



Ordinary Meeting

An ORDINARY MEETING of LISMORE CITY COUNCIL will be held at the COUNCIL CHAMBERS, Oliver Avenue, GOONELLABAH on **Tuesday, September 12, 2006 at 6.00pm** and members of Council are requested to attend.

Paul G. O'Sullivan
General Manager

September 5, 2006



Agenda

Opening of Meeting and Prayer (Mayor)

Apologies and Leave of Absence

Confirmation of Minutes

Ordinary meeting August 8, 2006

Disclosure of Interest

Public Access Session

Public Question Time

Condolences

Mayoral Minutes

Notice of Rescission Motions

Notice of Motions

1

Election of Deputy Mayor

5

Altering Order of Business

(Consideration of altering the order of business to debate matters raised during Public Access).

Reports

Draft Plan of Management – Lismore Park..... 7

Draft LEP Amendment No. 35 - Reclassification of Land at 202 & 214A Oliver Avenue, Goonellabah10

Sewer Charges – Clunes & North Woodburn 14

Purchase of Council Fleet –Trucks and Dog Trailers (4) 17

Request for Financial Assistance – Five Loaves Caring and Sharing Program 21

NORPA Funding Acquittal 23

Provision for the Laying of Asphalt 30

Distribution of Council Computers to Community Organisations - Section 356 Donations..... 32

Community Flood Education Reference Group 34

Review of Council’s Code of Meeting Practice 36

Councillors’ Expenses and Provision of Facilities Policy 38

Community Services Policy Advisory Group -Membership..... 40

Nominations for Membership –Sustainable Environment Policy Advisory Group..... 41

August 2006 – Investments held by Council..... 43

Committee Recommendations

Traffic Advisory Committee 16/8/06.....	45
Documents for Signing and Sealing	48
Section 356 Donations	49

Questions Without Notice

Confidential Matters - Committee of the Whole

Strategic Plan Summary

Lismore regional city

STRATEGIC PRIORITY	AIMS	INITIATIVES
Economic Development	Build Lismore's reputation as a regional city for residents, businesses, education providers, health services and government.	<ul style="list-style-type: none"> ▶ Champion education ▶ Promote health facilities ▶ Support regional agriculture ▶ Promote cultural life ▶ Promote Lismore as a legal centre ▶ Support for sport
	Increase regional economic development, tourism and job creating investments.	<ul style="list-style-type: none"> ▶ Promote regional development ▶ Develop tourism ▶ Support businesses ▶ Pursue CBD revitalisation ▶ Assist in job creation ▶ Assist in creating new income opportunities
Quality of Life	Make Lismore a safe, healthy and caring community in which to live.	<ul style="list-style-type: none"> ▶ Increase social cohesion ▶ Support villages ▶ Provide community services ▶ Encourage sustainable development ▶ Promote recreation and leisure
Leadership by Innovation	Lead the region by demonstrating innovative practices in governance, customer service, communication, consultation, virtual amalgamation and financial management.	<ul style="list-style-type: none"> ▶ Lead the region ▶ Increase revenue from grants ▶ Improve customer service ▶ Consult the community ▶ Update technology ▶ Provide user pays services ▶ Privatise selected services ▶ Share assets and resources
Natural Environment	Preserve and rehabilitate Lismore's natural environment.	<ul style="list-style-type: none"> ▶ Provide sustainable land use planning ▶ Improve catchment management ▶ Conserve and repair the environment
Infrastructure	Further enhance Lismore's transportation, parking and pedestrian networks.	<ul style="list-style-type: none"> ▶ Improve transport systems ▶ Improve roads, cycleways and footpaths ▶ Assist with public transport ▶ Assist airport operations ▶ Support fleet operations
Water and Waste Cycle	Educate our community and lead the state in water and waste-cycle management.	<ul style="list-style-type: none"> ▶ Manage stormwater drainage systems ▶ Manage water and sewage ▶ Manage the waste stream and reduce waste

Notice of Motion

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

That Council require organisers of all rodeos held within the Lismore City Council LGA to:

- 1 Restrict calf roping to animals over 200kg.**
- 2 Prohibit the use of electric prods.**
- 3 Ensure an adequate water supply for all animals present.**
- 4 Ensure that a veterinarian is in attendance for the duration of the event.**

Councillor R. Irwin

Staff Comment

Manager-Environmental Health & Building Services

Rodeos in NSW come under the Code of Practice for the Welfare of Animals Used in Rodeo Events. It is expected that the operation of any rodeos in NSW will be conducted in accordance with the code of practice. Compliance with the code will ensure that no offence is committed in relation to sections 18 and 18A of the *Prevention of Cruelty to Animals Act 1979*. These sections refer particularly to the use of animals for fighting or baiting, but also include the use of cattle when part of an exhibition, spectacle or display where they could be cruelly treated or inflicted with pain and suffering. The Code of Practice for the Welfare of Animals Used in Rodeo Events, is as approved on 30 April 1988 by the NSW Animal Welfare Advisory Council and as referred to in clause 14(4) of the *Prevention of Cruelty to Animals (General) Regulation 1996*.

In regards to issues in the notice of motion the following information is provided:

1. Restrict calf roping to animals over 200kg –

The Code provides the following guidelines:

2.7

- The minimum weight applying to cattle used in calf roping events is 100 kg.
- The minimum weight applying to cattle used in poddy riding events is 200 kg with a maximum rider weight of 40 kg.
- The minimum weight applying to cattle for all other events is 200 kg.

The Notice of motion in this regards exceeds the requirement as set out by the Code.

2. Prohibit the use of electric prods

The Code provides the following guidelines

3.11

- Standard electric prods shall be used as little as possible and may be powered by battery or dynamo only. Prods must be in accordance with the regulations under the Prevention of Cruelty to Animals Act and must not be used inside the arena.
- Cattle may only be prodded in the shoulder or rump. A prod may only be used instantaneously on the shoulder of a bucking horse to clear it from the chute on opening of the gate, and may be used only by the contractor or his nominee. When non-contract bucking horses are used the prod may be used only by a person authorised by the chute boss.

The notice of motion in this regard exceeds the requirements as set out in the Code.

3. Ensure an adequate water supply for all animals present

The Code provides the following guidelines:

- 3.4 Animals should be fed and watered at least once every 24 hours. More frequent feeding and watering may be necessary as determined by work levels and weather conditions.

The Notice of Motion in this regard is adequately covered by the Code.

4. Ensure a veterinarian is in attendance for the duration of the event.

The Code provides the following guidelines;

- 4.1
- An official veterinarian should be in attendance continuously from at least 2 hours before the advertised starting time of the rodeo until at least one hour after the completion of the final event on each day, and should have ready access to an appropriate range of drugs and equipment.
 - Where a veterinarian is not in attendance, the rodeo organisers must appoint a competent person, with experience with livestock, to examine animals.
 - Preference should be given, whenever possible, to officers as defined under the Prevention of Cruelty to Animals Act.
 - Neither the official veterinarian nor the livestock examiner should be a competitor.
- 4.2 Rodeo organisers are to ensure that a veterinarian is either in attendance at the rodeo, or on call and available to attend within a reasonable period of time.
- 4.3 Rodeo associations are to maintain an updated list of registered veterinarians obtained from the NSW Board of Veterinary Surgeons, to advise rodeo committees of the locations of veterinarians.
- 4.4 The veterinarian in attendance, or the livestock examiner when a veterinarian is not in attendance, shall be the sole arbiter, following examination, of whether an animal is fit for use in an event.
- 4.5 The veterinarian in attendance, or the livestock examiner when a veterinarian is not in attendance, shall supervise and be responsible for the expeditious and humane destruction of an animal, if he or she deems it necessary.

The Notice of Motion in this regard is adequately covered by the Code.

(06-7754: S312)

Notice of Motion

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

That Council not proceed with any actions to relocate the flying fox colony at Rotary Park.

Councillor J Dowell

Councillor Dowell's Comment:

In the Mayoral Minute of March 14, 2006, Council resolved to 'ask the Department of Environment and Conservation to disperse the bats currently roosting in Rotary Park'.

By its very nature, a Mayoral Minute is an urgent motion with very little substantive detail. There is no opportunity for community discussion, submissions or for voices for and against the motion to be heard in Public Access time. Neither was there any opportunity for Councillors to acquaint themselves with the issue.

More importantly, I suggest that Council approved the Mayoral Minute because in it, Council asked DEC, the experts, to disperse the 'bats'. Council, in its decision, assumed that DEC would assess the situation and either disperse the colony or refuse to do so. Council would have been seen to have tried to assist the residents in the vicinity of the park.

I suggest that if the Mayoral Minute had been to seek permission for Council to disperse the flying foxes, Councillors would have requested more information. I also suggest that we would not have made a hasty and uninformed decision but would have engaged in fulsome discussion and community consultation.

At the time of preparing this motion and comment, no notification of approval or refusal has been received from the DEC or from the Federal Department of Environment and Heritage to the Section 91 Application or the EPBC Act Referral lodged by Council. The purpose of this motion is to state that even if DEC and DEH grant LCC permission to disperse the flying foxes, we will not take action.

Staff Comment

Manager-Environmental Health & Building Services

The Mayoral Minute requested the Department of Environment and Conservation to disperse the bats currently roosting in Rotary Park. This was in response to community concerns which included eight written submissions from neighbours and seventeen verbal telephone complaints received in support of relocation of the flying foxes from Rotary Park. Community consultation on the application has been provided by the Commonwealth processes requiring that the application be posted on the Department of Environment and Heritage (DEH) website for ten days for public notification and public submissions.

Council has done everything in its power to address community concerns by providing affected residents with information on personal health impacts from living near flying foxes (from NSW Health) and on the ecological role and importance of flying foxes (from DEC).

At the time of writing no formal decision from DEH or DEC has been received.

(06-7760: P6588)

Notice of Motion

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

The \$20,000 allocated for the removal of the bats from Rotary Park be reallocated to the restoration of Currie Park.

Councillor V. Ekins

Staff Comment

Manager-Environmental Health & Building Services

Since Council resolved to make application for the relocation in March 2006, \$20,000 has been reserved for the activity from the 05/06 Operational Budget. This will cover the costs for the proposed 14 day relocation including project management, staff wages, attendance of a vet. and hire of noise generating equipment.

(06-7757: P6588,P10292)

1 ELECTION OF DEPUTY MAYOR

1.1 Method of Election of Deputy Mayor

The method of election is to be found in Schedule 7 of the Local Government (General) Regulation 2005. Relevant extracts of this Schedule are detailed below:-

Returning Officer

- 1) *The General Manager (or a person appointed by the General Manager) is the Returning Officer.*

Nomination

- 2) (1) *A councillor may be nominated without notice for election as mayor or deputy mayor.*
(2) **The nomination is to be made in writing by 2 or more councillors** (one of whom may be the nominee). *The nomination is not valid unless the nominee has indicated consent to the nomination in writing.*
(3) *The nomination is to be delivered or sent to the returning officer.*
(4) *The returning officer is to announce the names of the nominees at the Council Meeting at which the election is to be held.*

Election

- 3) (1) *If only one councillor is nominated, that councillor is elected.*
(2) *If more than one councillor is nominated, the council is to resolve whether the election is to proceed by preferential ballot, by ordinary ballot or by open voting.*
(3) *The election is to be held at the Council meeting at which the Council resolves the method of voting.*
(4) *In this clause:*
“ballot” has its normal meaning of secret ballot;
“open voting” means voting by a show of hands or similar means.

Previously this Council has determined that the election for Deputy Mayor would be by open voting.

Recommendation

That should there be more than one nomination, the method of election for Deputy Mayor be by open voting.

1.2 TERM OF DEPUTY MAYOR

Section 231 (Local Government Act 1993)

- 1) *The councillors may elect a person from among their number to be the deputy mayor.*
- 2) **The person may be elected for the mayoral term or a shorter term.**
- 3) *The deputy mayor may exercise any function of the mayor at the request of the mayor or if the mayor is prevented by illness, absence or otherwise from exercising the function or if there is a casual vacancy in the office of mayor.*
- 4) *The councillors may elect a person from among their number to act as deputy mayor if the deputy mayor is prevented by illness, absence or otherwise from exercising a function under this section, or if no deputy mayor has been elected.*

Election of Deputy Mayor

From a practical viewpoint it is preferable that Council elect a deputy mayor. Council needs to determine the period of this appointment. It can be for the remaining term of this Council or for a lesser period.

Council resolved at its meeting held on April 20, 2004 that the initial appointment of the Deputy Mayor would be until September 2005 and thence annually from September to September. No change to this resolution is proposed.

Recommendation

That the period of appointment for the deputy mayor be until September 2007.

1.3 Election of Deputy Mayor

Policy No. 1.2.10

Prior to any election, each candidate for the position of Deputy Mayor may give a short presentation outlining her/his reasons for standing, how s/he would operate as Deputy Mayor, what time commitment would be given and the skills s/he would have to offer. Each candidate may be asked questions from the floor about their candidacy.

Presentation

Election

Report

Subject	Draft Plan of Management – Lismore Park
File No	S833
Prepared by	Manager Community Services
Reason	Preparation of a draft Plan of Management for Lismore Park
Objective	Council's endorsement to exhibit the draft Plan of Management
Strategic Plan Link	Quality of Life
Management Plan Activity	Community Services

Overview of Report

This report provides a summary of the draft Plan of Management for Lismore Park. It recommends that the draft plan be publicly exhibited in accordance with the requirements of the Local Government Act.

Background

The Local Government Act 1993 requires Councils to prepare Plans of Management for all public lands classified as community land under that Act. A draft Plan of Management has been prepared for the community land within Lismore Park.

In 1995, Council adopted a *generic* Public Land Plan of Management that applied to all “community” land in the local government area. Council adopted the first Plan of Management for Lismore Park on 8 July 1997. A more detailed and specific Plan of Management was adopted by Council for Lismore Park on 9 December 1997.

The 1998 community land management amendment to the Local Government Act introduced a requirement to categorise “community” land to reflect land use and/or the physical characteristics of the land, established core objectives for each land category and required that Council review the Plan of Management to determine whether or not the plan complied with the core objectives.

It is some nine years since the commencement of the 1997 Plan of Management and that plan is now outdated, does not comply with current legislative requirements, and certain works and activities identified in the 1997 Plan of Management have been undertaken and completed.

The draft Plan of Management contains recommendations to continue works not completed in the 1997 Plan of Management as well as additional works.

In order to facilitate the effective land management and planning of Lismore Park by Council's Parks and Recreation Section, there is a need to improve the level and detail of information about the land. A detailed land survey of the Park is required to identify land levels and the exact location of infrastructure, facilities and vegetation so that a working master plan for the Park can be prepared and implemented.

The proposed works and activities for each of the management precincts within Lismore Park are summarised below:

Management Precinct No. 1

- Oakes Oval (Rec #1) – progressive upgrading of outdoor tiered seating and relocation of maintenance facilities and use building for equipment and storage. Improvements to security mesh fencing in some areas.
- Crozier Field (Rec #2) – provision of field floodlighting and improvements to fencing panels adjacent to field.
- Blair Oval (Rec #3) – no change, regular maintenance and upgrade of cricket practice nets.
- Heaps Oval (Rec #5) – no change, regular maintenance.
- Humbly Oval (Rec #4) – regular maintenance of ground and hockey club house and canteen.
- Blair, Heaps and Humbly Ovals – upgrade internal access and parking areas from gravel to hotmix bitumen.
- Jolley Field (Rec #6) – no change, regular maintenance, remove cricket nets.
- City Lights Tennis Court – no change, regular maintenance.
- Park adjoining City Lights Tennis Court – provision of additional public art and seating; removal of Cocos Palms.
- Site and buildings of the former Continental Bocce Club – community and youth facility.
- Scout hall – no change, regular maintenance.
- Pavilion No. 2 – upgrade and renovate to enable future community use of the building.
- Apex Park – upgrade children’s play equipment and provision of picnic facilities including accessible facilities.
- Recycling facilities – removal, and re-develop the area for parking and picnic facilities including accessible facilities; provide pedestrian footbridge to Apex Park.
- Progressive upgrading of car parking areas.
- Pathways – provision for formalised pathways linking all fields.

Management Precinct No. 2

- Mortimer and Davidson Ovals (Rec #8 and #10) – replace or up-grade existing clubhouse and toilets.
- Roder Oval (Rec #9) – upgrade cricket practice nets and night training lights.
- Mortimer Oval – upgrade access to sewerage pump station and gravel car park.
- Park area south of Lismore Park Caravan Park and drain – progressive removal of Camphor Laurel trees and replanting of area with specimen native vegetation; provision of seating.
- Relocation of caravan park.
- Progressive upgrading of car parking areas.
- Pathways – provision for formalised pathways linking all fields.

Management Precinct No. 3

- Richards Oval (Rec #12) and soccer clubhouse – upgrade parking areas near clubhouse, provision for more storage/viewing facilities for clubs / spectators and night training lights.
- Ballina Street Tennis Courts and clubhouse – no change, regular maintenance.
- Lismore Netball Courts (Rec #7 and #11) and clubhouse – provision of additional netball courts in area adjoining Pre-school, and formalise parking areas.
- Pre-school – no change, regular maintenance.
- Lismore City Pipe Band clubhouse – no change, regular maintenance.
- The area used as car parking space by users of the netball courts, formalise parking areas; provision of additional trees and picnic facilities; investigate suitability for relocation of caravan park.
- Pathways – provision for formalised pathways linking all fields.

A copy of the final draft of the Plan of Management is separately attached.

Comments

Financial Services

Not required.

Other staff comments

Council’s Planning, Community Services and Parks and Recreation section have had input into the preparation of the draft Plan of Management.

Public consultation

The Local Government Act provides for a minimum public exhibition period of 28 days. Submissions to the draft plan may be lodged up until 42 days after the commencement date of the exhibition.

The Local Government Act also provides that Council must hold a public hearing in respect of a proposed Plan of Management where the plan has the effect of categorising community land under section 36 of the Act. The Plan of Management categorises Lismore Park as “sportsground”, “park” and “general community use” and therefore a public hearing is warranted.

Recommendation

That Council:

1. Place the draft Plan of Management on public exhibition for a period of 28 days.
2. Forward copies of the draft Plan of Management to the relevant groups and organisations with an interest in Lismore Park.
3. Arrange for a public hearing into the draft Plan of Management in accordance with the provisions of the Local Government Act.

Report

Subject	Draft LEP Amendment No. 35 - Reclassification of Land at 202 & 214A Oliver Avenue, Goonellabah
File No	S945/P25630
Prepared by	Senior Strategic Planner
Reason	To facilitate the future disposal of part of the land
Objective	Council resolution to prepare and exhibit a draft LEP Amendment for reclassification of the land from community land to operational land.
Strategic Plan Link	Economic Development
Management Plan Activity	Review and update planning controls

Overview of Report

This report recommends the proposed reclassification of public land at 202 & 214A Oliver Avenue, Goonellabah from community land to operational land. The reclassification will enable the disposal of that part of the land that supports the Workers Sports Club.

Background

The Workers Sports Club in Goonellabah is situated on Council owned land (Lot 135 DP 859549) that adjoins the western boundary of Hepburn Park. In November 2005 the Lismore and District Workers Club took over the lease of the land from the Lismore RSL Club. The deed of consent to the assignment of the lease preserved the conditions of the original lease which has a term of ninety-nine years (expiring on May 31, 2090).

Tennis courts within the Sports Club complex are situated on a separate allotment (Lot 134 DP 859549) that is sub-leased by Alan Carroll Tennis Pty Ltd. That lease expires in 2015. Relevant information pertaining to both land parcels is shown in the following table:

Real Property description	Address	Lessee	Improvements	Area
Lot 135 DP 859549	202 Oliver Avenue Goonellabah	Lismore Workers Club	Sports Club & parking Bowling green Table tennis club Cricket nets	4.792ha
Lot 134 DP 859549	214A Oliver Avenue Goonellabah	Alan Carroll Tennis Pty Ltd	Tennis courts	2501m ²



Workers Sports Club - Goonellabah

LISMORE CITY COUNCIL

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



Scale
1 : 2,500
Printed: 16/08/2006



The terms of the lease with the Lismore and District Workers Club provide that the lessee has an option to purchase the land at any time during the term of the lease. The option may be exercised by the lessee by submission of written notice to Council. Means of determining the value of the land are set out in the terms of the lease.

Should Council receive such notice from the lessee it would be unable to fulfil its obligations under the lease because the land is classified as community land within the meaning of the *Local Government Act 1993*. The provisions of the Local Government Act preclude the sale of public land classified as community land. Therefore it is proposed that the land be reclassified from community land to operational land.

Reclassification to operational land will enable subdivision of the land so that only those areas that support the Sports Club and its ancillary uses are disposed of. Land adjacent to Tucki Creek would remain in Council ownership as public reserve. The area adjacent to Tucki Creek will retain its 6(a) Recreation zoning under the LEP. The new lot containing the Sports Club would be rezoned to 6(b) Private Recreation.

Lot 134 that contains the tennis courts currently has no public road access. This will need to be addressed in the subdivision of Lot 135 particularly if part of Lot 135 is sold to private interests. Reclassification of both Lots 134 & 135 will facilitate a more holistic approach to the design of any future subdivision of the site.

Comments

Financial Services

Not required

Other staff comments

Not required

Public consultation

Reclassification of public lands from community land to operational land is achieved through the preparation of a LEP amendment. The minimum statutory public exhibition period for draft LEP amendments is 28 days. As the amendment involves Council owned land, the public exhibition must be conducted in accordance with the Department of Planning's guideline 'Best Practice Guideline for LEPs and Council Owned Land'.

Pursuant to section 68 of the EP&A Act and section 47G of the Local Government Act, Council must also hold a Public Hearing following the public exhibition period for the draft LEP amendment. The purpose of the Public Hearing is to allow members of the community to make submissions on the proposed reclassification to an independent party, who will then report on those submissions to Council.

Recommendation (PLA1)

That Council:

1. Prepare draft amendment No 35 to Lismore Local Environmental Plan 2000 to reclassify Lots 134 and 135 DP 859549, Oliver Avenue, Goonellabah from community land to operational land pursuant to section 54 of the EP&A Act.
2. Advise the Department of Planning of Council's decision to prepare draft LEP amendment No 35 and that Council considers that the preparation of a Local Environmental Study is not necessary.
3. Consult with relevant public authorities pursuant to section 62 of the EP&A Act.

4. Exhibit draft LEP amendment No 35 for a period of 28 days in accordance with the Department of Planning's guideline *Best Practice Guideline for LEPs and Council Owned Land* following receipt of a written authorisation to exercise s65 delegations from the Department of Planning's LEP Review Panel.
5. Arrange a Public Hearing into the reclassification following the public exhibition period.

Report

Subject	Sewer Charges – Clunes & North Woodburn
File No	S384
Prepared by	Rating Services Co-ordinator
Reason	Changes in interpretation of Local Government Act 1993
Objective	For Council to determine a policy
Strategic Plan Link	Water and Waste Cycle
Management Plan Activity	Lismore Water – Wastewater Services

Overview of Report

Council has actively been pursuing the possibility of connecting Clunes and North Woodburn to a sewer system. This report canvasses the possibility of introducing a charge to recover/cover costs for work done to date and future works currently being paid for by Lismore Sewer Ratepayers.

Background

When Council was looking at providing a conventional sewer scheme for Nimbin in the late 1980's, various legal advice was sought to determine if it was possible under the old 1919 Local Government Act to introduce a rate or charge prior to the works being commenced.

The advice received was, at best, mildly pessimistic towards the view that a rate or charge could be made prior to an actual sewer service being available.

Council determined that it would proceed on this basis and for two or three years prior to the sewer being available levied a loan rate on those properties that would be liable to pay a sewer rate when the scheme was completed.

Looking at why Council choose to charge Nimbin ratepayers prior to the sewer scheme being built, the following from a report to Council dated January 2, 1990 may help :-

'...by the fact that preliminary survey and design costs and loan funds have been covered by the Lismore Sewerage Fund.'

In other words, Council was saying that it was not reasonable for existing Lismore Sewer ratepayers to pay the set-up costs of the new Scheme.

This was supported by a Council resolution in June 1989 that proposed :-

' Upon the commission of the Scheme, a Nimbin Sewerage Rate equal to double the Lismore Sewerage Rate continue until all Augmentation Loans have been repaid, say 12-14 years. '

This process did occur, whilst not to the extent of the charge being double the Lismore Sewer charge, it was significantly higher and it was only in the 2004/05 rating year that the two rates became equal.

Where is this leading?

The new Local Government Act was introduced in 1993 with various changes to the provisions relating to rates and charges and it has been Council's interpretation that it was not possible to collect funds for sewer works unless the works had been completed and hence no recommendation has been made in relation to the Clunes proposed works prior to now.

Recently within the local government industry, an alternate view has been expressed and with this in mind, Council wrote to the Department of Local Government (DLG) seeking their views in this regard.

A response from the DLG has now been received that indicates as follows :-

' The view of the Department is that funds to construct new sewerage schemes could be raised by levying either a special rate under Section 495 or an annual charge under Section 501 of the Local Government Act 1993.'

Now it was always the case that Council could raise funds for these works by using a special rate under S495 however special rates come under the notional yield process and whilst income could have been achieved for sewer purposes, it would have reduced the amount income available within the General Fund.

Section 501 however does not have this restriction placed on it and amounts levied by this process are not included within the rate capping.

This is a significant change from the view previously held and provides an opportunity for equity to be introduced into the way Clunes and North Woodburn preliminary works are funded.

Council has over recent few years taken the view, particularly within the General Fund, that the further from a service you are the lesser opportunity is available to use services provided and has continued with lower differential general rates for this reason.

Conversely, the funding of the Clunes and North Woodburn preliminary sewer investigations has come from Lismore Sewer Ratepayers, increasing the rates paid by these ratepayers even though the connection between the two are tenuous even if there is a suggestion that the Clunes Scheme could possibly be connected to the Lismore Scheme, it is reasonable to ask the question :- what does having the sewer connected in Lismore or Nimbin have to do with paying for the Clunes or North Woodburn schemes?

The funds provided so far towards these investigations has been significant and in the interests of equity and fairness, the opportunity provided by the advice given by the Department of Local Government should be taken to have those ratepayers who will benefit from a proposed service contribute towards the cost of the proposed service.

This report does not seek to place a dollar figure on the amount of the contribution to be sought but rather seeks a decision from Council in regard to the introduction of such a charge.

If Council agrees, in principle, to this proposal, it is suggested that a further report be prepared that takes into account actual costs to date and any proposed expenditure on the two separate schemes.

It is also suggested that affected residents be canvassed about this prior to the next report coming back to Council. The information provided to the residents will include the principle adopted by Council and the likely costs for preliminary and other works.

Comments

Financial Services

There have been significant preliminary costs incurred as part of the investigation and feasibility for both the Clunes and North Woodburn sewerage systems. It is reasonable that those who may receive a benefit from the scheme contribute towards the after subsidy costs incurred and as such, the recommendations are supported.

Other staff comments

The Manager -Lismore Water has read this report and has no comment to make at this stage as a decision of Council is required to determine the principle of whether or not to charge.

Public consultation

Not sought at this stage but will be as part of a further report to Council if recommendation adopted

Conclusion

This is a matter of equity. The Department of Local Government's advice provides Council with an opportunity to raise funds from the proposed beneficiaries of the proposed works.

Recommendation

- 1) That Council adopt, in principle, the introduction of a Section 501 charge from July 1, 2007 for those properties that will benefit from the introduction of a sewer system in Clunes and North Woodburn to cover the costs of preliminary investigative work to date and future investigative work.
- 2) That a further report be submitted to Council detailing the financial details of expenditure to date on these two projects and proposed expenditure with an suggested charge for each project.
- 3) That the ratepayers who would be the subject of this charge be advised and their views sought for inclusion with the report.

Report

Subject	Purchase of Council Fleet –Trucks and Dog Trailers (4)
File No	T26008
Prepared by	Administrator – Fleet Services
Reason	To inform Council of major fleet purchases.
Objective	To seek Council's approval for the purchase of four new trucks and dog trailers with 48,000kg GCM capability.
Strategic Plan Link	Infrastructure – Support fleet operations
Management Plan Activity	1.12 – Plant Operations

Overview of Report

This report recommends the purchase of four replacement trucks with dog trailers for use with Council's Roads area. These trucks will be capable of carrying a higher payload than the trucks they will be replacing (42.5 tonnes GCM vs 48 tonnes GCM), and fitted with more safety features than the older trucks.

Background

Lismore City Council's Roads Section utilises a variety of trucks in its operations, the vehicles being replaced in this tender are this section's largest carrying capacity trucks, two of the trucks in this tender are already past scheduled replacement whereas the other two are almost due for scheduled replacement.

It was decided to replace all of the four trucks at the same time to ensure uniformity within this part of the Roads fleet.

A strict set of additional safety features were also called for in this tender including ABS on disc brakes, for both the trucks and the dog trailers.

The trucks and trailers being replaced are -

- Fleet No. 123 (truck) 1999 UD Nissan CW350 tipper and Fleet No. 014 (trailer) 1991 Shephard trailers 3-axle dog trailer
- Fleet No. 136 (truck) 1996 UD Nissan CWB452 tipper and Fleet No. 199 (trailer) 1989 Shephard trailers 3-axle dog trailer
- Fleet No. 137 (truck) 1999 UD Nissan CWB452 tipper and Fleet No. 200 (trailer) 1989 Shephard trailers 3-axle dog trailer
- Fleet No. 143 (truck) 1999 UD Nissan CW350 tipper and Fleet No. 015 (trailer) 1991 Shephard trailers 3-axle dog trailer.

All of the combinations shown above are at a maximum of 42.5 tonnes Gross Combined Mass (GCM) due to their suspension configuration whereas the new vehicles shown in this report are all fitted with air spring suspension to conform to the 48 tonnes GCM.

The trucks have had an increase in engine power to maintain a better pace with traffic and also will have better braking systems, which include disc brakes to both the truck and the dog trailers. Each truck and dog will also be fitted with ABS (anti-lock brake system).

All of the new trucks in the proposed purchase have engines that comply with the latest emission

controls. This has the added advantage of better economy and with today's fuel pricing escalation, any fuel saving is a bonus.

There was a large range of trucks offered in this tender and also a large range of dog trailers and tipping bodies so a lengthy evaluation process was initiated with input from fleet and workshop management, roadworks engineers and supervisors and both the permanent and relief drivers.

All of the trucks offered in this tender were first inspected to make a short list for final evaluation, then the short list of dog trailers and tipping body manufacturers was drafted for evaluation. In these evaluations, many issues were considered including, for the trucks:

- locality of the supplier and servicing agent,
- reliability of the units,
- ability for the truck to negotiate the difficult terrain on the harder and more restricted worksites including overall height, ergonomics for the operator, visibility from within the cabin – both when driving on roadways and when negotiating worksites, be it large or confined.

Uniformity is another important factor with fleets where there are several regular drivers and relief drivers, especially as these trucks, when combined with the dog trailers, are at the highest gross weight category of all of Council's truck fleet.

There were seven makes of trucks with six makes of dog trailers and bodies offered in this tender (total of 22 combinations), and Council staff evaluated all of the trucks and most of the tipping bodies / dog trailers tendered. As these units will be high production units, product support is important as is usability in different conditions and localities.

Truck-Tipping Body and Dog Trailer Make	Supplier
** MAN TGA26.430 – Peak Eng. Bodies and Dog Trailers	Southside Agencies, Lismore NSW
** MAN TGA26.430 – Shephard Bodies and Dog Trailers	Southside Agencies, Lismore NSW
** MAN TGA26.430 – Muscat. Bodies and Dog Trailers	Southside Agencies, Lismore NSW
** Volvo 440 – Peak Eng. Bodies and Dog Trailers	Volvo Truck & Bus, Wacol Qld.
** Volvo 440 – Shephard Bodies and Dog Trailers	Volvo Truck & Bus, Wacol Qld.
** Volvo 440 – Muscat Bodies and Dog Trailers	Volvo Truck & Bus, Wacol Qld.
** Volvo 440 – Tefco Bodies and Dog Trailers	Volvo Truck & Bus, Wacol Qld.
** Volvo 440 – Macol Bodies and Dog Trailers	Volvo Truck & Bus, Wacol Qld.
** Mack Quantum – Peak Eng. Bodies and Dog Trailers	Volvo Truck & Bus, Wacol Qld.
** Mack Quantum – Shephard Bodies and Dog Trailers	Volvo Truck & Bus, Wacol Qld.
** Mack Quantum – Muscat Bodies and Dog Trailers	Volvo Truck & Bus, Wacol Qld.
** Mack Quantum – Tefco Bodies and Dog Trailers	Volvo Truck & Bus, Wacol Qld.
** Mack Quantum – Macol Bodies and Dog Trailers	Volvo Truck & Bus, Wacol Qld.
** DAF FAT-CF85 – Peak Eng. Bodies and Dog Trailers	Brown & Hurley, Kyogle NSW
** DAF FAT-CF85 – Shephard Bodies and Dog Trailers	Brown & Hurley, Kyogle NSW
** Scania P420LB6X4MNA – Puma/Lusty Bodies and Dog Trailers	K & J Trucks, Coffs Harbour NSW
** Scania P420LB6X4MNA – Peak Eng. Bodies and Dog Trailers	K & J Trucks, Coffs Harbour NSW
** Scania P420LB6X4MNA – Shephard Bodies and Dog Trailers	K & J Trucks, Coffs Harbour NSW
** M/Benz Actros 2644 435HP Man.Tel shift – Shephard Bodies and Dog Trailers	Daimler Benz, Rocklea Qld.
** M/Benz Actros 2644 435HP Autoshift – Shephard Bodies and Dog Trailers	Daimler Benz, Rocklea Qld.
** M/Benz Actros 2644 435HP Telligent Auto-16 shift – Shephard Bodies and Dog Trailers	Daimler Benz, Rocklea Qld.
** M/Benz Actros 2644 460HP Autoshift – Shephard Bodies and Dog Trailers	Daimler Benz, Rocklea Qld.

Due to the extended delivery times of both truck cab/chassis and the tipping bodies/dog trailers, it was decided not to trade in any vehicles in this tender, but to sell the replaced units at auction when all deliveries are complete. This will help during the initial induction of staff to the newer models and alleviate the anxiety of the potential buyers of the replaced trucks caused by delivery delays.

All of the units offered in this tender meet the minimum specifications as set down by Council staff.

An evaluation panel comprising the Fleet Administrator, Contracts Officer, Road Engineers, Road Supervisors, the regular and relief drivers, assessed the tenders in part or in full, as per the criteria set out in the tender documents.

The evaluation determined the suitability of both the truck and the collection/compactor bodies offered in this tender for capability, quality, safety, operational functionality and conformity to the minimum specifications given.

The results of the evaluations are shown in '**Attachment A**', included in separate documentation.

Full evaluations and specifications of the trucks and the collection/compaction units are shown in '**Attachment B**', also enclosed separately.

Key Points being considered

- Purchase of the best possible combination of truck and dog trailer unit to carry out roadwork duties as required, when required.
- Proven product back-up support from the supplier and manufacturer of both units.
- Operator comfort with best 'ergonomic design' and operating considerations (OH&S).
- Safety of the general public while trucks operating both on the roadways and on construction sites, etc.
- Ability to keep the truck and dog trailer units working with minimal maintenance and repair time.
- Compatibility and uniformity.
- Maximum payload delivery with minimum fuel usage where possible.

Comments

Financial Services

The 2006/07 Management Plan includes the Plant Replacement Programme of \$2,800,000 funded from plant reserves. There are sufficient reserves within road plant to accommodate the initial purchase of \$1,135,000 (excluding GST), this being offset by trade-ins expected to be received on the replaced vehicles.

Manager – Roads and Parks

The purchase of the four Volvo FM440 trucks fitted with the Tefco tipping bodies and dog trailers is strongly supported by the Roads Section as they not only represent good value for Council but also represent increased productivity, performance and safety features, and minimise maintenance and down-time, and are thus the best valued combination for our construction and maintenance works.

The Roads Section also wish to thank the Fleet Services Administrator for fully involving Roads staff, and in particular the actual truck operators, in the tender evaluation.

Other staff comments Not required

Public consultation Not required

Conclusion

Road construction and maintenance is the largest section of Lismore City Council. To date Council operations have been competitive, and by continuing to purchase the most effective and efficient units available within reasonable price ranges, our day labour will continue to offer Lismore City customers better value for the dollars spent.

The current use of truck and dog combinations using the 42,500kg GCM limits will be upgraded to the 48,000kg GCM regulations. This will increase the payload delivered to the worksite each and every time the truck arrives at the site. The increase in payload is approximately 20% per trip per combination.

Acceptance of any proposed fleet items by the operating staff is important as it enhances a long operating life of that unit. Keeping this in mind, Roads staff who have inspected the available trucks and dog trailer units tendered agree that the Volvo trucks fitted with the Tefco units, will be the better purchase to meet Council's requirements. While the selling agent is based in Brisbane, the truck warranty, repair and spare parts agent is located in Lismore, whereas the tipping body and dog trailer manufacturer / unique spares agent is located in Brisbane.

Recommendation (IS38)

That Council purchase four (4) only Volvo FM440 trucks fitted with the Tefco tipping bodies and dog trailers as tendered (T26008) from Volvo Truck & Bus of Wacol, Qld, for the overall cost of \$1,248,919.60 (Includes GST), for those four units (\$312,229.90 per truck and dog trailer).

Report

Subject	Request for Financial Assistance – Five Loaves Caring and Sharing Program
File No	S360:06-6561
Prepared by	General Manager
Reason	Request to donate a motor vehicle to allow the continued delivery of its program.
Objective	For Council to determine level of financial assistance provided
Strategic Plan Link	Quality of Life
Management Plan Activity	Community Services

Overview of Report

A request for financial assistance has been received from Five Loaves Caring and Sharing Program. The request is for Council to donate a secondhand motor vehicle with an estimated value of \$13,700. This vehicle will replace a current vehicle overdue for repairs and allow the program to deliver its services.

Background

A letter addressed to the Mayor (copy attached) has been received from Five Loaves Caring and Sharing Program advising that the current 1994 vehicle used to deliver the community program is ‘...coming up for long overdue repairs...’ and requesting Council donate a vehicle which is due to be replaced. The special request letter also provides some general information on the program’s charitable services provided. Five Loaves Caring and Sharing provides a valuable service to needy people in the local area, delivering food parcels and furniture and is on the road for up to 1000km per week.

The vehicle referred to as coming up for replacement is a Mitsubishi Express Mid Wheel Base Van (V424). This vehicle was purchased in August 2003 (\$21,000) and has an estimated value of \$13,700. The replacement process for this vehicle has not yet commenced.

Issue

Five Loaves Caring and Sharing Program received a \$2,200 donation from Council in 2005/06 (Policy 1.4.13 Section 356 Miscellaneous Community Donations) and are not eligible for funding again under this policy until 2008/09.

A submission (No. 238) from Five Loaves Caring and Sharing Program for a replacement vehicle was received in April 2006 as part of the 2006/07 Management Plan/ Budget process. This submission was not supported by the Council nor management, at that time.

If Council considers this to be a special situation which warrants support, then in the interests of transparency and in keeping with the manner of handling special cases involving financial assistance, the proposal should be advertised for a period of 28 days with a report to be submitted to Council at the expiration of this period. For this case, this procedure is not mandatory but would be prudent. If in due course the Council supports the application, the funding for this donation of \$13,700 will come from plant reserves.

Comments

Financial Services

Funds equivalent to the assessed value of \$13,700 are available in the Plant Reserve however Council is reminded that this application was considered during the 2006/07 budget deliberations and it was not supported.

Other staff comments

Community Services

Although the principle of supplying a vehicle for this purpose is supported, the issue of fair and proper process should be a prime consideration in making any determination. Council receives numerous requests for financial assistance and support from a range of individuals and community groups every year.

Administrator – Fleet Services

If Council decides to donate the nominated vehicle, there will be no warranty provided as the manufacturer's warranty has expired. To ensure that Five Loaves gets a good start, the vehicle will get a dealer service and safety check but Council will not be responsible for future maintenance and repairs. The responsibility for correct maintenance to ensure roadworthiness and usability will rest with the new owner.

The Lismore City Council vehicle referred to as coming up for replacement is a Mitsubishi Express mid wheel base van (V424). This vehicle was purchased in August 2003 (\$21,000) and has an estimated value of \$13,700. The replacement process for this vehicle has not yet commenced.

Public consultation

No external consultation has been undertaken. If Council resolves to support the request for financial assistance an advertising process can be initiated.

Conclusion

Council's policy places value limits on normal annual donation opportunities and a special case such as this will always need a specific Council resolution to succeed. This application cannot fit within the standard guidelines for the annual Section 356 community donations (\$2,200 limit), the Mayor's Discretionary Fund (total budget \$2,700) and the monthly miscellaneous donations under Section 356(1). From a funding perspective this donation is not a direct charge against Council's annual rates but rather utilisation of part of the Plant Reserves surplus which stood at more than \$2,900,000 at 30th June 2006.

If Council supports this special application for assistance, it is suggested that in accordance with Section 356 (2), the proposed assistance be advertised for a period of 28 days with a report to be submitted to Council at the expiration of this period and that the funding for this donation of \$13,700 come from plant reserves.

Recommendation (GM01)

That Council determine the level of assistance to be provided to Five Loaves Sharing and Caring Program, in response to the special request for donation of a secondhand Council van valued at \$13700.

Report

Subject	NORPA Funding Acquittal
File No	S910
Prepared by	Manager Community Services
Reason	Report back to Council
Objective	That Council review the acquittal and determine whether to continue the funding subsidy
Strategic Plan Link	Quality of Life
Management Plan Activity	Community Services

Overview of Report

This report outlines NORPA's acquittal of the \$40,000 cultural infrastructure activities subsidy for 2005-2006.

Background

At the 21 June 2005 Council meeting, it was resolved that Council:

Agree to provide NORPA with \$40,000 for cultural infrastructure activities during 2005/2006 with the requirement they collect relevant information (quantitative and qualitative) on assistance provided so that it can be used for determining future years financial assistance for this purpose.

Accordingly NORPA has completed an acquittal report, as attached.

Comments

Financial Services

The acquittal provided by NORPA is consistent with their application for funding made to Council as part of the 2005/06-2008 Management Plan and Budget process and as such meets the requirements of resolution 131/05 Point 3.

NORPA did make a submission to the 2006/07-2009 Management Plan and Budget for the continuation of the \$40,000 per year financial support for a two year period and this was adopted by Council subject to this satisfactory acquittal of the \$40,000 provided for 2005/06.

The release of these funds to NORPA is dependent on Council's acceptance of the acquittal information.

Other staff comments

Not required.

Public consultation

Not required.

Conclusion

NORPA is very active within the arts community and has utilised Council's funding to coordinate a range of performing arts strategies and services to assist the arts community. It is important to note that due to the funding made available from Council, NORPA has been able to attract matching funding from various sources to extend the available resources and produce beneficial and value for money products and services.

Recommendation (CS01)

- 1 That Council receive and note the acquittal report.
- 2 That Council fund NORPA the sum of \$40,000 in the 2006/2007 and 2007/2008 financial years, with the requirement they collect relevant information (quantitative and qualitative) on assistance provided so that it can be used for determining any future financial assistance for this purpose.

NORPA

ACQUITTAL REPORT (FOR \$40,000 - 2005/2006)

In NORPA's submission to Lismore City Council the following 5 strategic priorities were identified.

1. **Cultural Infrastructure** ~ To continue to provide the infrastructure to assist organisations and artists to access funding advice and assistance through NORPA including providing a grant auspicing service. To continue to provide support and advice to community groups and individuals using the NORPA venues in the areas of event promotion and organisation.
2. **Development of Community based programs** ~ NORPA Dance Action was formed in 2001 to focus on the development of professional and community dance opportunities and to develop networks and programs for community dance practitioners, teachers, seniors and youth organisations.
3. **Employment & Education** ~ NORPA has added a Theatre-In-Education initiative to its cultural and community program in 2005 with the formation of the NORPA Actors Company. This initiative will utilize the talents and skills of local performers and arts workers, touring to primary and secondary schools in the Northern Rivers region.
4. **Development of new Australian Work** ~ NORPA will continue to support the development of new Australian work through the NORPA C-Lab and has recently successfully extended the funding for this initiative through ARC linkage grant collaborations with Southern Cross University.
5. **Community Cultural Development** ~ To strengthen key strategic community partnerships to support community cultural development in the region and the City of Lismore and to promote local artistic endeavour across the region and beyond.

NORPA received \$40,000 from Lismore City Council to support and further develop the strategic priorities listed above. \$20,000 was allocated to support the continuation of the NORPA Dance Action position and activities; \$10,000 was allocated to the development of the Theatre In Education component; and \$10,000 was allocated to servicing the cultural infrastructure demands of the Lismore community, which NORPA fulfils.

Lismore City Council was credited as a Major Government Partner of the annual NORPA cultural program and receives the following benefits as outlined in the original proposal.

- ❖ Public acknowledgement
- ❖ Positive community exposure
- ❖ Product placement and exposure and cross-promotion
- ❖ Corporate hospitality and networking for 6 councillors and/or staff at NORPA productions and functions
- ❖ Performing arts advice and consultation
- ❖ Corporate social investment

To acquit this support from Lismore City Council, a full description of the activities undertaken and how these have met the performance indicators proposed by NORPA follows and press clippings and further support material is also attached.

Attachments:

- Letters of support
- Photos
- Press cuttings
- School resource kits

Activities Undertaken 2005/2006

A. NORPA Dance Action

NORPA Dance Action provides the infrastructure for the regional dance network and targets young people within our community providing employment and workshops which not only provide a creative outlet but also builds self esteem and confidence. The work of NORPA Dance Action in raising the national profile of dance projects created in the region was recognised this year by the NSW Ministry for the Arts by their funding of a part time regional outreach officer for Dance Action in 2006. Activities and developments undertaken by Dance Action during this period which are specific to this funding are:

- **NORPA Dance Action Manager** position retained till June 2006 (Australia Council funding matched this funding to March 2006)

Lismore City Council

Meeting held September 12, 2006 – NORPA Funding Acquittal

- **Urban Street Rural Beat** have become well known in many circles and are building on their reputation. In the 2005/6 period they
 - performed for the Levy Wall Opening Lismore Aug 1,2005. Fee paid by Rous County Council for artists.
Audience: 150 Artists employed: 9
 - undertook regional summer tour of hip hop workshops in January 2006 to Grafton, Yamba and Evans Head in collaboration with Arts Northern Rivers funded by Australia Council CCD fund.
Attendance: 82 Artists employed: 3
 - performed their roadshow at the Broken Head Coastal Foundation for an invited audience with Richard Florida (author: The Rise of the Creative Class) Fee paid by BHCF
Audience: 40 Artists employed: 6
 - worked with Morganics (Bboy Morgan Lewis) to create a 25 minute performance which was performed as a support act to his Crouching Bboy Hidden Dreadlocks solo show in April
Audience: 280 Artists employed: 6
- **YEL (Youth Events Lismore committee)**
NDA took over the coordination of this youth committee in 2005 and holds regular monthly meetings to assist in the management of their events. Two major developments in 2005/2006 were:
 - This was the first year that YEL organised the Herb Festival Skate Park Hip Hop afternoon in August which has been held for 5 years.
Audience: 1000 Participants: 52
 - Cypher Zone – an event developed by YEL with the intention of presenting 2 or 3 annually to practise hip hop skills. Good networking and teamwork exercises for young people. Community Connections has partnered NDA with this initiative providing a youth worker as a co-supervisor.
Attendance/participation: 110
- **Regional Dance Map** upgraded, wider distribution and available on line
Artists Listed: 80 Distribution: 600 and now available on line
- **Aussie Battlers** – the fourth annual Australia Day Break Dance Competition secured a sponsor for 2006/2007 (Choppers Music) and is now looking for bigger venue for 2007 as it has outgrown the Police & Citizen Youth Club premises.
Attendance: 500 (busses brought groups from Bonalbo, Casino & Kyogle)
Participants: 60 from Lismore, Coffs Harbour, Lismore, Mullum, Kyogle, Byron, Murwillumbah, Brisbane. *An increase of 10 participants on last year.*
- **Primary School Dance Production – *The Dream*** developed with local dance students and presented in Bangalow as a work in progress in November 2005. Workshops with local schools have been offered as part of the NORPA 2006 schools program and a season of 3 performances will be held at the Star Court Theatre in August. This piece is quite unique as there is very little touring product in the field of contemporary dance for young audiences. A successful touring fund application was submitted in February 2006 to NSW Ministry for the Arts to facilitate a regional tour in NSW that will take *The Dream* to Bonalbo, Tenterfield, Coffs Harbour, Tamworth and Glen Innes in September. This project provided employment for 5 local dancers and a choreographer in 2005 and will employ 5 dancers, a choreographer and a touring technician in 2006 for 2 months. LCC funding enabled NORPA to access funding from Arts NSW for the touring costs (\$9743) & towards the production costs (\$7500). One show for this production at the Star court has already sold 301 tickets and it is estimated that nearly 1000 school children will attend *The Dream* during the Lismore season and the tour.
- **Workshops** with touring companies in 2005/2006 increased to 5. Remember Me (45 participants), Steamship Production Co (12 participants), Australian Contact Convergence (45 paid participants), Bell Shakespeare (workshops held in 4 schools with 40 in each plus workshop held at City Hall for smaller schools with 40 students), and Bangarra Dance Co (free workshop for indigenous students - 40 students in July '06)
- NORPA Dance Action also increased the activities for **Dance Week** in May 2006. The aim was to engage more participants than May 2005 (increased from 90 to 125) and to increase dance awareness within the community. Dance Week audience numbers increased by approximately 100 in 2006. These performances are provided free to the general public.

Audience: 400 Artists: 125

Attendances at NORPA 2005/2006 Workshops

Company	Bell Shakespeare	Jeanette Fabilo	Veltre/ Kabamba	Contact Converg Improv	Urban Street Rural B	Dance Week 2006	Dance Week 2006
Location	Local schools & City Hall	Con studio Lismore	City Hall Lismore	Mullum	Regional/Lismore	Lismore	Byron
No. of w/shops	7	1	1	3 days	9	1	1
style	English and drama	Contemp Indigen Dance	Afro / Street Funk	Contact impro	Hip Hop/ Break dance	Contemp Dance	Contemp Dance
No. of participants	280	24	21	45	470	40	85

NB: Bangarra Dance workshop organised in 2005/2006 financial year but will be held on July 14, 2006.

- **Into the Groove: Work Experience Week Oct 10-14**

NORPA Dance Action creates a dance company environment for school students wishing to sample this style of work during their work experience week. This proved so popular that it is being repeated in 2006.

Participants: 30 secondary students Artists employed: 5

- **Stepping Out in NSW: Senior Week Tea Dance March 19**

This was a free event funded by the Department of Ageing, Disability and Home Care. The audience was delighted with the event, participating in old time dancing, watching dance displays by a range of all age performers and there was a resounding request for the event to be held again next year.

Attendance: 250 Artists and community groups engaged: 42

Dance Action summary for the period of July 2005 to June 2006

Through the support of the Council funding NORPA Dance Action attracted the following additional funding:

Australia Council CCD	\$3,000
Arts NSW Touring Fund	\$9,743
Arts NSW Dance Fund	\$7,500
Choppers sponsorship	\$2,000 (\$1000 cash \$1000 inkind).
BHCF	\$1,900
DADHC	\$2727

Workshops with touring companies run through Dance Action increased from 2 to 5 and the number of coordinators employed by Dance Action on a project basis increased from 4 to 11. In November, NORPA Dance Action also produced a full dance production, TAUT, which was presented as part of NORPA's 2005 subscription program. The increase in activities also resulted in Arts NSW funding a part time Regional Outreach officer under the Dance Action program for 2006 which will see this program grow to its full potential.

B. Theatre in Education

The NORPA Actors Company

In 2005, the NORPA Actors Company rehearsed and toured a primary school production, Kasperjack, to local primary schools and to the Byron Markets. This provided casual work for 4 local actors for two months. NORPA also provided a teachers' kit to support the performances and two primary schools took up the workshop option as well. The company then produced and presented "Coming Attractions" at the Star Court Theatre providing work experience for 2 high school students, an internship for a university graduate and employment for the cast of 8 for a period of 2 months. This was a new initiative in 2005/2006. In 2006, The Actors Company is being run by its own committee made up of local performers and writers under NORPA's guidance and will determine its own program for the year with NORPA providing the in kind support and the venue and technical facilities. NORPA's new Artistic Director, Julian Louis, is keen to develop this group into the Actors Studio in 2007 along the lines of the Actors Centre in Sydney. Council's support will prove to be invaluable to enable this to happen.

Kasperjack:	Audiences: approx 500	Artists employed: 5	
Coming Attractions:	Audiences:	Artists employed: 9	Others: 3

AccessEd Program

Lismore City Council

Meeting held September 12, 2006 – NORPA Funding Acquittal

NORPA has developed a mutually beneficial relationship with regional schools, presenting shows for students and providing teachers with learning resource kits to accompany productions and further the learning experience. Due to Council's support for NORPA's Theatre in Education program, NORPA has been able to leverage additional AccessEd funds from the NSW Ministry for the Arts (\$5000) to provide support for disadvantaged schools and those that have to travel a substantial distance within the Northern Rivers region to attend theatre presentations in Lismore. This has given NORPA the opportunity to not only provide transport and subsidised ticket prices for disadvantaged students but also shows Lismore to be taking the lead in the region to provide this support for smaller centres and their communities. The NSW Ministry's support also acknowledges NORPA's excellent theatre program for both primary and high schools and the comprehensive resource kits for local teachers. NORPA's teachers resource kit is supplemented by the touring companies kits in the case of school tours.

A total of 700 primary and high school students will benefit from this program in 2006.

Theatre in Education in summary for July 2005 – June 2006

The work NORPA is doing in this area has attracted additional funding from Arts NSW in 2006. NORPA believes that this is an area that has great potential to provide work for local artists and provide our schools with quality theatre product informed by the school syllabus. It is an area that still requires development in 2006 however NORPA believes it is an area of operation that could become largely self sufficient if supported during the development phase.

C. Community Infrastructure

NORPA continued to provide the infrastructure to assist organisations and artists to access funding advice and assistance through NORPA including grant auspicing. NORPA also continued to provide support and advice to community groups and individuals using the NORPA venues in the areas of event promotion and organisation.

In 2005/6 NORPA auspiced and assisted with the following grants:

Krinkl Theatre	Australia Council	Time's Up	Nov 2005
Krinkl Theatre	NSW Ministry	Time's Up	July 2005
Krinkl Theatre	Regional Arts NSW	Assistance to attend Puppet conference	May 2006
Dianne Busatil	Australia Council	Development Grant	Nov 2005
Michael Hennessy	NSW Ministry	The Dream	Feb 2006
Kyogle Youth Action	Com Dev Grant	Multi arts workshop	Aug 2005
Ryan Dillon	Youth Arts Qld	SPARK mentorship	July 2005

Through the venues NORPA assisted the following local artists/companies beyond the normal hire arrangements. This assistance can be in the form of technical advice and support, marketing and event management support:

Lismore Jazz Committee – National Jazz Conference at Lismore City Hall
 Musica Viva Lismore – series of concerts at Lismore City Hall
 Brian Whelan – National Lindy Hop workshops at Lismore City Hall
 The Frocks Duo – International Women's Day performance at Star Court Theatre
 Annette Olive and Lismore City Council – Harmony Day at Lismore City Hall
 RED Inc – use of Dance Studio for performances and workshops
 ACON – movie nights for fundraisers at the Star Court Theatre
 ZONTA – movie nights for fundraisers at the Star Court Theatre
 Youth Events Ltd – YEL – Cypherzone events in the Fountain Room
 Lismore Symphony Orchestra – concerts in the City Hall auditorium
 Northern Rivers Conservatorium – concerts in the City Hall auditorium
 CASPA – I'm a Star competition finals at the Star Court Theatre.

Cultural Infrastructure in summary for July 2005 - June 2006

Through the community consultations held by Arts Northern Rivers throughout 2005, a need has been identified for a similar service for actors as exists for dancers in Dance Action. NORPA is planning to develop this service commencing late 2006. At this stage of discussion it is planned to expand or umbrella these actor services under Dance Action. The first stage will be the provision of a regional Theatre map along the lines of the Dance Map which will not only provide information on what theatre activities are available but also put theatre practitioners in the region in touch with each other.

Council's funding assisted NORPA to continue to meet the company's goal to the infrastructure for the development and coordination of cultural and artistic activities for the many diverse organisations and individuals in the Lismore region.

Conclusion

NORPA is keen to sustain and develop the activities listed above. They are fundamental to the cultural vibrancy and the performing arts industry in this region and maintain Lismore's position as the cultural capital of the region. Council's funding contribution of \$40,000 is not only vital in sustaining this work but also enables NORPA to attract further funding for these activities and demonstrates local government support to the State and Federal funding bodies which is so important in these competitive times.

Report

Subject	Provision for the Laying of Asphalt
File No	T26015
Prepared by	Contracts Officer
Reason	To inform Council of tenders received for the provision for the laying of asphalt works for the period to June 30, 2007
Objective	To obtain Council approval to award the Contract
Strategic Plan Link	Infrastructure
Management Plan Activity	Urban & Rural Roads

Overview of Report

This report details the evaluation of tenders received in relation to the provision for the laying of asphalt works and the recommendation to award the tender

Background

Tenders for the 2006/2007 Laying of Asphalt services were recently invited.

Tenders were advertised in the Northern Star, the Sydney Morning Herald and the Courier Mail. Tender documents were issued to five (5) companies, with five (5) tenders being received by the close of tender at 2.00pm, Tuesday, June 21, 2005. One company withdrew their tender on July 10, 2006. Tenders were received from the following companies:

Boral Asphalt
Tropic Asphalts Pty Ltd
Murphy Asphalt
Clark Asphalt

Due to the varying nature and quantity of work being carried out by Council throughout the year, tenders were invited on a Schedule of Rates basis. The rates received from the respective tenderers are shown in Appendix A.

To enable a comparison of the rates received, two typical projects for the Council were selected and costs calculated based on the tendered schedule of rates. These costs are also included in Attachment A.

The rates tendered by Murphy Asphalt result in the lowest costs for both projects. In addition, when the other evaluation criteria specified in the tender are applied (Capability, Relevant Experience & Quality and Safety Plans) Murphy Asphalt is the highest ranked tenderer, refer Attachment B.

Murphy Asphalt has achieved a significant margin of difference to the other tenderers through the tender assessment process, including offering the most competitive price, and are therefore recommended as Council's preferred tenderer for this work.

Comments

Financial Services

N/A

Other staff comments

Executive Director – Infrastructure Services

Lismore City Council through Northern Rivers Quarry and Asphalt has been making a concerted effort over the last twelve months to expand the asphalt business. Our aim is to generate additional funds for Council through commercial sale of asphalt on the open market.

A capability to not only make asphalt but also lay asphalt is essential to the ongoing expansion of the asphalt business. Hence the need for this tender.

Manager - Waste, Quarries and Crematorium

Since the commencement of the agreement with State Asphalt many aspects of the Council's Northern Rivers Quarry and Asphalt operation have been reviewed. The opportunity to develop contract asphalt laying services was identified as a significant factor in being able to provide a full service to NRQ&A's customer base and this business has grown significantly. This tender has therefore been called to fulfil requirements under the State Government and Council Procurement Procedures.

Murphy Asphalts have in the past provided laying services in a reliable manner and have met quality requirements.

Public consultation

Nil

Conclusion

The tender for asphalt laying works is based on the laying of asphalt from Council's Blakebrook plant and the rates quoted are fixed for the 2006/2007 period.

Murphy Asphalt has provided the lowest conforming tender and has ranked first in the evaluation criteria. Murphy Asphalt has undertaken the asphalt laying services for Council for a number of years. Murphy Asphalt is pre-qualified with the RTA to undertake asphalt laying works and have full quality systems.

It was Council's intention to accept all valid tenders for the work such that flexibility was available to appoint another contractor should the preferred contractor be unavailable. However, for this tender Boral Asphalt and Tropic Asphalt are very expensive in comparison and Clark Asphalt has not established a track record at this stage. Therefore only the tender from Murphy Asphalt is recommended for acceptance

Recommendation (IS34)

The contract for the laying of asphalt for the period to June 30, 2007, be awarded to Murphy Asphalt Pty Ltd at the rates tendered.

Report

Subject	Distribution of Council Computers to Community Organisations - Section 356 Donations.
File No	S813
Prepared by	Community Development Officer
Reason	Distribution of Council's excess computers to community groups
Objective	To support the valuable work of community groups within the Lismore LGA
Strategic Plan Link	Quality of Life
Management Plan Activity	

Overview of Report

Approval is sought for the donation of 24 surplus Council computers to recommended community groups. (Recommended organisations listed below). The recommended list of 24 represents a donation to the value of \$8,880 under Section 356.

Background

Council has a rolling three year cycle for upgrading its desktop computers. Council has a program in place to donate surplus computers, under Section 356, to Lismore's community based organisations in recognition of their valuable work. As per usual process, four (4) Council staff members met to assess applications, against established criteria, and make recommendations to Council. This year Council received 68 applications for 24 computers.

Comments

Financial Services

Not required.

Other staff comments

Not required.

Public consultation

Not required.

Conclusion

Council provides a valuable program to community groups through the distribution of older model computers. The recommended organisations support Council in our efforts to further quality of life in Lismore.

Recommendation (CS01)

That Council approve the donation of 24 surplus computers, under Section 356, to the recommended community organisations listed below.

24 x Successful organisations:

1. 1st Goonellabah Cub Scouts
2. CASPA
3. Christian Community Church Goonellabah
4. City of Lismore Orchid Society Inc
5. Creative Peoples Collective
6. Dads in Distress Lismore
7. Earlybird Advocacy
8. Environmental Defenders Office
9. Fellowship of Australian Writers Inc, Far North Coast Regional Inc
10. Fox Road Landcare
11. Jiggi-Georgica Red Cross Branch
12. Lismore Arts Council
13. Lismore Lung Support Group
14. Lismore Rural Fire Service
15. Lismore Senior Citizens Social Club Inc.
16. Lismore Women & Children's Refuge Inc
17. Nimbin Headers Sports Club Inc
18. North Coast National A & I Society Inc
19. PCYC
20. Richmond River Historical Society
21. Richmond Valley Day Club
22. Summerland Early Intervention Programme
23. The Corndale Hall Inc
24. Tullera Rural Fire Brigade

Report

Subject	Community Flood Education Reference Group
File No.	WMacD:VLC:S106
Prepared by	Traffic & Emergency Services Coordinator
Reason	To better inform and prepare the community for future flood events.
Objective	To gain Council's concurrence for the establishment and operation of the proposed Community Flood Education Reference Group.
Strategic Plan Link	Natural Environment
Management Plan Activity	Promote Flood Awareness

Overview of Report

It is proposed to establish a Community Flood Education Reference Group to develop a strategy that aims to increase the community's understanding of the flood risk and thereby increase the level of awareness and preparedness for flooding in their local area. This report seeks to gain Council's concurrence and support for this proposal.

Background

As a result of the completion of the flood levee system and after the flood in June last year it became obvious that many members of the Lismore community either did not understand the full consequences of the impact of major flood events or had become complacent with the misunderstanding that the new levee system would provide them with a level of protection well beyond that for which it was designed.

With this in mind, community meetings were recently held in late July at the –

- Italo-Australia Club for North Lismore residents,
- South Lismore Bowling Club for South Lismore residents, and
- Star Court Theatre for the Central Lismore community

with the intention that the local community could raise issues of concern and that a Community Flood Education Reference Group may be established that would consider the issues raised and develop a community flood education strategy.

Membership of the Reference Group will comprise a majority of community and business representatives. Other members will consist of representatives from –

- Lismore City Council
- SES
- Richmond River County Council
- NSW Department of Natural Resources.

It is intended that members will be appointed for a term of two years and will meet at least four times each calendar year.

Comments

Financial Services Not required

Other staff comments

Communications Coordinator: Recommendation endorsed.

Public consultation

Public meetings have been held in North Lismore, South Lismore and the Central Business District outlining Council's intentions and calling for nominations. A total of seven (7) nominations to sit on the Reference Group were received as follows –

North Lismore:	John Barnes, Vicki Findlay, Neil Short
South Lismore:	John Habib, Jean Rose-Rapmund
Lismore CBD:	Frank Spinaze, Barry Davidson

It was originally intended to have three (3) community members from each of the North Lismore, South Lismore and CBD areas. However, only two (2) nominations were received to represent South Lismore and the CBD. It is now proposed to establish the reference group with the nominations received.

Conclusion

The purpose of a community flood education strategy is to recognise and offer a range of options to deliver community safety messages that assist in building the capacity of the local community to prepare, respond and recover from flooding.

The final outcome for the strategy is to create positive and effective behaviour change in the community to become prepared for action before, during and after a flood event, to reduce the associated losses.

Recommendation (IS37)

That Council support the establishment of the proposed Community Flood Education Reference Group and that it endorse the community membership nominations received from John Barnes, Barry Davidson, Vicki Findlay, John Habib, Jean Rose-Rapmund, Neil Short and Frank Spinaze.

Report

Subject	Review of Council's Code of Meeting Practice
File No	S43
Prepared by	Corporate Support Co-ordinator
Reason	Review by Council
Objective	To formalise Council's new Code
Strategic Plan Link	Leadership by Innovation
Management Plan Activity	Councillors

Overview of Report

Changes to the Code of Meeting Practice which require advertising as a result of a workshop held on August 1, 2006.

Background

Council at its meeting held on February 14, 2006 resolved to conduct a workshop on a Code of Meeting Practice. This workshop was held on August 1, 2006, facilitated by Lindsay Taylor of Lindsay Taylor Lawyers. Preceding the workshop Lindsay Taylor had reviewed the current document and made a number of minor changes.

At the workshop further changes were suggested to Clauses 28A (Questions Without Notice), Clause 32 (Order of Speakers) and Clause 41 (1)(d) (Acts of Disorder). Again the changes are minimal and are largely clarification of the wording and or current practice.

The issue of whether the changes, being minor in nature, required advertising has also been addressed by Dr Taylor. His advice is that the revised Code is required to be advertised. The changes do not reflect statutory changes either to the Act or the Regulation but to "Council clauses", thus requiring advertising.

A hard copy of the revised Code has not been provided to Council but will be made available in electronic format.

Comments

Financial Services

Not required.

Other staff comments

Not required.

Public consultation

The proposed changes to the Code will be advertised for a period of not less than 28 days and submissions will be received for up to 42 days. Any comments received will be submitted to Council.

Recommendation (GM01)

- 1 That Council place on public exhibition the proposed new Code of Meeting Practice.
- 2 At the end of the exhibition period, a report be submitted to Council.

Report

Subject	Councillors' Expenses and Provision of Facilities Policy
File No	S38
Prepared by	Corporate Support Co-ordinator
Reason	Legislative requirement.
Objective	To review policy
Strategic Plan Link	Leadership by Innovation
Management Plan Activity	Councillors

Overview of Report

Annual review of Council's Expenses and Provision of Facilities policy as required by the Local Government Act 1993

Background

Council is required to conduct an annual review of its Expenses and Provision of Facilities policy. The relevant clause of the Act is detailed below:

252 Payment of expenses and provision of facilities

- (a) Within 5 months after the end of each year, a council must adopt a policy concerning the payment of expenses incurred or to be incurred by, and the provision of facilities to, the mayor, the deputy mayor (if there is one) and the other councillors in relation to discharging the functions of civic office.

Council last reviewed its policy in October 2005 and made no changes. Should Council propose substantial changes to the policy, they will need to be advertised. A copy of the policy has been included as an attachment.

The State Government has indicated that this area is under general review, foreshadowing a general tightening of the allowances granted to councillors. A guideline document is being prepared by the Department but will not be available to assist with this annual review.

This Council report does not propose any changes to the policy.

Comments

Financial Services

Not required.

Other staff comments

Not requested.

Public consultation

Not required.

Recommendation (GM02)

That Council, having reviewed its policy “Payment of Expenses and Provision of Facilities”, make no changes

Report

Subject	Community Services Policy Advisory Group - Membership
File No	S389
Prepared by	Shauna McIntyre – CS PAG Servicing Officer
Reason	To formalise the following nominations to CS PAG membership
Objective	Ensure formal ratification of CS PAG membership
Strategic Plan Link	Quality of Life
Management Plan Activity	Administration

Overview of Report

To formalise nominations of Community Services PAG membership for business community and Southern Cross University's Centre for Children and Young People (SCU CCYP) representatives.

Background

Two positions in Community Services PAG were not filled in the initial round of advertising. Positions were readvertised and the following nominations were received: Business Representative – Amber Hall and SCU's CCYP representative – Richard Harris. Nominees have attended meetings, but positions have not been formally ratified.

Comments

Financial Services

Not required

Other staff comments

Not required

Public consultation

Not required

Conclusion

The report to Strategic Plan Steering Committee is to formalise the membership of Community Services PAG nominees, Amber Hall and Richard Harris.

Recommendation (CS02)

That Council endorses Amber Hall (business community representative) and Richard Harris (SCU's CCYP representative) as members of Community Services PAG.

Report

Subject	Nominations for Membership – Sustainable Environment Policy Advisory Group
File No	S908
Prepared by	Manager-Environmental Health & Building Services
Reason	To advise the Council of the nominations for the vacancy on the committee.
Objective	To gain the endorsement of the Council in regard to the selected nomination.
Strategic Plan Link	Natural Environment
Management Plan Activity	Environmental Health

Overview of Report

Nominations have been advertised for a vacancy on the Sustainable Environment Policy Advisory Group (SEPAG) for the Development Industry. Two nominations have been received and as a result a recommendation has been made.

Background

A vacancy on the SEPAG exists as a result of the previous Development Industry representative's failure to comply with Clause 11.4 of the Policy Advisory Group Management Plan as follows:

Members of the Group shall lose their entitlement to hold office:

- 8.5.3 *If a member is absent without leave for three (3) consecutive meetings without having obtained leave of absence beforehand*
- 8.5.4 *Does not attend at least one-half of the meetings held each year.*

In order to recruit a replacement, advertisements inviting nominations were placed in Council's Infolink. As a result two nominations have been forthcoming as follows:

- Brad Carmady- Environmental Planning Consultant (Principal, BOSKAE Environmental Planning, Lismore)
- Joe Friend -Environmental Consultant and Ecologist (Self-employed)

Copies of both nominations are enclosed separately for Councillors' perusal.

Conclusion

As the vacancy is that of the Development Industry it is important to gain representation from a nominee who is known within the industry and who can represent this industry appropriately as well as acting as a communication conduit back to the industry. In this regard Brad Carmady has extensive experience in regard to the development industry both from a regulatory (local government) and consultant (development industry) perspective and Joe Friend has sales experience as well as founding and managing two environmentally specific industries.

In regard to appropriate representation, Brad Carmady has broader experience in regard to the local development industry and is considered a more suitable candidate for the position.

Recommendation (PLA01)

That Brad Carmady be appointed as the Development Industry representative on the Sustainable Environment PAG.

Report

Subject	August 2006 – Investments held by Council
File No	S178
Prepared by	Principal Accountant
Reason	Required under Clause 212 Local Government (General) Regulations 2005, Local Government Act 1993, and Council's Investment policy.
Objective	To report on Council Investments
Strategic Plan Link	Leadership by Innovation
Management Plan Activity	Financial Services

Overview of Report

Council investments as at 31st August 2006 total \$35,629,041 subject to the final value of funds held under Managed Funds being advised shortly.

The interest rate reported over the period of August 2006 was estimated to be 6.43% in comparison to 6.20% for August 2005.

Background

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

Due to timing issues the final value of some investments is not available within the required reporting timeframe, therefore an estimate is provided based on the investments held at the time of this report. The actual balance will be confirmed in the report to the next Council meeting.

Report on Investments

- | | |
|--|--------------|
| • <i>Confirmation of Investments – – 31st July 2006</i> | \$36,589,690 |
| • <i>Estimate of Investments – 31st August 2006</i> | \$35,629,041 |

Some variation is expected on the final balance of Managed Funds. The final valuation of these funds is not made until after the end of the month. The current rate of return on investments for August 2006 was estimated to be 6.43% compared to 6.20% for the same period last year.

A summary of Council's investments in graphical form has been included as attachments.

Comments

Financial Services

N/A

Other staff comments

N/A

Public consultation

N/A

Conclusion

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 policies.

Recommendation

The report be received and noted

**MINUTES OF THE TRAFFIC ADVISORY COMMITTEE MEETING
HELD ON AUGUST 16, 2006, AT 10.00 AM.**

	Present	Councillor Merv King (<i>Chairperson</i>), Ms Bronwyn Mitchell (<i>on behalf of Thomas George, MP</i>), Michael Baldwin (<i>RTA</i>), and Snr Const Steve Hilder (<i>Lismore Police</i>).
	In Attendance	Councillor John Hampton, John Daley (<i>LUO</i>), Scott Turner (<i>Manager-Assets & Support Services</i>), Wendy Johnson (<i>Road Safety Officer</i>), and Bill MacDonald (<i>Traffic & Emergency Services Co-Ordinator</i>).
TAC56/06	Apologies	Apologies for non-attendance on behalf of Thomas George, MP, Councillor Jenny Dowell and Garry Hemsworth were received and accepted.
TAC57/06	Minutes	The Committee was advised that the minutes of the Traffic Advisory Committee Meeting held on July 19, 2006, were confirmed by Council on August 8, 2006, excluding Item No. TAC53/06 (<i>Intersection of Richmond Hill Road and Boatharbour Road</i>). Council resolved that no action be taken.

Disclosure of Interest

Nil

Part 'A' – Committee Recommendations

N Kesteven & Ms J Lowe; requesting Give Way or Stop signs be installed at the junction of Whian Whian and Dunoon Roads due to the number of 'near misses' at this location.

As the intersection was basically a T-junction and in lieu of installing control signs, it was suggested that a double white line be painted on Whian Whian Road in order to straighten up this approach to Dunoon Road and further enhance the T-junction rule.

TAC58/06 **RECOMMENDED** that a double white line be painted on Whian Whian Road at its intersection with Dunoon Road. (06-6426:R3453,R3407)

P McWilliam / Diocese of Lismore Catholic Education Office; drawing attention to the intersection of Keen and Orion Streets and requesting the location be inspected and appropriate measures taken to reduce the potential for future accidents.

Mr MacDonald advised that there had been five reported accidents since 2000 and only three of these involved a vehicle colliding with another moving vehicle. It was noted that Orion Street had priority and only one leg of Keen Street was controlled by a Give Way sign as the other leg was one-way movement away from the intersection. The existing Give Way sign on the southern leg of Keen Street was set well back on the road shoulder and it was suggested that the installation of a centre median and additional Give Way sign would further enhance existing controls.

TAC59/06 **RECOMMENDED** that a centre island and additional Give Way sign be installed in the centre of Keen Street, immediately south of Orion Street. Further, that the Give Way signs be upgraded to include the orange fluoro border. (06-6840,06-6973:R7313,R6051)

Dr N Aboud; requesting the No Parking zone on the southern side of Dalley Street, opposite St Vincent's Hospital, be extended to include the frontage of his medical practice at No. 11.

Inspections had revealed that vehicles were regularly parked in front of No. 11 Dalley Street and did present a significant danger to motorists who were exiting the substantial parking area at the rear of the premises. The one car space in front of No. 13 Dalley Street created similar problems. In order to encourage motorists to use the off-street carparks and eliminate the current dangers created by vehicles being parked on Dalley Street in front of Nos. 11-13 Dalley Street, it was suggested that this area should be included in the No Stopping area along the southern side of Dalley Street.

TAC60/06 **RECOMMENDED** that the existing onstreet parking in front of Nos. 11-13 Dalley Street be reverted to No Stopping. (06-6958:R7426)

G & N Bus Services Pty Limited; seeking permission to extend its school bus service from the current turn-around point at the intersection of Whian Whian Road and Starkey Road, up to the entrance of No. 605B Whian Whian Road.

An inspection of the section of Whian Whian Road from Starkey Road to the proposed pick-up point, a distance of approximately 1.2km, revealed that the road was winding and narrow. The proposed pick-up point was on a 'hair pin' bend and was not considered to offer appropriate sight distance or turning room for buses.

TAC61/06 **RECOMMENDED** that approval for the extension of the bus service as proposed be refused. (06-7094:R3453,R3454)

2006 Herb Festival – Fun Run

The traffic management plan for the Herb Festival Fun Run to be held on Sunday, August 20, 2006 was submitted for discussion.

TAC62/06 **RECOMMENDED** that approval be granted for the Fun Run as proposed. (S822)

Sweeney Todd Bus Service; requesting permission to operate a mini-bus to provide a direct service to Blue Hills College.

Mr MacDonald advised that recent discussions with the Acting Principal of the college confirmed that the college's position on restricting further growth in the number of buses servicing the college had been relaxed, possibly due to the removal of several buses when Kirklands recently reverted back to its former timetable. The college had confirmed that it is still their long-term goal to provide a suitable carpark and bus pick-up point on the school site and moves will be underway shortly to see this further progressed. Apparently there are a number of parents who choose to drive their children to the college rather than use the bus service via the Trinity Interchange. The use of the mini-bus as proposed by Mr Sweeney, could reduce the number of vehicle trips currently impacting on the school.

TAC63/06 **RECOMMENDED** that approval be granted for Mr Sweeney's bus to service the Blue Hills College provided agreement from the school is confirmed. (06-7152:R6609)

Part 'B' – Determined by Committee

Ms L Toohey; requesting the entrance and exit to the Lismore Golf Club carpark be reversed as the current location of the entrance is considered to be too close to the intersection of Barham Street and Wyrallah Road.

- B-06:08-1 Mr MacDonald advised that an onsite meeting had been held with an officer from the Lismore Golf Club to discuss the issue raised. The officer had indicated that the Club was aware of problems with access to the carpark and was in the process of looking at options to overcome the current difficulties. The operations manager was currently on leave and would be contacted upon their return to further discuss the issue. In the meantime it was suggested that this issue be referred to Council's Design Services Section to investigate the possibility of providing a right-turn bay on Barham Street to service the bottom driveway.
(06-6330:P956,R6019)

P & Mrs V Reidy; expressing concern for the excessive speed of traffic travelling in both directions along Dalley Street, in the vicinity of St Vincent's Hospital, and requesting additional measures be considered to improve safety for drivers and pedestrians.

- B-06:08-2 It was noted that a pedestrian refuge had recently been installed on Dalley Street near the entrance to St Vincent's Hospital, which had provided a safe haven for pedestrians crossing Dalley Street. The facility also had the effect of calming through traffic to some extent by reducing the available road width. In order to more closely assess the speed of through traffic it was suggested that classifiers be installed on Dalley Street with the results being submitted to a future meeting for further consideration.
(06-7020:R7426)

N Willis and other residents of Willis Road, Tregeagle; requesting consideration be given to reducing the speed limit on Muller and Willis Roads and suggesting the current de-restriction sign on Rous Road be repositioned east of the Muller Road intersection and a 40 kph zone be applied to both Muller and Willis Roads.

- B-06:08-3 It was reported that Rous Road in the area in question and both Muller and Willis Roads were typical of rural roads with limited development, generally set well back from the road. Both are 'dead end' roads predominately used by local traffic. Whilst the general State limit is 100kph, there remains a responsibility on motorists to drive to prevailing road conditions. A reduction in speed limit was not considered warranted. However, it was pointed out that if residents observed particular motorists behaving in an unsafe manner, they could report these details to the Northern Rivers Area Command who would follow up with individuals.
(06-7021:R5304,R5305)

Closure

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

Chairperson

Traffic and Emergency Services Coordinator

Documents for Signing & Sealing

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

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

Recommendation

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

Plan of Consolidation – Parmenter’s Road Quarry, Coffee Camp

A report was submitted at Council’s meeting of March 13, 2001 in relation to rural quarry rehabilitation. This report indicated that quarry materials had been removed from the adjoining owner’s land without permission and as compensation for the removal of the material the owners would accept a portion of unused road reserve as settlement. This road reserve has been closed and a Plan of Consolidation has been prepared and requires Council signing and sealing as the owner of the closed road reserve.

(06-7839: P15180,R2902)

Section 356 Donations

a) Representative Selection – Policy 1.4.10 (GL2033.6)

Budget: \$1,100 To date: \$670.00

Matt Tickle, representing Australia as part of the Australian Karate team to contest the 12th Oceania Karate titles in Noumea from September 8-10.

(06-6883: S164)

In accordance with policy.

\$335.00

b) City Hall Reductions in Rental – Policy 8.4.2 (GL2033.2)

Budget: \$11,700 To date: \$689.45

Mental Health Support Group, waiver of fees for Auditorium on October 14 for a charity concert. (06-7184: P6816)*In accordance with policy.*

\$271.00

c) Reduction in Water Charges – Lismore Water – Policy 6.1.6 (GL8201.13)

Budget: \$12,200 To date: Nil

- J Roy, 5 Clifford Place, Goonellabah \$142.08
- North Coast National A & I Society, 30 Dunoon Road \$3,577.53
- PR & LJ Stenner, 59 Fischer Street, Goonellabah \$408.48

In accordance with policy.

\$4,128.09

These applications were processed prior to termination of Policy 6.1.6**d) S356 – Development & Other Application Fees – Policy 1.4.7 (GL2033.7)**

Budget: \$300 To date:

Goolmangar School of Arts Inc. – balance of rebate on fees for recent development application for proposed upgrade of kitchen at Goolmangar Hall. (06-6974: S164,D06-485)*In accordance with policy.*

\$28.50

e) Miscellaneous Donation

Lismore Musical Festival Society has requested Council to donate 50% of the fees for the School's Day Eisteddfod at the City Hall on August 14, 15 and 16. The total fees for the event are \$813. (06-7475: P6816,S164)

Recommendation : In accordance with Policy 8.4.2 - Clause 5, that as Council will donate the full amount of fees for the 2006 Lismore Eisteddfod, a subsidy of 20% be applied to this event.

\$162.60

Recommendation

In accordance with Section 356(1) of the Local Government Act 1993, the donations to persons as listed above are hereby approved for distribution.

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE CITY OF LISMORE HELD IN THE COUNCIL CHAMBER, GOONELLABAH ON TUESDAY, AUGUST 8, 2006 AT 6.00PM.

Present Mayor, Councillor King; Councillors Chant, Crimmins, Dowell, Ekins, Graham (from 6.15pm), Hampton, Henry, Meineke, Swientek and together with the General Manager, Executive Director-Development & Governance, Executive Director-Infrastructure Services, Manager-Finance, Acting Media Officer, Corporate Support Co-ordinator, Admin. Support Officer.

148/06 **Apologies/
Leave of
Absence** Apologies for non-attendance on behalf of Councillors Irwin and Tomlinson were received and accepted and leave of absence granted. Leave of absence was granted to Councillor Chant for the period August 12-18.
(Councillors Swientek/Chant)

149/06 **Minutes** The minutes of the Ordinary Meeting held on July 11, 2006, were confirmed.
(Councillors Dowell/Crimmins)

Public Access Session

NIL

Disclosure of Interest

S451

Councillor King declared a pecuniary interest in report on Lismore Showgrounds (member of Trust and Committee).

Councillor Meineke declared a non-pecuniary interest in report on Carrington Street Upgrade – Aspect North design consultants (shares in Aspect North).

Reports

Carrington Street Upgrade

A MOTION WAS MOVED that the report be received and -

- 1 That Council endorse the proposed streetscape design referred to in Appendix 1.
- 2 That an extra \$200,000 be allocated to Carrington Street from the 2006/07 Roads Program by deferring one project to 2007/08.
- 3 That Council approve the commencement of construction following appropriate consultation with businesses in Carrington Street and surrounds.

(Councillors Chant/Meineke)

AN AMENDMENT WAS MOVED that the report be received and –

- 1 That Council endorse the proposed streetscape design referred to in Appendix 1.
- 2 That an extra \$200,000 be allocated to Carrington Street from the Roads Construction Reserve Fund.
- 3 That Council approve the commencement of construction following appropriate consultation with businesses in Carrington Street and surrounds.
- 4 The water feature be considered in accordance with Council's Public Art Policy.

(Councillors Dowell/Crimmins)

On submission to the meeting the AMENDMENT was DEFEATED.
The voting being tied the Mayor declared the amendment DEFEATED on his casting vote.
Voting Against: Councillors King, Chant, Graham, Hampton, and Meineke.

- 150/06 **RESOLVED** that the report be received and –
- 1 That Council endorse the proposed streetscape design referred to in Appendix 1.
 - 2 That an extra \$200,000 be allocated to Carrington Street from the 2006/07 Roads Program by deferring one project to 2007/08.
 - 3 That Council approve the commencement of construction following appropriate consultation with businesses in Carrington Street and surrounds.
- (Councillors Chant/Meineke)
Voting Against: Councillor Swientek.
(S7303,S274)

Lismore Showgrounds

S451

The Mayor declared an interest in this matter and left the Chamber during determination and debate thereon.
The Deputy Mayor took the chair.

- 151/06 **RESOLVED** that –
- 1 The report be received and noted.
 - 2 Council request a further report on Council's future role with the Lismore Showground for the December 2006 meeting.
- (Councillors Henry/Hampton) (P331)

Intent of Development Control Plan No. 35 - Caniaba Village

A MOTION WAS MOVED that the report be received and Council:

- 1 Note the legislative and policy changes regarding sustainability which have superseded the requirements of DCP 35 Caniaba Village.
- 2 Advertise the intention to review DCP 35 and call for public submissions.
- 3 Resolve to prepare a new development control plan for the proposed Caniaba village area, to focus on:
 - a) Road, footpath, cycleway and open space linkages between residential development and community facilities
 - b) Requirements for linking proposed vegetation corridors with established corridors or existing vegetation
 - c) Water supply and waste water management options as described in S4.5 of DCP 35.

(Councillors Dowell/Ekins)

AN AMENDMENT WAS MOVED that the report be received and –

- 1 Note the legislative and policy changes regarding sustainability which have superseded the requirements of DCP 35 Caniaba Village.
- 2 Resolve to repeal the current DCP 35; and
- 3 Resolve to prepare a new development control plan for the proposed Caniaba village area, to focus on:
 - a) Road, footpath, cycleway and open space linkages between residential development and community facilities
 - b) Requirements for linking proposed vegetation corridors with established corridors or existing vegetation
 - c) Water supply and waste water management options as described in S4.5 of DCP 35.

(Councillors Hampton/Chant)

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

Voting Against: Councillors Ekins, Dowell and Swientek.

- 152/06 **RESOLVED** that the report be received and Council –
- 1 Note the legislative and policy changes regarding sustainability which have superseded the requirements of DCP 35 Caniaba Village;
 - 2 Resolve to repeal the current DCP 35; and
 - 3 Resolve to prepare a new development control plan for the proposed Caniaba village area, to focus on:
 - a) Road, footpath, cycleway and open space linkages between residential development and community facilities
 - b) Requirements for linking proposed vegetation corridors with established corridors or existing vegetation
 - c) Water supply and waste water management options as described in S4.5 of DCP 35.

(Councillors Hampton/Chant)

Voting Against: Councillors Ekins, Dowell and Swientek.
(S690)

Development Control Plan No. 50 - Heritage Conservation

- 153/05 **RESOLVED** that the report be received and Council adopt Development Control Plan No. 50 – Heritage Conservation with changes to the words in Section 3 as follows:
Where the words “DO” and “DO NOT” appear under each building component they are replaced with “*preferred*” and “*not encouraged*” respectively.

(Councillors Meineke/Graham)

Voting Against: Councillors Dowell, Ekins and Swientek.
(S922)

Request for Financial Assistance – Subdivision at 18 Dougan Road, Caniaba

- 154/06 **RESOLVED** that the report be received and –
- 1 Council accept a registered charge over Lot 1 in Deposited Plan 263257 as security for S94 levies and roadwork costs associated with Development Application 05/710.
 - 2 That the General Manager and Mayor be authorised to sign and affix the Council seal to the legal documents associated with the charge to be registered over Lot 1 in Deposited Plan 263257.
 - 3 All costs associated with the preparation and registration of the charge be borne by the applicant.
 - 4 That the applicant be liable to pay a facility charge of \$33.27 per day calculated from the date of issue of the linen plan to the date of release by Council of the roadworks security.

(Councillors Meineke/Henry)

Voting Against: Councillor Hampton.
(D05/710)

Request for Financial Assistance – Far North Coast Baseball Association Inc.

- 155/06 **RESOLVED** that the report be received and –
- 1 Council agree to guarantee a \$20,000 overdraft facility for Far North Coast Baseball Association Incorporated for a period of three (3) years subject to annual review by Council.
 - 2 Far North Coast Baseball Association Incorporated provide the following information to Council:

- a) Financial Report within four months of the end of each of their financial year covered by the guarantee;
 - b) A Budget Profit and Loss Summary within two months of the commencement of each financial year cover by the guarantee;
 - c) The 2004 and 2005 Financial Reports by September 30, 2006.
- (Councillors Swientek/Chant) (06-5005: P16984)

Tenders for Water Main Replacement – Various Locations within Lismore

- 156/06 **RESOLVED** that the report be received and –
- 1 That the contract for water main replacement be awarded to Camglade Pty Limited at the rates submitted (the estimated price of the works being \$496,523.00 plus GST).
 - 2 The Mayor and General Manager be authorised to execute the contracts on Council's behalf and attach the Common Seal of the Council.
- (Councillors Chant/Swientek) (T26010)

Cancer Care Community Partner

- 157/06 **RESOLVED** that the report be received and –
- 1 That Council support the Cancer Council of NSW by providing, free of charge, access to Council managed meeting rooms and venues.
 - 2 That the provision of other Council resources to support the Cancer Council of NSW be done in accordance with existing Council policies.
 - 3 That the General Manager nominate a staff member to liaise with and provide assistance to the Cancer Council of NSW.
- (Councillors Dowell/Swientek) (S792)

June 2006 Quarterly Budget Review Statement

- 158/06 **RESOLVED** that the report be received and –
- 1 Council adopt the June 2006 Budget Review Statement for General, Water and Sewerage Funds.
 - 2 This information be submitted to Council's Auditor.
- (Councillors Hampton/Henry)
Voting Against: Councillors Ekins and Swientek.
(T26010)

Management Plan Review 2005/2007– Quarter ended June 30, 2006

- 159/06 **RESOLVED** that the report be received and noted.
(Councillors Dowell/Hampton) (S4)

July 2006 - Investments held by Council

- 160/06 **RESOLVED** that the report be received and noted.
(Councillors Dowell/Crimmins) (S178)

Committee Recommendations

Traffic Advisory Committee 19/7/06

- 161/06 **RESOLVED** that the minutes be received and adopted and the recommendations contained therein be adopted, excluding Clause TAC53/06.
(Councillors Dowell/Chant) (S352)

- 162/06 **Clause TAC53/06 – Intersection of Richmond Hill Road and Boatharbour Road**
RESOLVED that no action be taken.
(Councillors Ekins/Henry)
Voting Against: Councillors Chant, King and Hampton.
(R4408,R1012) (S352)

Documents for Signing and Sealing

- 163/06 **RESOLVED** that the following documents be executed under the Common Seal of Council:
- Sale of 23 Bristol Circuit to Bird – Contract for Sale, Transfer and all legal instruments necessary to effect said sale**
Contracts have been prepared for the sale of Lot 42, DP 1087889, known as 23 Bristol Circuit, Goonellabah. The sale price is \$113,000 which is consistent with other sales in the sale location.
(06-6434: P29326)
- Deed of Lease between Council and the Clunes Old School Association**
The Deed of Lease between Council and the Clunes Old School Association for 19 Walker Street, Clunes, required renewal from July 1, 2005. A new Lease has been prepared for a six (6) year term with a five (5) year option. Representatives from the Clunes Old School Association have signed and sealed the document.
(06-6574: P25787)
- Contract from the Federal Department of Environment and Heritage (under their Indigenous Programs)**
Amount of funding: \$88, 165.00 - which will be matched by \$50,000 from LCC
- This funding will be used to continue with the Wilsons River Experience Walk. It will deliver details, research and design for the next two historic sites that are forming the experience walk. The theme of the two sites are:
- Site One: **Theme: Living together** will tell the story of the original owners, and the impact the new arrivals had, as well as the very early history of Lismore, and will be placed on the site of the Wilson original property,
Site Two: **Theme: Hidden Stories** - secret stories will be told via signage near the boat ramp site.
- This builds on work previously undertaken, and is line with the report adopted by Council in November 2004 accepting the themes of the Experience Walk.
(06-6262: S775)
(Councillors Hampton/Graham)

Section 356 Donations

- 164/06 **RESOLVED** that in accordance with Section 356(1) of the Local Government Act 1993, the donations to persons as listed are hereby approved for distribution.
- a) Mayor's Discretionary Fund (GL2033.26)**
Budget: \$2,700 To date: Nil
Corndale P & C Association – Trivia Night on August 5.
Voucher for Visitor Information Centre. (06-5850: S164) \$50.00

Woodlawn Parents & Friends Association – Father’s Day Raffle – Picnic Day on September 3. Voucher for Visitor Information Centre. (06-5610: S164)	\$50.00
Our Kids (NR Children’s Health Fund) – reimbursement of 70% of S68 fees for temporary fence at Left Bank Café for its Wine Fair to be held on September 10. (06-6511: S164)	\$114.10
Nimbin Family Centre – reimbursement of 70% of Section 68 fee for a Children’s Celebration on International Children’s Day, October 26, 2006. (06-6578: S164,P20198)	\$114.10
b) City Hall Reductions in Rental – Policy 8.4.2 (GL2033.2) <i>Budget: \$11,700 To date: Nil</i>	
Northern Rivers Writers’ Centre – Tuesday, August 8 – primary schools event which is part of 2006 Byron Bay Writers’ Festival Schools Program. (06-6684: S164,P6816) <i>In accordance with policy.</i>	\$271.00
Lismore Neighbourhood Centre – weekly hire of Fountain Room for Neighbourhood Club for year commencing July 1, 2006. (06-6256: S164,P6816) <i>In accordance with policy.</i>	25% of weekly hire
City Church Lismore – weekly hire of Fountain Room for services for year commencing July 1, 2006. (06-6879: S164, P6816) <i>In accordance with policy.</i>	25% of weekly hire
Lismore Symphony Orchestra Inc. – hire of City Hall for performance on May 28, 2006. (06-6860: S164,P6816) <i>In accordance with policy.</i>	\$130.00
Lismore Symphony Orchestra Inc. – hire of City Hall for performance on November 12, 2006. (06-6860: S164,P6816) <i>In accordance with policy.</i>	\$134.80
c) Banners – Policy 1.4.14 (GL2033.8) <i>Budget: \$700 To date: \$150.00</i>	
Rotary Club of Lismore Inc. – banner in Uralba Street from February 19-24, 2007 to celebrate its 75 th anniversary. <i>In accordance with policy.</i>	\$150.00
d) Aerodrome Landing Fees – Policy 1.4.14 (GL2033.31) <i>Budget: \$1,000 To date: Nil</i>	
Northern Rivers Aero Club Limited – activities day for Camp Quality children and families/carers at aerodrome on September 23. (06-6795: S164,P25804) <i>In accordance with policy.</i>	Max. \$200

e) S356 – Development & Other Application Fees – Policy 1.4.7 (GL2033.7)

Budget: \$300 To date: Nil

Our Kids (NR Children’s Health Fund) – reimbursement of 30% of S68 fees for temporary fence at Left Bank Café for its Wine Fair to be held on September 10. (06-6093: S164,P25694)

In accordance with policy. \$48.90

Our Kids (NR Children’s Health Fund) – reimbursement of 30% of application fee for temporary function licence for outdoor function on October 14. (06-6511: S164)

In accordance with policy. \$84.60

Nimbin Family Centre – reimbursement of 30% of Section 68 fee for a Children’s Celebration on International Children’s Day, October 26, 2006. (06-6578: S164,P20198)

In accordance with policy. \$48.90

Goolmangar School of Arts Inc. – applying for rebate on fees for recent development application for proposed upgrade of kitchen at Goolmangar Hall. (06-6974: S164,D06-485)

In accordance with policy. \$389.01

e) Representative Selection – Policy 1.4.10 (GL2033.6)

Budget: \$1,100 To date: Nil

Lauren Morgan – selected to represent Australian Karate Team in the Oceania titles in Noumea from September 5-13.

In accordance with policy. \$335.00

f) Council Contributions to Charitable Organisations

Waste Facility – Policy 5.6.1 (GL2033.15)

Budget: \$6,000 To date: \$623.90

Animal Right & Rescue \$6.18

Challenge Foundation \$88.82

Five Loaves \$32.45

Friends of the Koala \$50.91

LifeLine \$170.00

Saint Vincent De Paul \$20.64

Salvation Army \$159.27

Westpac Life Saver Rescue Helicopter \$5.45

Shared Vision Aboriginal Corporation \$90.18

In accordance with policy. \$623.90

(Councillors Graham/Hampton)

Closure

This concluded the business and the meeting terminated at 8.50 pm.

CONFIRMED this 12TH of SEPTEMBER 2006 at which meeting the signature herein was subscribed.

MAYOR

