide an indoor sports and leisure centre in Goonellabah is widely accepted and long overdue. During the past decade Council has considered numerous proposals for the development of such a facility at the Goonellabah Town Centre site but for various reasons none of these proposals have progressed beyond the preliminary design phase.

At its December 2003 meeting, Council were presented with a conceptual masterplan and costings for the staged development of the site prepared by Bzowy Architecture. At that meeting Council resolved:

1. That a Project Steering Committee consisting of four Councillors and relevant council officers be formed to oversee the advancement of the project, with initial tasks to include:
  - Re-examine the costings with a view to pursuing opportunities to reduce the cost of the project,
  - Finalise the master plan,
  - Finalise the common property boundary adjustment with Consolidated Properties,
  - Preparation of a business plan.
2. The master plan and business plan be placed on exhibition for public comment and feedback.
3. The above information be reported to Council prior to proceeding with the design for stage 1.

The Project Steering Committee has been meeting on a monthly basis since February 2004 and has overseen the practical completion of the above tasks. Councillors Swientek, Baxter, King and Roberts were initially appointed to the Committee until after the Council elections when Councillors Swientek, Dowell and Henry were appointed to work with relevant staff on the Committee.

In March 2004 Facility Design Group Architects were engaged to prepare a revised concept masterplan for a more affordable development. Facility Design Group specialise in the design of community sport and recreation facilities and have a reputation for delivering cost-effective design solutions to meet tight project budgets. At the same time, work also began on the preparation of a Draft Business Plan, which focuses primarily on stage 1 of the proposed centre.

The revised concept masterplan and a summary of the Draft Business Plan were presented at a Council Workshop on May 25, 2004. A brief overview of the information presented at the workshop and contained in the Draft Business Plan follows. For more detailed information refer to the Draft Business Plan which is separately attached.

### Conceptual Masterplan

The masterplan aims to cost-effectively deliver an attractive, functional, durable and operationally efficient multi-purpose facility that reflects the diverse sporting, recreational and social needs of the Goonellabah community.

All of the proposed buildings are situated on the western (high) side of the Telstra and sewerage easement that bisects the site and are to be built on one level – at RL 142. The proposed construction is based upon a precast concrete / portal frame system. The bulk of the car parking for stage 1 is to be situated towards the southern end of the site with additional parking for stage 2 situated in the north east of the site.

The concept does require adjustment to the common property boundary between Council's land and the adjoining commercial property. The process of formalising this arrangement has commenced and Consolidated Properties has indicated their support for the proposal.

The design uses the one point of entry and control to provide efficiencies in staffing and supervision as well as direct vision and pedestrian access to the skatepark located in the adjoining parkland. The reception area and café/kiosk are integrated so that one person can operate them during off-peak times.

The inclusions proposed for each stage are:

#### Stage 1.

- 2 court sports hall with adjoining large storage facility and tiered spectator seating.
- Amenities including family change room and accessible toilets.
- Youth centre with external rear courtyard and barbeque area.
- Managers office, first aid room, administration and reception desk and adjoining café/kiosk.
- Social café seating area opening out onto outdoor terrace and seating area – under sail structures.
- Children's crèche area to the side of the main entry with fenced playground to the south side.
- Upstairs gym and aerobics area with lift and stair access. This area would also have dedicated amenities and storage space.
- An outdoor skatepark with adjoining gazebo and picnic / barbeque area.
- Car parking for approximately 100 cars including drop off at front entry for buses.
- Extended through road making for comfortable ingress and egress of cars and buses.

#### Stage 2.

- Indoor pool hall with a 25 metre x 8 lane lap pool.
- A separate program/leisure/toddlers pool with beach entry.
- Wet area amenities including family / accessible change rooms.
- Plant room
- Large storage room for lane ropes and other equipment.
- Operable glass walls to provide access to the outdoor areas – fenced off for security.
- Additional parking for approximately 45 cars.

### Capital Costs

The capital cost estimates presented below are based on the actual costs of similar projects completed in recent years with allowances for increases over time. The costs include professional fees and a 5% contingency. A breakdown of the costs is provided on page 17 of the Draft Business Plan.

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## Goonellabah Leisure Centre

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Stage 1.	\$ 5,176,126
Stage 2.	<u>\$ 5,409,459</u>
<b>Total</b>	<b>\$10,585,585</b>

### Project Funding

Council has a total of approximately \$2.3 million available for this project comprising the following:

Section 94 Community Facilities Urban East Catchment	\$1,350,000
Goonellabah Recreation Centre Reserves	<u>\$ 950,000</u>
	<b>\$2,300,000</b>

Based on the cost estimates provided this would leave a shortfall of approximately \$3M to undertake the suggested stage 1 works. While there is potential to attract grant funding (sport , recreation and youth) and to develop management and/or capital partnerships, it is likely that the bulk of this shortfall would be sourced from loan funds.

Based on a \$3M loan, the annual repayments would be approximately \$300,000 for a 20 year loan term and approximately \$350,000 on a 15 year loan term.

### Operating Performance

Preliminary operating projections for stage 1 have been prepared to serve as a starting point for discussion and further refinement once more information is available in relation to the management of the centre. The Draft Business Plan includes projections for a base level scenario and high and low level scenarios. The results of the base level projections are:

	<b>Year 1-2</b>	<b>Years 3-5</b>
Total Income	\$325,000	\$384,000
Total Expenditure	<u>\$381,500</u>	<u>\$414,639</u>
<b>Operating Profit / Loss</b>	<b>- \$ 56,500</b>	<b>- \$ 30,639</b>

Further details relating to the estimated usage, pricing, income and expenses of the centre are provided in section 11 of the Draft Business Plan. The projections are in line with industry performance indicators that suggest an average 82% cost recovery rate for similar sized sports and leisure centres throughout Australia.

### Management of the Centre

The management aim of the centre is *to provide the opportunity for all residents of and visitors to Goonellabah to participate in a balanced program of sporting, recreational, fitness and social activities that enhance individual wellbeing and foster community spirit.*

To achieve this aim the management team will need to be highly experienced and well qualified. They will also need to be flexible and have the freedom to readily respond to community/user needs or changes in the environment.

The four basic options commonly used to manage public leisure facilities are Direct Management, Indirect Management, Contract Management and Lease Management. These options are discussed in section 9.2 of the Draft Business Plan.

The Project Steering Committee has indicated a preference for the centre to be managed under contract by a suitably qualified and experienced facility management organisation / individual. The management contract would clearly specify the roles and responsibilities of each party, particularly

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## Goonellabah Leisure Centre

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with respect to maintenance responsibilities, pricing policies, community service obligations/requirements, performance targets and incentives, reporting requirements and management fees.

Certain elements of the centre's operation may also be sub-contracted where appropriate. For example, it may prove beneficial if youth programs/activities and the operation of the café / kiosk are delivered by specialists in these fields.

### Project Delivery

Section 10 of the Draft Business Plan identifies and discusses the three basic options for the delivery of the project. These are:

- Option A.** Design + Construction (2 separate packages)
- Option B.** Design & Construction (1 package)
- Option C.** Design & Construction & Operation (1 package)

The Project Steering Committee has selected Option B. - Design & Construction as the preferred method of delivery for stage 1 of the project. In this approach, a detailed design brief and specifications would be developed with architectural and expert facility management input for the design and construction of stage 1 in a single package.

This approach is considered suitable because the project is relatively uncomplicated with mostly standard features. Importantly the cost of the project would be established prior to commencing detailed design works.

It is also suggested that the management of the centre be tendered at this early stage so that the selected management team can be closely involved during the development of the design so that the facility meets their operational needs.

### Project Timing

Preliminary target dates for key project tasks and milestones are:

<b>Task / Milestone</b>	<b>Target Date</b>
Design brief and specifications prepared and tenders called for design and construction and facility management	September 2004
Design and construction contractor appointed	November 2004
Management contractor appointed	November 2004
Design completed	January 2005
DA approved	March 2005
Commence construction	March 2005
Commence management start up period	August 2005
Construction completed	December 2005
Centre opening	December 2005

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## Goonellabah Leisure Centre

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### Manager - Finance & Administration Comments

The estimated construction cost for Stage 1 of the Goonellabah Leisure Centre is \$5.176 million. To financially accommodate this project, Council will need to borrow approximately \$3.0 million with estimated loan repayments ranging between \$300,000 to \$350,000 per annum depending on the terms and conditions.

In addition, it is anticipated that it will operate at a deficit. The draft Business Plan provides some guidance and after applying a 'base level scenario', predicts an operating loss of \$56,500 per annum for Years 1 & 2 with this to reduce to \$30,600 in Years 3, 4 & 5.

While in total this is a significant amount (\$350,000 to \$400,000 per annum) to add to Council's budget, it is within our financial capacity given the fact the General Fund will have operating revenues of \$42.6 million in 2004/05. To minimise this impact, it would be prudent to quarantine all available or uncommitted funds, such as the surplus in the draft 2004/05 Budget, for this project.

### Public Consultations

The concept masterplan and the Draft Business Plan reflect the results of public consultations undertaken over several years in relation to this project, including

- Lismore Recreation Needs Study, Michael King and Associates, 1998
- Goonellabah Indoor Leisure Centre Feasibility Study, Venue Group Consultants, 1999
- Goonellabah Leisure Centre Community Questionnaire, LCC Community Services, Oct 2002
- Goonellabah Youth Focus Group Sessions, Bzowy Architecture and LCC Community Services, Sept-Oct 2003.

It is recommended that the concept masterplan and draft business plan be placed on public exhibition to provide further opportunities for public input into the planning and design process.

### Other Group Comments

Not required.

### Author's Response to Comments from Other Staff

Nil.

### Conclusion

This report has presented and discussed the revised concept masterplan, cost estimates and Draft Business Plan for the proposed Goonellabah Leisure Centre. The masterplan reflects the results of consultation with the community, potential user groups and stakeholders to provide an attractive, functional and cost effective staged development. The Draft Business Plan has been prepared to help guide the development and management of the centre and serves as a starting point for discussion and further refinement.

The next phase of the planning process is the preparation of a detailed design brief and tender specifications for the design and construction of stage 1 in a single package. Tenders for the management of the centre should also be sought early in the process to allow for management input into the development of the design.

**Recommendation (COR14)**

1. That Council approve in-principle the concept masterplan and draft business plan for the Goonellabah Leisure Centre.
2. The concept Masterplan and Draft Business Plan be placed on exhibition for 28 days and that any public feedback be considered by the Project Steering Committee as part of the project planning process.
3. That the Project steering Committee proceed to:
  - a) prepare specifications and call tenders for the design and construction of stage 1 of the centre.
  - b) prepare specifications and call tenders for the management of the centre.
4. The tender results be reported to Council for appointment of the successful tenderers.
5. Funds be allocated in the 2004/2005 budget for those works to be undertaken during the 2004/2005 financial year.
6. The construction of stage 1 be targeted for completion in December 2005.

## LISMORE CITY COUNCIL - Meeting held June 8, 2004

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**Subject/File No:** PROPOSED 2004/05 ROADWORKS PROGRAMME  
(GJH:VLC:S374)

**Prepared By:** Manager – Roads & Parks

**Reason:** To inform Council of roadwork projects considered by staff and the Roads Management Committee.

**Objective:** To obtain Council's approval for the 2004/05 Roadworks Programme.

**Management Plan Activity:** Roads

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### **Background:**

The Roads Management Committee met on May 19, 2004 to consider projects to be recommended for inclusion in the 2004/05 Roadworks Programme.

### **Tied Funding**

There are several road projects which are tied to specific funding. They are included to provide Council with a more complete knowledge of the 2004/05 Roadworks Programme.

<b>Tied Funding</b>	<b>(\$)</b>
Lismore Shoppingworld works	689,700
CBD roads redevelopment	2,000,000
Regional Roads REPAIR Programme (RTA: \$541,800 / LCC: \$541,800 *)	1,083,600

\* \$405,800 FAG and \$136,000 3x3 grants

### **Remaining Funding Available**

The remaining road funding available in the draft budget for road projects is shown below –

<b>General Road Funding</b>	<b>(\$)</b>
Urban road construction	434,000
Rural road construction	1,068,000
Rural Roads FAG Programme	647,200
Roads to Recovery Programme	665,000
	<b>\$2,814,200</b>

Please note there are many other line items in the Roads & Infrastructure Draft Budget. However, they apply to infrastructure other than roads, such as drainage, footpaths, bridges, etc.

### **Committee Recommendations**

Historically the available funding is distributed on a one-third to urban roads and two-thirds to rural roads basis, which is generally proportioned on the length of urban and rural roads.

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# LISMORE CITY COUNCIL - Meeting held June 8, 2004

## Proposed 2004/05 Roadworks Programme

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The City Works Group recommended to the Committee the following distribution of funds –

Road Types	Amount (\$)	Proportion
Urban roads	1,320,000	47%
Rural sealed roads	1,294,200	46%
Sealing of gravel roads	200,000	7%
	<b>\$2,814,200</b>	

The reason for the above recommendation is that the general condition of the urban roads is worse than the rural roads. A roughness survey undertaken in 1999 indicated that 41% of urban roads were in terminal condition and 27% of rural roads were in terminal condition.

The Roads Management Committee accepted the above proposal for the next 12 months programme only.

In the past the Roads Management Committee has capped individual projects at a maximum of \$250,000. The City Works Group recommended the cap be lifted on urban projects to allow meaningful length projects to be completed in the urban area.

The cap has also been lifted for one rural project, Broadwater Road from the Broadwater Bridge to Banks Lane. Again this is to allow the whole project to be completed.

The Roads Management Committee agreed to lift the cap above \$250,000 on this occasion.

For the rural and urban sealed works programme, the Committee agreed to adopt the projects determined by the points system. Details of the point system listings are attached for information.

The Sealing of Gravel Roads Programme required considerable discussion by the Committee. A proposal was received from residents of Muller Road. A copy of the correspondence is attached for information as Appendix 1. The residents have offered to pay one-half cost to seal approximately 1Km of Muller Road, from the intersection of Willis Road heading south. The City Works Group believes the 280m section from Rous Road to Willis Road also needs to be sealed. This section of road is the most heavily trafficked section.

The issues discussed by the Committee included on one side of the argument, Council having the ability to do more work by supplementing its funds with resident contributions, to the other side of the argument that Council should spend its limited funds where the need is greatest and not simply help those that can afford to pay.

The Committee **RESOLVED**, "To not accept the offer from the residents of Muller Road and that a sub-committee be formed to review the points system to allow for contributions from residents".

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## Proposed 2004/05 Roadworks Programme

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### Recommended Roadworks Programme

The following programme of works is recommended by the Roads Management Committee –

2004/05 Works Programme	(\$)
<b>Urban Roads</b>	
Uralba Street (between Diadem and Hunter Streets)	500,000
Wilson Street (between Casino Street and the bridge)	400,000
New Ballina Road (between Renwick and O'Flynn Streets)	420,000
<b>Rural Roads</b>	
Eltham Road (0.6Km-1.1Km east of Gray Road)	165,000
Richmond Hill Road (0.4Km-0.8Km north of Ballina Road)	180,000
Cowlong Road (0.8Km-1.2Km north of Ballina Road)	250,000
Rosehill Road (Mackney Road – 0.8Km south)	250,000
Tucki Road (Wyrallah Road to Robson Road)	105,000
Broadwater Road (Broadwater Bridge to Banks Lane – Stage 2)	344,200
<b>Sealing of Gravel Roads</b>	
Stony Chute Road	100,000
Tunable Creek Road	100,000
	<b>\$2,814,200</b>

### Manager - Finance & Administration Comments

As reported, Council has allocated \$2,814,200 in 'general road funding' in the 2004/07 Draft Management Plan.

In regard to the 'tied funding' works, Council's share (\$541,800) of the Regional Road Repair Programme is being funded by FAGS (\$405,800) and '3x3' RTA (\$136,000). These funds are not part of the 'general road funding'.

At this stage, it is likely the total funding (\$187,000 - 2003/04 and \$689,700 - 2004/05), provided to undertake the Lismore Shopping World works will be sufficient. It should be noted that a full design and costing are yet to be finalised. If required, additional funding may be sourced from the 2005/06 general roads funding as all works are not anticipated to be completed in 2004/05.

**Public Consultations** Not required

**Other Group Comments** N/A

**Author's Response to Comments from Other Staff** Nil

**Recommendation** (WOR1)

That Council approve the proposed 2004/05 Roadworks Programme as set out in the body of the report.

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## LISMORE CITY COUNCIL - Meeting held June 8, 2004

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**Subject/File No:** REVIEW OF 6(A)-(RECREATION) ZONED LAND AND RECLASSIFICATION OF CERTAIN COUNCIL PROPERTIES FROM COMMUNITY TO OPERATIONAL LAND

**Prepared By:** Manager Special Projects and Properties, Lindsay Walker

**Reason:** To clarify an anomaly in previous resolution of Council meeting of May 11, 2004

**Objective:** For Councils information

**Management Plan Activity:** Special Projects and Properties

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### **Background**

At the Council meeting of February 2004 the "Bob Gates Memorial Recreation Reserve" Plan of Management was adopted. This Plan made provision for the Lismore Rowing Club to use the Gates Lake for rowing subject to a "Use Agreement" being agreed by both the Club and the Council. Since that time Council's Recreation Planner has worked with the Lismore Rowing Club to prepare the Use Agreement. The draft document is currently with the Lismore Rowing Club for finalisation.

Unfortunately the Lismore LEP 12 amendment incorrectly identified Gates Lake as 7(a) (Environmental Protection (Natural Vegetation and Wetlands) Zone) and did not take account of Councils prior resolution. The 7(a) zone is not consistent with the previous resolution to allow rowing club usage and it is proposed that the 7(a) zone over Gates Lake be amended to 6(a) (Recreation Zone).

### **Manager - Finance & Administration Comments**

Not required.

### **Public Consultations**

Not required.

### **Other Group Comments**

Manager Planning Services endorses the report.

### **Author's Response to Comments from Other Staff**

Not required.

### **Recommendation**

1. That Council amend part of Lismore LEP Amendment No. 12 such that the proposed 7(a) zone over Gates Lake becomes 6(a).
2. That the amended Lismore LEP Amendment No. 12 be publicly exhibited for 28 days following which all submissions will be reported to Council.

**1 ZONE NO 6(a) (RECREATION ZONE)**

The following table provides general zoning controls for Zone No 6(a):

**Table**

**67.1 Objectives of zone**

The objectives are:

- (a) to ensure access by the general public to adequate open space to meet the needs of all residents and provide opportunities to enhance the quality of the total environment of the City of Lismore, and
- (b) to allocate land which will adequately provide both active and passive open space to service the present and future recreational needs of residents and visitors, and
- (c) to manage flora and fauna on public open space.

**67.2 Without development consent**

Development for the purpose of:

- environmental facilities
- works for the purposes of gardening, landscaping or bush fire hazard reduction

Exempt development

**67.3 Only with development consent**

Development for the purpose of:

- agriculture
- child care establishments
- community facilities
- recreation areas
- utility installations

**67.4 Only with development consent - advertised development**

Development for the purpose of:

- art and craft galleries
- caravan parks
- clubs
- craft studios
- passenger transport terminals
- places of assembly
- refreshment rooms

**67.5 Prohibited**

Development not included in items 67.2, 67.3 or 67.4.

**Division 1 - Environmental Protection zones**

**2 ZONE NO 7(a) (ENVIRONMENT PROTECTION (NATURAL VEGETATION AND WETLANDS) ZONE)**

The following table provides general zoning controls for Zone No 7(a):

**Table**

**77.1 Objectives of zone**

The objectives are:

- (a) to protect and preserve significant wetlands, and
- (b) to retain significant areas of unique natural vegetation, such as rainforest remnants, and
- (c) to prohibit development which could destroy or damage a wetlands ecosystem or rainforest.

**77.2 Without development consent**

Development for the purpose of:

- bush fire hazard reduction

Exempt development

**77.3 Only with development consent**

Development for the purpose of:

- agriculture
- earthworks
- environmental facilities
- roads
- utility installations (other than gas holders or generating works)

**77.4 Only with development consent - advertised development**

Nil.

**77.5 Prohibited**

Development not included in item 77.2 or 77.3.

**Subject/File No:** STATE ENVIRONMENTAL PLANNING POLICY (APPLICATION OF DEVELOPMENT STANDARDS) 2004 (S285).

**Prepared By:** Strategic Planner – Bruce Blackford

**Reason:** Exhibition of draft SEPP

**Objective:** Agreement to make a submission to the draft SEPP

**Management Plan Activity:** Strategic Planning

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### **Background:**

The Department of Infrastructure, Planning and Natural Resources (DIPNR) has released a draft State Environmental Planning Policy (SEPP) and planning guideline that will replace existing SEPP No.1 (Development Standards). The draft SEPP is on public exhibition until June 18, 2004. DIPNR has requested that Councils assist in the exhibition process by placing the draft SEPP on public display. Council has also written to planning consultants operating in Lismore advising them of the exhibition and where the draft SEPP can be viewed. Copies of the draft SEPP and accompanying guideline are included as a separate attachment.

SEPP No.1 is the current mechanism by which proponents lodging a development application may seek a variation to a 'development standard' contained in an environmental planning instrument such as an REP or LEP. Development standards are planning provisions that set minimum standards for various aspects of development and are often expressed in numerical form, e.g. minimum lot sizes for rural areas.

The main difference between the draft SEPP and the current SEPP No.1 is that the draft SEPP places more onus on the proponent to demonstrate that any departure from a development standard is necessary because of unusual site characteristics, or that it will result in exceptional design quality or a social or economic benefit to the community. The draft SEPP also introduces a 10% limit on variations to development standards relating to minimum lot sizes in non-urban zones. Thus in a rural zone which has a minimum lot size of 40 ha, the SEPP could not be used to create a lot smaller than 36 ha. Under SEPP No.1 concurrence from DIPNR was required where the proposed departure from a development standard was greater than 10%. Consequently concurrence will no longer be necessary under the new SEPP.

The SEPP will apply for four (4) years only from the date on which the SEPP comes into force. In that time Council's will be encouraged to review their LEPs to ensure that development standards are relevant and appropriate and that plans are robust and flexible enough to accommodate a range of development that achieves the aims and objectives of the LEP.

### **Issues**

It is considered that overall the draft SEPP is an improvement on the existing SEPP No.1 which fails to provide clear guidelines for its appropriate and proper use. However it is considered that the draft SEPP could have some potentially adverse implications in certain circumstances where rural lots have been created under existing SEPP No.1.

The draft SEPP will not be applicable to certain development on land in non-urban zones where the size of the lot is less than 90% of the minimum area specified by a development standard, i.e. lots less than 36 ha in most rural zones. A potential problem exists under the Lismore LEP where some rural lots that have previously been created under SEPP No.1, and are less than 36 ha in area, will no longer have a means by which a variation could be sought to enable a dwelling house to be constructed on the lot.

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## **LISMORE CITY COUNCIL - Meeting held June 8, 2004**

### **State Environmental Planning Policy (Application Of Development Standards) 2004**

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The number of such lots is unlikely to be large, however the owners of these lots would have a reasonable expectation that they would be able to lodge an application to construct a dwelling house on their land considering that the lot was created with Council consent and with the concurrence of DIPNR (given that the departure was greater than 10%). It is considered that the draft SEPP should be amended in such a manner as to preserve the right of the owners of such lots to make an application for development on their land that would not otherwise be permissible under clause 8(2)(a) of the draft SEPP.

A second issue relates to the fact that it appears the intention is for the new SEPP to be known only as SEPP (Application of Development Standards) 2004. All other SEPPs are referred to by number as well as by name. While it is acknowledged that the system of numbering SEPPs has become cumbersome (with numbers currently up to 74), the alternative of having some SEPPs numbered and some not is likely to be even more confusing for the public. Ideally the new SEPP which will replace the current SEPP No.1 should simply become the new SEPP No.1.

#### **Manager - Finance & Administration Comments**

Not required.

#### **Public Consultations**

DIPNR has placed the draft SEPP on public exhibition until June 18, 2004. Council is assisting in the exhibition, however submissions from the public will be made directly to DIPNR.

#### **Other Group Comments**

Not required.

#### **Author's Response to Comments from Other Staff**

N/A

#### **Conclusion**

It is considered that the draft SEPP represents a significant improvement on the current SEPP No.1, however there are some concerns with the operation of the proposed SEPP in some circumstances where lots were created under the existing SEPP No.1. It is recommended that Council make a submission to the Department of Infrastructure, Planning and Natural Resources supporting the introduction of the new SEPP but requesting that amendments be made to address the issues identified in this report.

#### **Recommendation**

That Council make a submission to the Department of Infrastructure, Planning and Natural Resources supporting draft State Environmental Planning Policy (Application of Development Standards) 2004, but:

1. Requesting that amendments be made to address the issue of permissible development on non-urban allotments that have previously been created using the current SEPP No.1 where such allotments are less than 90% of the minimum area specified by a development standard; and
2. Suggesting that, to avoid confusion, the new SEPP when gazetted be referred to as State Environmental Planning Policy No.1.

## LISMORE CITY COUNCIL - Meeting held June 8, 2004

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**Subject/File No:** ANNUAL REMUNERATION FEE FOR MAYOR AND COUNCILLORS  
(GW/LM: S38)

**Prepared By:** Administrative Services Manager – Graeme Wilson

**Reason:** Determination by Local Government Remuneration Board

**Objective:** Adopt mayoral and councillor fees for 2004/05

**Management Plan Activity:** Councillors

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### **Background:**

Pursuant to Section 241 of the Local Government Act 1993, the Local Government Remuneration Tribunal has determined the annual fees to be paid to mayors and councillors during the period July 1, 2004 to June 30, 2005. A copy of the Tribunal's Report can be made available for interested councillors. The Tribunal has determined that there will be an increase of all minimum and maximum fees for councils by 3% for councillors and mayors. Attached is a copy of the Tribunal's determination for all categories.

Lismore City Council is a category 3 Council and should now determine the annual fee to be paid within the minimum and maximum range as determined by the Tribunal. If Council does not fix a fee the amount defaults to the minimum.

### **Councillor Fee**

The councillor fee for Category 3 councils is now a minimum fee of \$5,875 and a maximum fee of \$12,925.

### **Mayoral Fee**

The mayoral fee for Category 3 councils is now a minimum fee of \$12,490 and a maximum fee of \$28,215.

Council currently pays the maximum fee for both councillors and the mayor.

### **Manager - Finance & Administration Comments**

Funding of \$12,850 per councillor and \$28,000 for the mayor has been included in the 2004/05 Management Plan. Based on Council's resolution the Budget will be amended accordingly.

### **Public Consultations**

Not required.

### **Other Group Comments**

Not required.

### **Author's Response to Comments from Other Staff**

N/A

### **Conclusion**

The recommendation is consistent with previous Council resolutions.

### **Recommendation (COR12)**

That in accordance with Sections 248 and 249 of the Local Government Act 1993, Council fix the 2004/05 annual fee for Councillors at \$12,925 and for the Mayor at \$28,215.

# LISMORE CITY COUNCIL - Meeting held June 8, 2004

## MINUTES OF THE TRAFFIC ADVISORY COMMITTEE MEETING HELD MAY 19, 2004

AT 10.00 AM.

(WMacD:VLC:S352)

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**Present:** Cr Merv King (*Chairperson*), Messrs Thomas George, MP, Mike Baldwin (*Roads and Traffic Authority*) and Snr Const Steve Hilder (*Lismore Police*), together with Councillors Jenny Dowell and John Hampton, Mrs Wendy Johnson (*Road Safety Officer*), Messrs John Daley (*Lismore Unlimited*), Bill Moorhouse (*Group Manager – City Works*) and Bill MacDonald (*Co-Ordinator – Traffic & Law Enforcement*).

**In Attendance:** Mr Tony Heffernan for Item No. 2 (*Intersection of Dalley/Nielson Streets*).

**Apologies:** Nil

### **Minutes of Traffic Advisory Committee Meetings – March 17 and April 21, 2004**

Members were advised that the Minutes of the meeting held on March 17, 2004 were adopted by Council at its meeting of April 27, 2004, excluding Item Nos. Item No. 15 (*Ms L Miller – Pedestrian Safety on Richmond Hill Road*), and Item No. 20 (*Intersection of Dalley/Nielson Streets*).

Members were also advised that the Minutes of the meeting held on April 21, 2004 were adopted by Council at its meeting of May 11, 2004

**Disclosure of Interest:** Nil

### **Business Arising:**

1. **Ms L Miller – Pedestrian Safety on Richmond Hill Road**  
(*Meeting of 17/3/04, Item 15*)

Council resolved that this item be referred back to the Traffic Advisory Committee to consider the possibility of installing a pedestrian refuge on Richmond Hill Road near the intersection with Tamarind Close.

As a result of discussing this issue with Ms Miller on-site, it had been determined that only two or three children crossed Richmond Hill Road from Tamarind Close in the morning to catch the bus and a subsequent check with Kirklands Coaches revealed that a similar number crossed the road in the afternoon. It was felt that there would likely be a number of locations along Richmond Hill Road where a higher volume of pedestrian movements occurred and were possibly more in need of upgraded pedestrian facilities.

**TAC48/04** **RECOMMENDED** that a 'children symbol' warning sign be installed prior to Tamarind Close for motorists coming up Richmond Hill Road.

**TAC49/04** **FURTHER RECOMMENDED** that investigations be carried out in order to identify any other locations along Richmond Hill Road that may be candidates for a pedestrian refuge/traffic calming device. (04-2254:R1012,R1011)

2. **Intersection of Dalley/Nielson Streets** (*Meeting of 17/3/04, Item 20*)

Council resolved that this matter be referred back to the Traffic Advisory Committee with a recommendation that a 'fried egg' roundabout be trialled for six months.

Mr Tony Heffernan was present for this item and was invited to outline his concerns for the proposed roundabout. Mr Heffernan's main concern related to the installation of a centre median and 'Give Way' sign on the eastern leg of Dalley Street that would be required if a roundabout was constructed.

2. **Intersection of Dalley/Nielson Streets** (Cont'd)  
This could potentially cause serious restrictions to his vehicular access which was off Dalley Street. Mr Heffernan confirmed that most accidents involved north-bound vehicles on Nielson Street and raised doubts as to whether or not a roundabout was required. In light of the above, it was suggested that the original proposal be trialed initially to see if this resolved current problems.
- TAC50/04 **RECOMMENDED** that a centre median and 'Give Way' sign be installed on the southern leg of Nielson Street but set back from Dalley Street, to allow for turning movements.
- TAC51/04 **FURTHER RECOMMENDED** that a 'No Stopping' sign be erected on the northern side of Dalley Street, 10m west of Nielson Street. (R7426,R7459)

**Correspondence:**

3. **M Anemaat**; expressing concern for the traffic hazard which exists on the divided road sections of Orion Street with motorists ignoring the "Keep Left" signs. Mr MacDonald advised that he had spoken with a number of long-term residents of the top end of Orion Street who had confirmed that the existing arrangement worked well with very few problems ever encountered. It was noted that the majority of traffic using this road was local and motorists were aware of the prevailing conditions. A significant number of signs would be required to signpost the three sections in the split level area of Orion Street and this was not considered warranted.
- TAC52/04 **RECOMMENDED** that the status quo remain. (04-3991:R6051,R6004,P1215)
4. **S Harmon**; drawing attention to the intersections of Barker and Atfield Streets with the Bruxner Highway, South Gundurimba, and requesting a reduced speed limit of 80 kph be imposed in the vicinity of the intersections, and also a turning lane be provided at the Barker Street intersection. Mr Baldwin confirmed that the RTA would not agree to a reduced speed limit on the Bruxner Highway to address an isolated problem area. Mr MacDonald advised that he had been in contact with the writer and he was organising a further meeting with residents to discuss a proposal to restrict traffic movements at Atfield Street to "Left out only", and the provision of a protected right-turn bay on the Highway at the Barker Street intersection.
- TAC53/04 **RECOMMENDED** that this matter be referred to Council's Design Services Section for investigation and preparation of a plan and estimate to be referred back to the Committee for further consideration of the proposal, together with any feedback received from the residents. (04-4463:R4807,R4823,R4822)
5. **ES Harris**; advising that since the recent reconstruction of Blue Knob Road, between the Hall and Salkeld Road, there has been an increased number of accidents on the sharp bend and requesting an inspection of the area and also that the 80 kph speed limit be extended past this point. An on-site meeting had been held with Mr Harris. It was revealed that the corner on Blue Knob Road near its intersection with Salkeld Road was generally well signposted. It was unclear as to the reasons for the recent accidents apart from the fact that alcohol was a factor in at least one of them.
- TAC54/04 **RECOMMENDED** that a 55kph plate be attached to the bottom of the existing curve warning sign; the damaged chevron marker on the bend be replaced, and additional guideposts be installed closer together around the bend. (04-4763:R2001)

**General Business:**

**6. Pedestrian Crossing – Conway Street**

Cr John Chant had raised concern for the limited sight distance on approaching the marked pedestrian crossing on Conway Street after exiting from Carrington Street.

Sight distance from Carrington Street to the mid-block crossing was approximately 40m. Due to the relatively slow nature of traffic exiting around the corner onto Conway Street, there was some doubt as to whether other measures would have any additional impact. It was noted that the same situation existed for traffic coming around the corner from Molesworth Street towards the crossing.

**TAC55/04**

**RECOMMENDED** that the area be monitored and an assessment made as to the additional measures which may assist. (R7307)

**7. Intersection of Conway and Carrington Streets, Lismore**

Cr Graham Meineke had raised concern for the illegal traffic movements at the above intersection.

An inspection noted that signage clearly indicated that motorists heading south on Carrington Street must turn left at the intersection of Conway Street. It was felt that if a motorist chose to ignore the signage and drive through the gap in the centre median to continue south on Carrington Street, then they were breaking the law and would suffer the consequences if detected by Police Officers. It was not felt that there was a particularly high incidence of such movements.

(R7307,R7303)

**8. Nimbin Road – Coffee Camp Public School**

D Jones had drawn attention to the safety of children attending Coffee Camp Public School in relation to vehicle speeds and the bus pull-off area.

Mr MacDonald advised that an on-site meeting had been held with the Principal and a parent. Neither were aware of Mr Jones having any ties to the school or of any problems that existed in relation to the current bus facilities. Considerable funds had been expended upgrading these facilities and they seemed to be working satisfactorily. Vehicle speeds past the school during active school zone times was of concern and Snr Const Hilder indicated that Lismore Police would continue to monitor this area. (R2801)

**9. Kellas Street – Vehicle Speeds**

Councillor Jenny Dowell raised concerns on behalf of residents about the excessive speed at which some motorists appeared to be traveling on Kellas Street, to and from the University.

**TAC56/04**

**RECOMMENDED** that classifiers be installed on Kellas Street to ascertain actual vehicle speeds with the results being brought back to a future meeting for further consideration.

**10. Merging Lanes**

Mr George advised that he had raised with the Stay Safe Committee, concerns regarding the number of accidents that had occurred at the finish of merging lanes and it was considered that current signage needed to be upgraded to ensure motorists in both lanes were aware that the overtaking lane was coming to an end. (S352)

11. **Pedestrian Underpass – Lismore Heights**  
Mr George wished to convey his congratulations to Council and its staff involved in the construction of the recently opened underpass at Lismore Heights. He had received many positive comments from nearby residents and the public in general in relation to the quality of the facility and the way in which the construction phase was managed. (S796)
12. **Appreciation for Previous Chairperson**  
Mr George acknowledged the valuable contribution Mr Moorhouse had made as Chairperson of the Traffic Advisory Committee over so many years and thanked him for his expert knowledge and advice in related matters. (S352)
13. **TTM Traffic Study**  
Mr Moorhouse tabled a first draft of a study currently being undertaken by TTM on traffic movements and their consequences in the Lismore CBD. The final report would identify current problems and possible remedies. (S352)
14. **Country Road Safety Summit**  
Mrs Johnson advised that she had made a submission regarding the roadside environment on country roads. (S596)

This concluded the business and the meeting terminated at 11.30 am.

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**CHAIRPERSON**

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**TRAFFIC & LAW  
ENFORCEMENT CO-ORDINATOR**

**DOCUMENTS 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 Council:-

**Service Agreements with Department of Community Services**

Salary subsidy for Community Worker and Education & Development Program Funding for Koala Long Day Care Centre:

- Community Worker - \$11,375 for period 1/7/04 to 30/6/05
- Koala Long Day Care Centre - \$31,939

(04-4949: S728)

**MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE CITY OF LISMORE HELD IN THE COUNCIL CHAMBER, GOONELLABAH ON TUESDAY, MAY 11, 2004 AT 6.00PM.**

**Present:** Mayor, Councillor King; Councillors Chant, Crimmins, Dowell, Ekins, Graham, Henry, Irwin, Meineke, Swientek and Tomlinson, together with the General Manager; Group Managers- Corporate & Community Services, Planning & Development, Business & Enterprise; Manager-Roads & Infrastructure (G Hemsworth), Manager-Special Projects & Properties, Manager-Finance & Administration, Manager-Communications & Community Relations, Fleet Manager, Administrative Services Manager and Team Leader-Administrative Support.

83/04 **Apologies/** Leave of absence was approved for Councillor Hampton by Council  
**Leave of** at its extraordinary meeting of May 5, 2004.  
**Absence:** Leave of absence was approved for Councillor Graham from May 17 to May 29.  
(Councillors Irwin/Chant)

84/04 **Minutes:** The minutes of the Ordinary Meeting held on April 27, 2004, were confirmed, subject to removal of Councillor Tomlinson (not present) voting against the motion under the heading **Tender for the Supply of Casual Labour** and Councillor Hampton voting against the motion. (See Min. 67/04)  
(Councillors Irwin/Chant)  
The minutes of the Extraordinary meeting held on May 5, 2004  
(Councillors Irwin/Graham)

**PUBLIC ACCESS SESSION:**

Prior to the commencement of the meeting, a Public Access Session was held at which Council was addressed by the following:-

NIL

**CONDOLENCES:**

**Late Geoff Lancaster**

Geoff Lancaster was employed by Council for many years as Gas Engineer and retired from Council in 1987, prior to the sale of Council's gas facility in 1991.

**Late Ray Balzer**

Ray Balzer was a solicitor in Lismore for many years who helped many people who couldn't afford legal representation. When his practising certificate expired in 2002 he had become the longest serving solicitor in the State.

He was a veteran from World War II, serving in Borneo where he stayed on after the war to act as chief Australian prosecutor for the Japanese war crimes trials at Labuan.

**Late Mrs Irene Menie Compton**

Mrs Compton was the wife of former Member for Lismore, Mr Keith Compton and a former school teacher. She passed away recently at Caroon aged 103.

85/04 The Mayor moved that Council's expressions of sympathy be conveyed to the above families and the motion was carried with members standing and observing the customary moment's silence.  
(S75)

**MAYORAL MINUTE:**

- 86/04 **Tryton Group Agreement** (Tabled)  
**RESOLVED** that at the conclusion of the ordinary business, Council exclude members of the press and public from the meeting and move into Committee-of-the-Whole to consider the following matters:-

**Tryton Group Agreement**  
(Councillors King/Irwin) (S864)

**RESCISSION MOTION:**

**Chairperson – Traffic Advisory Committee**

Formal notice having been given by Councillors Chant, Graham and Hampton it was **MOVED** that in relation to the Traffic Committee motion to make a councillor a voting delegate, it be rescinded and adopt the status quo.

(Councillors Chant/Graham)

On submission to the meeting the **MOTION** was **DEFEATED**.

**Voting Against:** Councillors Irwin, Tomlinson, Ekins, Dowell, Swientek, Henry and Meineke.

(04-4006: S352)

**MOTIONS:**

**Parking Limits – Browns Creek Carpark**

Formal notice having been given by Councillor Dowell it was **MOVED** that the Council trial an extension of parking times in the Browns Creek carpark from two (2) to three (3) hours.

(Councillors Dowell/Irwin)

On submission to the meeting the motion was **DEFEATED**.

**Voting Against:** Councillors Swientek, King, Crimmins, Graham, Henry and Meineke.  
(04-4205: P20088)

**Review of Fees – Sporting Clubs**

- 87/04 Formal notice having been given by Councillor Dowell it was **RESOLVED** that –

- 1 The Council undertake a review of fees charged to sporting clubs for use of fields and facilities.
- 2 The review include the cost to maintain the grounds and facilities for various sports, and the level of service provided by this Council, fees charged by similar councils, fees for junior sport compared to senior sport and the services provided by various sports.
- 3 A report be brought back to Council to include financial contributions made by the various sporting organisations to the upkeep.

(Councillors Dowell/Swientek)

**Voting Against:** Councillor Meineke.

(04-4208: S157)

**Maintenance Fund – Lismore Neighbourhood Centre**

- 88/04 Formal notice having been given by Councillor Dowell it was **RESOLVED** that Council request the General Manager to provide a copy of the lease of the LNC building to the LNC Management.

(Councillors Dowell/Irwin)

**Voting Against:** Councillors Graham and King.

(04-4209: P1270)

**Sign to Promote Activities at Showground**

- 89/04 Formal notice having been given by Councillor Dowell it was **RESOLVED** that the Council work with the Lismore Show Society to provide a hoop sign in Uralba Street for the promotion of events and activities at the Showground.  
(Councillors Dowell/Graham)  
**Voting against:** Councillor Irwin.  
(04-4206: S704)

**REPORTS:**

**Review of 6(a)-(Recreation) Zoned Land and Reclassification of Certain Council Properties from Community to Operational land**

- 90/04 **RESOLVED** that the report be received and –  
1 That Council commence the 28 day public exhibition of the Lismore LEP Amendment No. 12 within two weeks.  
2 That submissions relating to Lismore LEP Amendment No. 12 be reported to Council.  
(Councillors Irwin/Chant) (S849)

**Review of Policy 1.4.13 - Miscellaneous S356 Community Donations**

- 91/04 **RESOLVED** that the report be received and the Miscellaneous Section 356 Community Donations policy be amended as per Attachment 1 (new item 7 under “Eligibility”).  
(Councillors Irwin/Swientek)  
**Voting Against:** Councillors Chant, Graham and Meineke.  
(S164)

**Purchase of Council Plant – Truck with Crane and Winch**

- 92/04 **RESOLVED** that the report be received and Council purchase one (1) only UD Nissan PK265N truck with the Obieco Table Top body and the Hiab crane unit as tendered (T24023) from Southside Agencies of Lismore for the cost of \$181,258.33  
(includes GST).  
(Councillors Swientek/Chant) (T24023)

**March 2004 Budget Review Statement**

- 93/04 **RESOLVED** that the report be received and –  
1 Council adopt the March 2004 Budget Review Statement for General, Water and Sewerage Funds.  
2 This information be submitted to Council's Auditor.  
(Councillors Irwin/Dowell) (S854)

**Management Plan Quarter ended March 31, 2004**

- 94/04 **RESOLVED** that the report be received and its contents noted.  
(Councillors Irwin/Dowell) (S4)

**Northern Rivers Quarry and Asphalt Business Development Opportunity**

- 95/04 **RESOLVED** that the report be received and Council call for Expressions of Interest for interested parties to put business development proposals to Council for Northern Rivers Quarry & Asphalt.  
(Councillors Irwin/Chant)  
**Voting Against:** Councillor Swientek.  
(Q1)

**COMMITTEE RECOMMENDATIONS:**

**Traffic Advisory Committee 21/4/04**

- 96/04 **RESOLVED** that the minutes be received and adopted and the recommendations contained therein be adopted.  
(Councillors Irwin/Crimmins) (S352)

**DOCUMENTS FOR SIGNING AND SEALING:**

- 97/04 **RESOLVED** that the following documents be executed under the Common Seal of Council:-

**Mortgage Deeds - 2003/04 Borrowings Program - Commonwealth Bank of Australia**

Council is to borrow a total of \$6.57 million for capital works during 2003/04. The works program includes Memorial Baths - \$3,430,000, Lismore Levee - \$2,330,000, Trunk Drainage - \$500,000, Nimbin Carpark - \$160,000 and Flood Prone Property Acquisition - \$150,000.

Three quotations were called and received from the CBA, NAB and Westpac. The best offer was from the CBA. The proposed borrowings based on the CBA offer for separate three loans are:

- a) 20 years - \$3,430,000 - 6.68% with annual repayments of approximately \$313,500,
- b) 15 years - \$2 830,000 - 6.64% with annual repayments of approximately \$301,000,
- c) 8 years - \$310,000 - 6.62% with annual repayments of approximately \$50,600

These repayments have been factored into the 2004/05 Draft Budget.  
(04-4668,4670,4671: S862)

**Investments - Subordinated Loan Agreement**

An opportunity is available for Council to invest in the Summerland Credit Union through a 'subordinated loan' investment. It is proposed to invest \$1,000,000 for a five (5) year period. The interest rate is reset every three months based on the BBSW90 (Bank Bill Swap Rate - 90 days) + 2.5%. Based on the current rate, the interest rate would be 8.01%.

While this investment is in accordance with the Local Government Act 1993 and Council's Investment policy, it represents an increase in risk and hence the increase in return. As we have successfully invested in credit unions and building societies previously, the investment equates to 4.04% of the total portfolio, and the industry is highly regulated by APRA, it is recommended.

Summerland Credit Union have advised that this investment will allow continued expansion at a sustainable rate. This is in response to customer demands and reflects the strong economic growth in the Northern Rivers. This strategy is also consistent with Council's emphasis on supporting economic development.

(04-4758: S178)

**Council Sale to Rosada Pty Ltd – Lot 23 at Lismore Airport**

Contract and Transfer on the basis the existing tenant remains in occupation under the holding over provisions of the expired lease.

(04-4771:P9733)

(Councillors Irwin/Crimmins)

**CONFIDENTIAL MATTERS - COMMITTEE OF THE WHOLE:**

In accordance with Min. 86/04 Council now met in Committee of the Whole to consider the following matter:-

**Item 1 - Mayoral Minute – Tryton Group Agreement  
(S864)**

**RESUMPTION OF OPEN COUNCIL:**

When the Council had resumed its former sitting, the General Manager reported that Council, meeting in Committee of the Whole, had resolved to exclude the press and public during its consideration of the beforementioned matter to preserve the confidentiality of a contract with third parties that is commercial in confidence.

AND IT NOW RECOMMENDED

**Item 1:**

That Council reject the offer dated May 11, 2004 from Tryton.

98/04 **RESOLVED** that the General Manager's report of Council meeting in Committee of the Whole be received and adopted.  
(Councillors Irwin/Swientek)

This concluded the business and the meeting terminated at 9.34 pm.

**CONFIRMED** this 8TH day of JUNE 2004 at which meeting the signature herein was subscribed.

\_\_\_\_\_  
**MAYOR**



