

Ordinary Meeting

An ORDINARY MEETING of LISMORE CITY COUNCIL will be held at the COUNCIL CHAMBERS, Oliver Avenue, GOONELLABAH on **Tuesday, April 11, 2006** and members of Council are requested to attend.

Paul G. O'Sullivan
General Manager

April 4, 2006



Agenda

Opening of Meeting and Prayer (Mayor)

Apologies and Leave of Absence

Confirmation of Minutes
Ordinary Meeting – March 14, 2006

Disclosure of Interest

Public Access Session
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Public Question Time

Condolences

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

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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 the opening hours for the Lismore Memorial Baths be extended during the April / May and September / October "shoulder" periods, to better cater to existing users, as follows:

	Existing times:	Proposed times:
Weekdays	6.00am - 6.00pm	5.30am - 7.00pm
Weekends	10.00am - 6.00pm	9.00am - 6.00pm

Councillor John Chant

Staff Comment

Manager-Community Services

Iain Jones, Memorial Baths Manager, fully supports the proposed changes to pool opening times to cater to membership patrons who wish to utilise the lap swimming facilities over the colder months. For those patrons who finish work at 5.00pm or later, a 6.00pm closure would not allow sufficient time to travel to the pool and swim laps prior to closing time. Similarly a 5.30am (as opposed to a 6.00am start) start would allow patrons adequate time to travel to the pool, swim, shower and change prior to attending work for the day. As at the end of March approximately 40 – 50 lap swimmers regularly attend during early mornings, and approximately 100 lap swimmers attend during the afternoon sessions. Memorial Baths patrons have also requested earlier opening hours at the weekends to allow for lap swimming activities. (Overall gate entry numbers had exceeded 102,000 as at the end of March 2006.)

Mr Jones is concerned that many regular swimmers will turn to other heated facilities if the pool's opening hours are not extended. The primary user group comprises membership holders, many of whom are awaiting confirmation of pool opening hours prior to renewing their memberships.

Therefore it is not anticipated that there will be any significant increase in revenue resulting from the change to opening hours. The primary benefit would be increased satisfaction from existing users who can continue their lap swimming program without interruption.

It is anticipated that two staff members would be required during the morning and weekend sessions, and between two and three staff members during the weekday afternoon sessions. The extended opening hours would result in an additional 152 hours per week x a total of 16 weeks during the April, May, September and October periods, representing 72 additional hours during the morning periods, and 80 additional hours during the afternoons. The additional costs are calculated as follows:

72 hours x 2 additional staff	x	\$20 per hour (base pay rate)	=	\$2,880
80 hours x 2.5 additional staff	x	\$20 per hour (base pay rate)	=	\$4,000
Total staff costs:				\$6,880

Notice of Motion

Due to the colder weather experienced in these months, it is a given that heating costs will also increase, however any costs are only estimates at this time. Pool management will try to minimise additional heating costs by using the pool blankets on the 50m pool during the day when attendance numbers are low, eg mid to late morning. This will capitalise on solar energy, retaining heat beneath the blankets and therefore not requiring as much heat from the electric pumps. The 25m pool will be open at all times for recreational lap swimmers and programming activities. The blankets will cover both pools following the 7.00pm closure until the 5.30am start to retain maximum heat overnight.

Given the relative newness of the Memorial Baths facility, the proposed extended hours of operation are supported within a trial period (April, May, September, October 2006). Relevant data would be collected to assess the viability of extended opening hours post 2006.

(06-3025: P6768)

Notice of Motion

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

That a report be prepared outlining options to construct a free outdoor leisure water facility on Council land near the Goonellabah Recreation Centre, for use in the 2007/08 summer season.

Councillor John Chant

Staff Comment

Executive Director-Development & Governance

The Goonellabah Recreation Centre Project Team has as a prelude to determining both site parameters and funding requirements, sought to:

- confirm community requirements by undertaking further community consultation;
- develop options for site usage;
- develop preliminary budgets.

These investigations will include an examination of all pool and leisure water options and will be reported back to Council.

(06-2966: S929)

Notice of Motion

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

That Council defer any decision on the proposed sewerage pipeline from Clunes to the South Lismore treatment plant until it has been examined and ranked by the expanded Clunes Wastewater Committee (CWC).

Councillor David Tomlinson

Reason:

The CWC has developed a number of protocols that can be used to examine any sewerage option. The protocols look at the technical, economic, social and environmental aspects of each option and can rank them accordingly. This has not been done for the pipeline proposal. While the pipeline MAY solve some NIMBY objections in relation to the location of the treatment plant, it raises other issues such as:

- High Cost: At around \$11-\$12 million, it is twice as expensive as some other options.
- It does not appear to be best practice – sustainability principles suggest that sewerage should be treated close to the source.
- The State Government will not subsidise the extra length of the pipeline to bring it to South Lismore.
- It will mean the South Lismore plant will reach full capacity earlier than expected.
- It will place a larger cost burden on other Lismore ratepayers who will be asked to share the cost.
- It will mean major traffic disruption to Bangalow Road for up to eight months.
- Other possible sites for a treatment plant catering to Clunes have not been examined in any detail. A number are real possibilities.

Staff Comment

General Manager

The terms of this Notice of Motion are inappropriate for the reason that the concept to which it refers has implications which range far wider than the role of the Clunes Wastewater Committee.

By way of explanation, Councillors will be aware the Clunes Wastewater Committee was established in 2000 and its brief (amended in 2005) called for the community based group to:

To assist in developing an integrated sewage and wastewater management strategy for the village of Clunes, based on the principles of Ecologically Sustainable Development and which has broad community acceptance.

Originally the Committee comprised 14 Clunes residents but in 2004 following the public outcry over a proposal to consider siting a treatment plant on land near Eltham, the Committee was reconstituted to comprise 9 Clunes residents, 7 from Eltham, 1 from Bexhill, Councillors King, Tomlinson and Ekins plus support staff from Council, DEUS and Department of Commerce. Over the last year the Committee has met 7 times. Attendance of the community representatives has varied between 13 and 16.

In mid-2005 the Committee was informed that Council's management had commissioned a feasibility study which would research an alternative means of providing a wastewater system to address the problems at Clunes but which would negate the need for building a new wastewater treatment plant in or around Clunes. The central aspect of this proposal was to transport Clunes wastewater to one of the existing treatment plants at Lismore via a pipeline. The added benefit of this proposal was the potential for residents of Eltham, Bexhill, Richmond Hill and developments on the Goonellabah northern ridges to achieve sewerage connections to this system – all without building another wastewater treatment plant.

Clearly, the consultant's report on this concept falls well outside the ambit range of the Clunes based Committee. Indeed, at the last Committee meeting, the question asked was *"is this a matter for this committee to consider?"* The consensus decision was to seek advice from the Council. Those present were asked for an indication of support for the concept. Committee members voted 9 in favour, 4 opposed and 2 needed more information.

Notwithstanding, it is entirely inappropriate to devolve responsibility for assessing this pipeline option to the Clunes Wastewater Committee for a number of important reasons:

- a) The majority who attended the last Committee meeting believe the feasibility study opens the way to a practical solution for Clunes and they are very keen after 6 years of meetings to achieve a workable solution.
- b) The makeup of the Committee is not representative of the community stakeholders with a potential interest in the new pipeline option.
- c) Given the accepted need for effective community consultation on infrastructure developments such as this, any further investigation of the pipeline option should be addressed under a brief for a new process, a new community committee and a clearly defined timeframe.
- d) The work of the Clunes Committee should be focused on the collection, treatment and disposal of wastewater for Clunes village – its original role. The pipeline option does this but also much more.

In addition to these reasons why the correctly named Clunes Committee is unsuited to address a wider brief about wastewater management, the pipeline option also raises a completely new set of technical, financial, environmental, social and strategic issues – all of which must be addressed from a perspective with a much wider focus than the Clunes Committee.

As Councillor Tomlinson outlines in his notes, many questions will arise and he has offered his opinions. Based on currently available information it is appropriate to offer alternative comments to balance his challenging queries about the pipeline option.

- 1 The estimated capital cost may be higher but in infrastructure whole-of-life terms it is likely to be more cost effective than a stand-alone system for Clunes. The capacity of the pipeline option clearly opens the opportunity for the costs and benefits to be shared by a greater number of residents. Thus it is too early to presume anything about the financial impact.
- 2 Sustainability definitions are many and diverse. Pragmatism also deserves consideration and the facts are that the wastewater for all household lots in Clunes cannot be disposed of onsite, thus there is an absolute need to design a system which relies on a sewerage treatment plant. Such a new plant could be sited at Clunes or it is feasible to use an existing plant at South Lismore. A new plant at Clunes will require extensive investigation, local landowner negotiation, site selection and an Environmental Impact Statement before there is any opportunity to actually construct the works. The investigations done to date indicate a lack of universal support from local landowners for a treatment plant sited near their properties, whether that be at Clunes, Eltham or Bexhill.

Conversely, construction of a 100/150 mm pipeline and a series of small pumping units from Clunes to South Lismore would, based on the feasibility report and its relatively low visual impact, be achievable.

As for the sustainability aspect, effluent from the South Lismore treatment plant is used for irrigation adjacent to that plant. When the time comes to augment this plant in say 20 years time, the Council will have the opportunity to employ the most effective reuse techniques available – the truest form of sustainable water management. That option is not available at Clunes without significant extra cost.

- 3 The State Government will subsidise the Clunes component of any scheme but there are time constraints on the availability of this subsidy. If the pipeline option is proven to be the only viable option then Council could argue for maximum subsidy.
- 4 Whilst the South Lismore plant will reach capacity earlier than planned, the pipeline proposal takes advantage of known available capacity, defers the cost of a new treatment plant, removes the immediate need to identify a site for a new treatment plant and enables a proven solution to Clunes wastewater disposal problems with minimal disruption.
- 5 The cost of dealing with Clunes wastewater management and disposal will largely sit with the ratepayers of Lismore's urban area under any scenario. One advantage of a disposal system connected to the South Lismore plant is that some of the capital costs may be defrayed through Council's Lismore wide Section 64 developer contribution plan. That option is not available for a stand-alone Clunes proposal. The cost to Lismore ratepayers direct has not been calculated thus the impacts are speculative.
- 6 Traffic disruption on Bangalow Road will be an important consideration, however the extent of that is far from certain in that it depends on the 150mm pipeline route and the pipelaying techniques employed.
- 7 As for local treatment plant sites to meet Clunes' needs, any new plant will require an Environmental Impact Statement, extensive localised consultation and negotiation, will probably result in the highest cost per connection outcome, will require additional ongoing maintenance and management resources compared to the South Lismore option and the 2004 outcry from Eltham residents was in hindsight an unsurprising reaction to siting of a stand-alone treatment plant for Clunes.
- 8 In terms of long term strategic planning, the pipeline option is the only solution identified to date that:
 - addresses Clunes' needs adequately;
 - offers maximum flexibility to connect other communities/settlements to the sewer system;
 - provides economies of scale which are cost effective for ongoing operation and management.

Conclusion

Councillor Tomlinson's Notice of Motion should not be supported for the reason that it requires the Clunes Wastewater Committee to undertake tasks for which it is not resourced, to address concepts affecting many other ratepayers of Lismore City and it is not a process which will progress determination of a satisfactory sewerage system for Clunes in an effective and timely manner.

The Clunes Committee asked for guidance from the Council but Councillor Tomlinson's Notice of Motion is defensive, offers the Committee no guidance and in that respect changes nothing. In terms of this Council refreshing and articulating its strategic objective, it would be more appropriate to pass a resolution in the following terms:

That the Clunes Wastewater Committee focus its deliberations on its existing brief and provide a recommendation to Council within 3 months which identifies:

- 1 The preferred wastewater collection system for the village of Clunes.**
- 2 A viable wastewater treatment or pre-treatment system for the village of Clunes.**
- 3 If required, a suitable local site for a wastewater treatment plant to meet the needs of Clunes.**

(06-2914: S288)

Report

Subject	Waste Management Strategy Review
File No	S763
Prepared by	Manager – Waste Services
Reason	Kerbside recycling services are proposed for urban Lismore to increase collection efficiencies and resource recovery rates.
Objective	To seek Council approval for the introduction of a kerbside recycling service and associated facilities.
Strategic Plan Link	Water and Waste Cycle
Management Plan Activity	Waste Management

Overview of Report

The current system of recycling in Lismore using drop-off centres is expensive and only partly effective. A significant portion of the household waste stream is recyclables. The aim is to divert these additional recyclables from landfill and reduce the cost of the current system at the same time.

There are two sections to the proposal – collection and disposal. Collection is proposed to consist of a new three-bin kerbside system and a transfer station at the Wyrallah Road Waste Facility. The disposal method is still under consideration but three alternatives are discussed here.

Background

Volumes

Recycling costs have increased exponentially over the past five years due to increased charges from both Richmond Waste and Ballina Shire Council. Maintaining Lismore's recycling Drop-Off Centres (DoCs), to collect approximately 2,200 tonnes a year of commingled (mixed) recyclables will cost Lismore ratepayers over \$500,000 this financial year. Northern Rivers Waste (NRW) proposes to implement kerbside recycling for urban Lismore residents and businesses, and close the existing recycling DoCs. This should almost triple current recycling diversion (collection) rates and achieve greater operational and cost efficiencies.

Lismore's current 'Integrated Waste System' has been in place since 1996. We know from annual waste audits that approximately 23% of the waste bin in the domestic sector is 'recycling'. From the anticipated available recycling resource, and diverting paper and cardboard to recycling instead of to the organics stream, it is possible to almost triple recycling tonnages in Lismore, yielding an estimated 6,274 tonnes of recycling per annum.

In addition, the audits indicate that approximately 51% of the waste bin contents are organic material which could be composted. The introduction of the kerbside recyclables collection is an opportune time to change the bin combination to attempt to extract this material from the waste stream.

An extensive advertising and education programme is planned to accompany the rollout to maximise the effect of the changes to the collection system.

	Current Diversion Rates	Potential Diversion Rates
Organics	6,527	8,349
Recyclables	2,217	6,234
Construction	696	696
Revolve Centre Items	1,417	2,065
Totals:	10,857	17,344

The diversion of these volumes of recyclables and organics from the landfill will extend the existing landfill life from 15 to 20 years. At a value of \$75 per tonne, this represents a savings of landfill airspace of \$486,525 per year.

Collection Systems

The NSW Department of Environment Conservation (DEC) is attempting to standardise recycling practices in NSW and has released a set of recommended kerbside recycling standards. The 'preferred' collection system for recycling is two, 120-litre bins, one for paper and cardboard and the other for mixed containers, collected on alternate weeks. This would entail introduction of a four-bin system in Lismore, and for financial and logistical reasons this is considered excessive. A large majority of NSW Councils have adopted a three-bin system – Mixed Waste, Recyclables and Green Waste. This system is in place in Hastings, Coffs Harbour and Clarence Council areas.

NRW proposes that a 240-litre fortnightly kerbside recycling service be implemented in Lismore for the collection of glass bottles and jars, aluminium and steel cans, plastic packaging/containers and paper and cardboard. Removing paper and cardboard from the organics stream to the recycling stream will save Council money in processing costs and is a better environmental option. At the same time it is proposed to reverse the sizes of the existing mixed waste and organics bins to maximise diversion of organic material. The proposed service is therefore a –

- Weekly 240-litre organics bin
- Fortnightly 240-litre recyclables bin
- Fortnightly 120-litre waste bin.

Options of other bin sizes or collection frequencies would also be available on request. The variables proposed include –

- Weekly waste service – an extra \$125 per year
- 240-litre waste bin – an extra \$80 per year
- 80-Litre waste bin – a reduction of \$40 per year.

With the introduction of this service the existing DoCs would be closed. Alternate facilities for rural customers and other Lismore residents without a kerbside service are discussed later in this report.

Transfer Station

It is proposed that as a part of the roll-out of the recycling service that a transfer station will be built at the Wyrallah Road Waste Facility. This would incorporate facilities for the public to dispose of their waste in a safer environment than the tip face and allow for staff to maximise diversion. Green waste, metals, recyclables and items for the Revolve Centre would all be taken out of the waste stream prior to it going to landfill. Similar facilities elsewhere have seen up to 80% diversion of the self-haul waste stream.

This facility would also replace the existing DOC facilities at the site. The final design of this facility depends significantly on the final destination of the recyclables stream.

Recyclables Processing

The big question is what to do with the recyclables once they are separated from the waste stream. There are three (3) alternatives for consideration. These are -

- Continue to take them to Ballina Materials Recovery Facility (MRF) under a new agreement
- Take them to an alternative MRF (Tweed or Gold Coast)
- Establish a MRF onsite at Wyrallah Road.

Discussions are continuing regarding all three options but the key points of each are -

a) Ballina MRF

- Current contract prices are exorbitant and not viable
- Direct delivery of kerbside collection to MRF
- Current MRF very inefficient
- Proposal to upgrade MRF to go to Council approved in February
- Ballina keen to talk regarding possible options.

b) Alternative Northern MRFs

- Cost to deliver to MRF - \$385,000 per year
- No income from sales to MRF
- Storage of recyclables until delivery to MRF.

c) LCC MRF

- Cost to establish and operate
- Incentives available from Visy Recycling for equipment ex Sydney
- Income from sale of items
- Control over operations and sale times would maximise returns
- MRFs have delivered payback within five years in other areas but this depends on throughput.

Costs

The costs of the new waste management system can be split into the three (3) sections as outlined below -

1. **Collection:** A full new bin system would cost in the vicinity of \$1.7 Million. It is therefore proposed to utilise the existing bins and roll out one new bin and new lids for existing bins. This will cost \$700,000. It is proposed to borrow these funds with repayment included in the fees charged for the service.

An additional waste collection truck will be required at an estimated cost of \$350,000. Funds are available in the waste plant fund for this purchase. One additional staff member would be required.

2. **Transfer Station:** The cost of constructing a transfer station will be \$500,000 based on estimates received to date. Final layout and equipment will depend on the destination of the recycled stream but could include:
 - Shed - \$150,000
 - Walking floor system - \$150,000
 - Bins - \$50,000
 - Conveyors - \$50,000
 - Roadworks – \$100,000.

Funds to construct the transfer station would come from operational reserves. Annual costs to operate the transfer station should be little different to the existing tip face operation as it is anticipated that existing staff and equipment would be utilised.

3. **MRF:** An estimate of \$1.2 Million has been obtained from Visy Recycling for the construction of a MRF at the waste facility. Potential exists for Visy to supply part of this equipment in return for a supply arrangement for the recovered recyclables. This would include some second-hand and refurbished equipment from decommissioned Visy MRFs as well as new equipment. The life of this MRF equipment is variable but would generally be in the vicinity of 10 to 15 years.

Visy has estimated an annual operating net loss of \$120,000 based on 6,000 tonnes of throughput. However, there is potential to operate the sorting lines of a MRF on a part-time basis.

A significant issue in the direction taken to dispose of the recyclables is the potential income stream, and how this might be balanced by operational costs, as opposed to any arrangements that can be made with an external MRF.

Funds would need to be borrowed for this establishing capital expenditure.

Effect on Service Costs

In summary there will be very little impact on the current fee structure for residential ratepayers.

The cost of the collection service is balanced by the savings from removing the DoCs and the cost of operating the Transfer Station is a direct replacement for costs currently incurred at the tip face. The cost of disposal through a Lismore City Council MRF is offset by operational savings at the landfill so is assumed to be a net zero effect on charges. It is proposed that any cost of finance would be carried and not passed onto residents by increasing charges.

Any proposal from Ballina Shire Council would need to result in a similar outcome to be a viable alternative.

Timing of Service Introduction

The following timing for the implementation of a new recycling programme is suggested -

- The roll-out of the collection service should be as close to the commencement of the 2006/07 financial year as possible to allow co-ordination with the rating system. If Council approves this proposal at its April meeting, this timeline can be achieved.
- The transfer station construction should be commenced as soon as funds are available as this will rectify other current operational issues as well as assisting in the recycling programme. Some allowances will need to be made to cater for requirements of the disposal option finally decided upon.
- The disposal plan depends on as yet to be determined issues but in the interim Ballina MRF could be used, or the recyclables could be stockpiled until the issues are resolved.

Rural Services

The closure of the existing DoCs may impact on some rural ratepayers as they would need to drive to the Wyrallah Road Waste Facility to access recycling facilities. A 2001 survey however suggested that 30% of rural ratepayers would prefer either a single Wyrallah Road DOC or no DoCs at all.

The following options have been examined to address any perceived reduction in service –

- Provide a kerbside recyclable collection to rural areas where there is adequate demand to justify such a service: This service would certainly be possible in the village areas and along routes to those villages and would attract the same fees as the urban service.
- Provide rural based recyclable bins: Past experience suggests that this results in considerable contamination, littering and vandalism and the consequent high expense of maintaining this service would need to be monitored.
- Reduce the charges to rural residents to compensate them for the lower service level.

The recommended way forward is to provide a DOC at the Wyrallah Road Waste Facility and to trial a small facility north of Lismore. The exact location, nature and opening hours of the facility are yet to be determined. Cost, contamination, litter and vandalism will be monitored to determine its ongoing viability.

Bulky Items Collection

In addition to the above programme, and in response to the request for a special household clean-up service, it is proposed to introduce a two-pronged bulky items strategy. This strategy involves -

- A six-monthly free day at the waste facility. This free day is aimed at encouraging people to bring to the waste facility items that will not fit into the waste bins. The day would be a Sunday to provide maximum convenience.
- A kerbside collection service of bulky items for people who cannot deliver these items to the waste facility themselves. This would be on a pre-arranged user pays basis with charges being \$20 per household (\$10 for pensioners).

The first of these clean-up days can be arranged by June.

Comments

Financial Services

The cost to operate a kerbside recycling service including staffing, vehicle, bins and borrowing costs, is estimated at \$298,000 per annum. Based on approximately 10,500 urban collection services, this equates to \$28 per service. It is proposed to increase the urban waste collection service charge by this amount and reduce the environment protection charge (EPC) by a corresponding amount.

The current DOC network is funded by the EPC. The operating cost trend for the DoCs indicates that for 2005/06, the costs will be in excess of \$500,000. If the networks are removed, then the savings based on approximately 17,100 EPCs equate to \$29 per charge.

To allow rural ratepayers to continue in recycling, a DOC is planned for the Wyrallah Road Waste Facility and a trial facility north of Lismore. The cost to operate these DoCs is proposed to be funded from the EPC. This means that there will be an urban EPC for properties who receive the kerbside recycling service and a rural EPC for those which the DOC facilities are provided. The rural EPC will be a higher charge to reflect the cost of the DoCs.

As to the transfer station, based on an estimated cost of \$500,000, it is possible to fund the construction from the anticipated surplus from the waste disposal operation. It is also agreed that operating costs would be consistent with that currently incurred at the Wyrallah Road Waste Facility for the tip face.

The introduction of a kerbside recycling service and construction of a transfer station will result in a significant increase in resource recovery. While there are alternatives being explored for what to do with this resource with the fall-back option of a Council owned/operated MRF, it is important that this situation be resolved as quickly as possible to ensure the most appropriate user charges system is in place.

Other staff comments

Manager - Environmental Health & Building Services

The proposal to introduce the numerous changes to collection of recyclables is totally supported. After having managed the Waste Minimisation staff for a few years, I fully appreciate the concerns of supporting the current recycling scheme (DoCs), which incur ongoing escalating costs with limited diversion of recyclables from the waste stream.

The proposed kerbside bin arrangement from an environmental perspective has the prospects of achieving high diversion rates and therefore saving in landfill space as documented within the report.

The overall concept proposed has the potential for Lismore City Council to remain a leader by innovation and continue to deliver a first class product at affordable rates compared with other regional councils.

Public consultation

In recent years many research programmes and surveys have been conducted to determine residents' views on a range of waste initiatives. Some of the results include -

- A 2001 survey of DOC users suggested:
 - that the community was generally dissatisfied with the performance of the DoCs
 - over 60% complained that the skips were often full
 - 18% of rural respondents supported a single DOC at Wyrallah Road Waste Facility instead of the current locations
 - 11% of rural respondents supported having no DOC and issuing vouchers for tip disposal.
- A 2003 Southern Cross University 'customer satisfaction' survey indicated that:
 - Recycling rated the poorest waste service provided by NRW
 - 17% of respondents requested a collection system for recyclables
 - 84% of respondents said they had room for a third bin
 - Consideration should be given to improving recycling services, including the provision of a kerbside collection service for recyclables.
- The above surveys and a 1999 survey by Meehan indicate that at least 25% of all residents overflow their organics bins and requested larger organics bins.

Conclusion

Implementation of kerbside recycling in Lismore should almost triple recycling rates, divert paper and cardboard to the higher environmental value of recycling, (rather than composting), and most significantly, could be accomplished with no significant change to existing fee structures. When compared to the cost of maintaining Lismore's current recycling drop-off centre network (approximately \$500,000 per annum), this option is considered by NRW to be the best financial and environmental option for the future of recycling in Lismore.

Recommendation (IS08)

- 1 That Council introduce a 6 monthly bulky items waste service incorporating a free entry day to the Waste Facility and a kerbside pick-up with a collection fee of \$20, subject to a 50% rebate for pensioners.
- 2 That Council introduce a kerbside recycling programme for Lismore.
- 3 That Council endorse the construction of a Transfer Station at the Wyrallah Road Waste Facility.
- 4 That Council implement the following rural recycling strategy –
 - a) provide a recyclable collection service to those who currently receive a waste service for a commensurate fee.
 - b) provide a drop-off centre at the Wyrallah Road Waste Facility
 - c) trial a small drop-off facility north of Lismore, with a report to Council on its performance and ongoing viability after six months operation.
- 5 That Council support the construction of a Material Recovery Facility at the Wyrallah Road Waste Facility in the absence of a more favourable arrangement being negotiated with external parties.

Report

Subject	Annual Stormwater Management Services Charge
File No	S722
Prepared by	Environmental Health Services
Reason	To enable Council to undertake obligated stormwater management services
Objective	To implement the new annual stormwater management services charge and to provide a more integrated and sophisticated stormwater/drainage system
Strategic Plan Link	Infrastructure, water and waste cycle, natural environment
Management Plan Activity	Stormwater management plan, Integrated Water Cycle Management, Catchment Management, Roads and drainage construction and maintenance

Overview of Report

The NSW state government has introduced legislation entitled “*The Local Government Amendment (Stormwater) Act 2005*” to enable Councils to introduce an *annual stormwater management service (SMS)* charge on property owners for specific residential and commercial / industrial properties within their LGA. The legislation has been introduced to enable councils to fast track the introduction of the charge for the 2006/07 financial year, as no ministerial approval is required.

The introduction of this legislation for the SMS charge is a recognition that Councils are not able to appropriately fund stormwater management activities required to be undertaken as part of their various management plans and policies. As a result, many of the stormwater actions and maintenance programs (as required by the state government) have not been undertaken and remain unfunded.

With the introduction of the legislation Councils have been offered the opportunity to fund stormwater management actions which would otherwise be required to be funded from general revenue or loan funded.

Background

Stormwater Management Services Charge

The *stormwater management services (SMS) charge* allows Council to apply a charge to appropriate rated properties and does not require Ministerial approval, is independent of rate pegging and can be utilised on a wide range of activities including planning, construction and maintenance of drainage systems, stormwater treatment measures and stormwater harvesting and re-use projects.

Growing public awareness and concern in regard to improved stormwater management and improved runoff quality and public health has led to the amendments of the Local Government Act 1993 (The Local Government Amendment (Stormwater) Act 2005). This gives Councils the option to make a charge for the provision of stormwater management services (SMS) outside their capped rate arrangements.

‘Governments and in particular, the NSW Government, recognise that stormwater now needs to be managed in an integrated manner’ (Minister for Local Government, second reading Attachment 1). It could be assumed that as Council will be required to undertake more sophisticated and complex

activities, especially in environmental management, that by not utilising the arrangements provided by the state, such as the *stormwater management services charge*, then funding will have to be provided via council's general revenue and/or borrowings.

What is Stormwater?

Stormwater runs off impervious surfaces such as rooftops, paved areas, parking lots and roads collecting pollutants along the way which can be harmful to human health, drinking water and the natural environment. Untreated stormwater contains toxic metals, organic compounds, bacterial and viral pathogens, sediment, litter and hydrocarbons and is the major contributor to water pollution as virtually all our creeks, streams and rivers are degraded by stormwater. Increased development increases volume and velocity of stormwater and this increases the potential for more severe flooding and wider areas of flooding. Traditionally, stormwater generated from urban areas is conveyed efficiently to designed trunk drainage systems.

Stormwater Treatment

As development continues to grow within the Lismore LGA, it stands to reason that stormwater quality and quantity will increase its potential to cause problems, including flooding. Stormwater improvement devices such as gross pollutant traps and detention basins need to be incorporated within existing and proposed drainage systems and infrastructure to be in line with contemporary best practice. As well as developer-required stormwater treatment devices incorporated into such developments as residential subdivisions and industrial/commercial ventures, stormwater from other existing and new areas must also be treated appropriately. As a consequence, Council will be responsible for monitoring (performance and accountability) and maintaining most, if not all of the treatment devices, thus imposing an additional burden on an already stretched resource base.

Legislation, Plans and Policies

The legal framework surrounding stormwater management includes much legislation, policies and plans urging Council to undertake a wide range of activities. A *Stormwater Management Services charge* can be utilised to undertake the required activities. The following is a list of some of that framework and Council's obligations and commitments:-

- **Council's Management Plan**, as required by the Local Government Act, has overarching provisions and responsibilities for the water cycle and in particular, stormwater. The plan describes principles including capital works, services, asset replacement programs and activities aimed at protecting environmentally sensitive areas and to promote Ecologically Sustainable Development (ESD). **Council's Strategic Plan priorities and initiatives** include 'managing stormwater drainage systems'.
- **Stormwater Management Plan**, was adopted by Council in 2000 following a direction from Department of Environment and Conservation (then EPA). Many of the priorities and actions of that plan have never been undertaken due to lack of funding. Some actions have been completed following the successful attainment of external funding such as EPA's stormwater Trust funds. However, Council is responsible for implementing such actions and providing sustainable stormwater management and 'to fix stormwater problems' (Mr Kerry Hickey- Minister for Local Government). See Attachment 1. A *stormwater services management charge* would help to implement these priorities.
- **The Integrate Water Cycle Management (IWCM)** concept plan is complete and the strategy is to be completed in the near future. The actions to be developed as part of that strategy, will incorporate stormwater as a matter of the water cycle and consequently will require resourcing to implement these actions to comply with the Department of Energy Utilities and Sustainability (DEUS) guidelines on the Best Practice for Integrated Water Cycle Management. Council will be looking forward to complying with these guidelines in order for Council to pay dividends from the Water and Sewer fund and so a *stormwater services management charge* can contribute to the implementation of these actions.

- **Policy Advisory Groups (PAG)** and particularly the Sustainable Environment PAG have developed policies which consider stormwater treatment and have actions such as the up-grade of stormwater outlets/headwalls directing stormwater to the receiving waters of Tucki Tucki Creek, the weir removal at Holmes Park and the improvement of drainage systems and waterways receiving urban stormwater which also require funding and fall within the expenditure of this charge.
- **Water Sensitive Urban Design Development Control Plan (WSUD DCP)** is currently being developed by Council and one aspect will require compliance by developers to treat stormwater to contemporary standards in line with regional and state objectives and targets. Many solutions may mean the design and construction of stormwater improvement devices by the developer, however, the long term control and maintenance will be in the hands of Council. As a rule of thumb, the Department of Local Government suggest allowing 10-15% of the capital cost to be allocated to continual maintenance.
- **Catchment Action Plan(CAP)** from the Northern Rivers Catchment Management Authority as approved by the Minister for Natural Resources is a central mechanism to deliver natural resource management, investments and outcomes to the community by providing long term direction. Management targets of the CAP include urban water cycle management and water quality.

Other relevant legislation and plans include:

- Environmental Planning and Assessment Act*
- Protection of the Environment Operations Act*
- State of the Environment Report*
- Floodplain Management Plan*
- Estuary Management Plan*
- Rivers and Foreshore Improvement Act*
- Water Act*
- BASIX etc*

Anticipated Revenue from the Stormwater Management Services Charge

- An annual charge for stormwater management services will only be levied on land categorised for rating purposes as residential or business, is not applicable to vacant land, rural residential or rural business. See Attachment 2, Department Local Government Circular, separately enclosed.
- The maximum charge is capped at \$25 per residential property and \$25 per 350 square metres of business property.
- An anticipated charge of a flat rate of \$25 could be imposed initially to simplify the process and to ensure no over charging. The expected income would be approximately \$300 000. This figure has been achieved by working with the following figures:-

Residential properties:	11,695
Business properties:	1,134
Total properties:	12,829

Charge @ \$25 ea = \$320,725

- It can be assumed that at least 5% of properties would be exempt from the charge at this stage, for example by being vacant
- The approximate income is \$300 000

- These are approximate figures but show the substantial revenue available by applying the charge.
- This revenue will complement the existing roads and drainage budget to provide an integrated approach with contemporary best practice and has the potential to ease the burden of existing borrowings.
- The revenue will increase with further development as more properties come on line. The increase in development will inevitably create more stormwater pollution and increase flooding potential if not kept in check.
- As a conservative approach an option of a \$20 flat fee for the initial year would yield \$256 580

Examples of the SMS Charge at Work

The following table outlines possible activities to be undertaken in the 2006/2007 financial year utilising the SMS charge with an emphasis on on-ground works. These works will help to improve the health of our rivers, reduce flooding and integrate the urban water cycle.

Table 1

Stormwater Improvement Treatment	Location	Approx Costs	Benefit
Amelioration of stormwater drain with litter and sediment trapping	Browns Creek Corner of Uralba and Dawson street	\$100,000	Water quality improvement, beautification, detention
Retention/detention basin, reducing flooding potential, retaining sediment, collaboration with SCU	East Lismore catchment adjacent to Southern Cross University	\$100,000	Reducing flooding potential, sediment trapping, water quality improvement
Stormwater treatment devices incorporated within CBD street up-grades eg bio retention systems and innovative landscaping designs	Carrington and Woodlark street	10-15% of capital costs	Improve water quality and public amenity and beautification
Weir and sediment removal and foot bridge replacement, sediment trapping	Holmes Park, Oliver Ave	\$100,000	Improve water quality, trap sediment and other pollutants, improve fish passage, reduce erosion
Ameliorate head walls/swales at Nimbin, Dunoon, Bexhill	Nimbin, Dunoon, Bexhill	\$30,000	Improve water quality, reduce erosion, trap litter and sediment
Monitoring and Maintenance of existing and proposed devices	At least ten recognised devices such as traps at Birdwing Butterfly Gully and Clunes detention basin	15-20% of capital costs	Improve water quality, reduce flooding, assess effectiveness and efficiencies of devices

Maintenance of Council's Stormwater Improvement Devices data base and register and compliance of approval conditions	Throughout Lismore LGA	\$10,000	Update register and ensure compliance
Cleaning up of stormwater pollution incidents	Throughout the Lismore LGA	unknown	Rapid and appropriate response
Sediment traps	Snow street and Habib Drive	\$25,000ea	Trap sediment, improve water quality
Environmental Education	Throughout the LGA, especially school children and residents adjoining waterways	\$30,000	Raise community awareness

Comments

Financial Services

The Department of Local Government (DLG) have advised that they anticipate the amendments to the legislation will be in force by mid April 2006 and the guidelines will be issued to councils soon after. To assist councils who decide to implement a charge from July 1, 2006, a list of Frequently Asked Questions and Answers have been prepared.

Finance staff have read and reviewed the available information including the Minister's speech to Parliament introducing the Bill, DLG Circulars and attended a presentation by a DLG representative to the NSW Rating Professionals Conference. As such, there is a reasonable understanding of the requirements and associated issues.

If the recommendations are adopted, Finance will investigate the introduction of the charge for 2006/07.

Other staff comments

Executive Director-Infrastructure Services

Lismore's stormwater infrastructure does not provide the level of service desired by the community. The inadequacy of the system takes many forms including localised flooding, excessive erosion, silting up of open drains, nuisance ponding of water, increased maintenance costs, pollution of creeks and streams etc.

Additional funds are required to improve, upgrade and also maintain stormwater infrastructure at a level satisfactory to the community.

I support the recommendations of this report and endorse a multi-disciplined approach from Council staff when setting the program of works.

Design Engineer

The proposed Stormwater Management Services charge will assist greatly the ability for Council to address stormwater issues in the older areas where funding is unlikely to be recouped by development.

An SMS team should be created to assess the needs of the various catchments and make recommendations to Council on a priority basis. Consultants would be engaged to carry out the necessary stormwater analysis and design of structures associated with the outcomes. A concerted publicity campaign should be carried to inform the public of the benefits of stormwater management, so when it comes time to build the structures public support should already be there.

Development Engineer

During the preceding 5-10 year period there has been an ever-increasing focus on treatment of stormwater runoff from developments. This has resulted in the provision of stormwater treatment devices within new developments. The maintenance and upkeep of these facilities is a relatively new function for Council and does involve additional costs to traditional stormwater maintenance.

Presently the budget limitations for maintaining stormwater treatment devices has been a major factor in determining what stormwater treatment infrastructure Council would accept from developments. The approach taken has been to limit devices to those that require very limited or no maintenance. On occasions this has resulted in treatment standards being reduced to prevent incurring maintenance costs. Although this approach of limiting devices, based on maintenance requirements, will be retained the imposition of this charge and associated budget for maintenance of devices should allow consideration of a wider range of treatment options for developments.

Public consultation

In accordance with the Department of Local Government's publications (see attached), the required community consultation is through Councils' draft management plan and it is recommended that Council undertake additional consultation and community engagement in the first year(s) of the implementation of the services provided via the charge. Currently some on ground remedial works have an environmental education component and this can continue.

Council will also be required to report on the implementation of each stormwater management service proposed in the management plan which will compare services proposed and services delivered and an explanation of any deficits.

Conclusion

The stormwater management services charge will allow Council to undertake activities required through legislation, plans and policies and will enable current practices to comply with best management practice. The charge can be used for a wide range of activities including planning, construction, upgrade and maintenance of drainage systems, stormwater treatment devices, reuse projects as well as clean up of stormwater pollution incidents and community education .

Without the charge Lismore Council can only continue to deliver minimal stormwater infrastructure and services to the community and has limited capacity to implement many of its own plans and policies, especially initiatives within the stormwater management plan. Council will have to resource these best practice activities from other funds like general revenue or borrowings.

The SMS charge may be introduced at a flat rate initially to allow flexibility with implementation and to ensure a conservative approach to its introduction. The NSW State Government has initiated this provision in such a way to help Councils fast track the introduction of the charge and to ensure that Councils commit to their wide ranging responsibilities that will continually grow.

Recommendation (PLA3)

- 1 Council adopt the *stormwater management services charge* for all appropriately rated properties and implement this charge as soon as practical.
- 2 Further public consultation to be undertaken during the implementation of the proposed stormwater management services.

ATTACHMENT 1**Bill introduced and read a first time.****Second Reading**

Mr KERRY HICKEY (Cessnock—Minister for Local Government) [8.34 p.m.]: I move:

That this bill be now read a second time.

Rain falling on hard surfaces such as roads and roofs runs off and picks up chemicals, rubbish and soil. This stormwater run-off pollutes our creeks and rivers, and causes flooding. Flooding by urban stormwater in Sydney causes approximately \$70 million in flood damages annually. Up to 5,000 houses and 1,500 businesses in Sydney could be flooded during a major storm. It is also a valuable resource that can be harvested to reduce our need for drinking water. This Government has a clear record in tackling stormwater pollution. We have spent more than \$100 million since 1996 on preventing stormwater pollution under our Urban Stormwater and Blue Mountains Urban Run-off Control Programs. Project funding for these programs has now finished.

This Government has developed new arrangements for stormwater management. These arrangements build on the successful outcomes of the Government's programs to tackle water quality issues associated with urban stormwater. They also capitalise on the recent natural resources management reforms, including the establishment of catchment management authorities. The Government recognises that stormwater now needs to be managed in an integrated manner, to deal with stormwater harvesting and flooding in a broader natural resources management context. The new funding arrangements will allow councils the option to conditionally levy a stormwater management service charge on urban properties outside the rate-pegging limit. At the regional level, catchment management authorities will be in an ideal position to co-ordinate regional initiatives and support councils on stormwater management where urban stormwater is a significant regional issue.

The Local Government Amendment (Stormwater) Bill contains the legislative changes to the Local Government Act that are necessary to allow council to raise a stormwater management service charge. The bill also exempts Department of Housing and Aboriginal Housing Co Ltd properties from the charge. Revenue from the charge will not be included in council's general income, which is subject to rate pegging. To support this bill, the Government is preparing amendments to regulations under this Act. This will be an optional charge. A council that can fund its stormwater management activities from existing revenue sources will not need to raise the charge. It is important that the community has a say in whether a council raises this charge and how the revenue will be spent. Under the Local Government Act, councils are already required to consult with their community about proposed rates and charges. These consultation arrangements would apply to the stormwater management service charge.

It is equally important that the community sees where the funds raised by this charge are spent. Under proposed regulations councils will be required to separately report revenue raised by the charge and the activities funded. Surveys of the community's willingness to pay for stormwater management have found a strong willingness to pay at least \$25 annually for stormwater improvements. The Local Government and Shires Associations have stated that many councillors believe their local communities are willing to pay a small stormwater charge, provided the value for their expenditure is

demonstrated locally. The associations believe that there will be widespread council support for levying this charge. Through these surveys, the community has also highlighted its desire for revenue raised to be spent in the local area in a transparent way.

This bill and the proposed regulations reflect these community views, by allowing councils to raise the charge for local expenditure. The proposed regulation will cap the annual stormwater management service charge at \$25 per average residential block. The regulation and the supporting guidelines will require councils to seek the community's support for the charge in open and accountable ways. In particular, councils will need to provide communities with a summary of the activities that council proposes to undertake using income from the charge. Councils seeking to implement the charge must also put a formal community consultation process in place. Councils that impose the charge must report to the community on how the charge was used each year. Specifically the reports to the community must include a statement of income received from the stormwater charge, along with expenditure statements.

This will ensure that revenue from the service charge is transparently allocated to managing stormwater from land subject to the charge, in line with the Local Government Act. Other revenue must be used for managing stormwater from land not subject to the charge, such as public land. Any council using the charge will need to provide the community with a summary of the activities that were funded by the charge during the previous financial year. The consultation process in line with these amendments will include consultation with catchment management authorities [CMAs] on the magnitude of the proposed charge. Consultation with the CMAs will ensure that projects of regional significance are consistent with the CMAs catchment action plans.

The CMAs' stormwater role is expected to relate to regional planning and project management of regionally significant programs, similar to the current role of the Upper Parramatta River Catchment Trust. The stormwater-related responsibilities of the CMAs are likely to include the preparation of a catchment action plan, in consultation with councils and State Government. In metropolitan areas the catchment action plan is likely to include stormwater management objectives, plans and programs that build on the stormwater management plans already prepared by councils. This stormwater link will provide co-ordination across councils for stormwater management projects and provide support for council staff. It can build on the experience gained by the stormwater extension officers hosted by regional councils or groups of councils, and funded by the Stormwater Trust.

The proposed regulations will specify the maximum stormwater charge that can be applied to commercial property, as a flat limit of \$25 for business properties is not appropriate. Most stormwater problems are directly related to the area of hard surfaces water runs off that flow into the stormwater system, for example roads, roofs and paved areas. As there is a considerable range in the area of hard surfaces of commercial properties, councils' stormwater management costs per property are more variable than for a residential block. An area-based pro rata approach to capping the business charge will be included in the regulations, which means that the charge for an average-sized business property would be capped at \$100. Councils may adopt alternate charging mechanisms that encourage business landowners to reduce the amount of stormwater from their land.

The charge levied using this alternate method would be lower than the capped amount proposed in the regulation. Options for this form of charging mechanism would be described in the guidelines that will be developed to assist councils and communities. Councils considering using this charge should be aware that both the community and the Government will monitor their performance closely. The

proposed regulations will also prevent a council from applying the charge where they already have a stormwater-related environmental levy or a drainage charge in place. The rigorous requirements that will be developed under the proposed regulations will ensure that the community's interests are protected. This bill provides the foundation for sustainable stormwater management in urban areas by giving councils the option to raise additional revenue for stormwater management to help fix stormwater problems.

This will help to improve the health of our rivers, reduce flooding and promote the harvesting and reuse of stormwater to reduce our demand on drinking water supplies. The stormwater service charge could raise up to \$1 million annually for an average metropolitan council. As an example, this could enable a council to build three constructed wetlands to improve stormwater quality or three stormwater harvesting schemes to irrigate a park or stop dozens of houses from being flooded. The proposed amendment lays a firm foundation for stormwater management into the future. The bill and the proposed regulations will help improve the health of our rivers, harvest stormwater to reduce our demand for drinking water, help reduce flooding and fix ageing stormwater drains. It does this in a way designed to maximise community support. This is a sensible and appropriate approach that will provide the keystone to the effective management of urban stormwater. I commend the bill to the House.

Debate adjourned on motion by Mr Thomas George.

The House adjourned at 8.45 p.m. until 10.00 a.m. on Wednesday 14 September 2005._____

Report

Subject	Draft Far North Coast Regional Strategy
File No	S586
Prepared by	Senior Strategic Planner
Reason	Exhibition of draft Far North Coast Regional Strategy
Objective	Council submission to the draft regional strategy
Strategic Plan Link	Economic Development
Management Plan Activity	Customer service in land use planning matters

Overview of Report

This report gives an overview of the State Government's recently released draft Far North Coast Regional Strategy and advises on the potential implications for Lismore. The report identifies several issues of concern for Lismore and recommends that Council make a submission on the new draft strategy.

Background

On March 13, 2006, the Minister for Planning launched the draft Far North Coast Regional Strategy. The new strategy will be the principal planning document for the Far North Coast and will apply to the six local government areas of Lismore, Ballina, Byron, Tweed, Richmond Valley and Kyogle.

The draft strategy identifies land that has the potential to accommodate a projected increase of 60,400 in the region's population over the next 25 years. Population growth, combined with declining occupancy rates, will generate a need for an estimated 51,000 additional dwellings in the region by 2031.

An objective of the draft strategy is to reduce growth in coastal areas (east of the Pacific Highway) from around 75% (based on current trends) to around 60%, i.e. a "displacement" of 15% of growth from the coast to inland centres. The strategy claims that 35% of all new dwellings will be located in the three major regional centres of Lismore, Tweed Heads and Ballina (Ballina is described as a planned major regional centre).

Maps in the strategy define limits to future town and village growth boundaries. The boundaries incorporate existing urban zones together with nominated "new release areas". For lands west of the Pacific Highway, there is also potential for new urban development to occur outside the defined town and village growth boundaries providing such proposals can satisfy the sustainability criteria listed in Appendix 1.

The draft strategy also identifies land that may have potential for future industrial development. These areas are also contained within the town and village growth boundaries. New rural residential development will continue to be allowed in rural areas providing it is in accordance with a rural land release strategy approved by the Director-General.

Each Council will be required to prepare a Local Growth Management Strategy to demonstrate how future development within the new release areas will be staged, serviced and designed. Local Growth Management Strategies must be prepared prior to the rezoning of any land for residential, commercial or industrial use. Councils will also be required to prepare development control plans for new release areas. The strategy is to be supplemented by new 'Settlement Planning Guidelines' and DCPs for new release areas will have to demonstrate how development will be consistent with those guidelines.

Issues

Many aspects of the draft strategy have merit and are considered worthy of support. However there are several areas of potential concern for Lismore and it is recommended that Council raise these issues in a submission to the Department of Planning. Those issues are:

1. Projected Growth Rate for Lismore

The draft strategy purports to encourage growth in the inland towns and villages by restricting growth in environmentally sensitive coastal areas east of the Pacific Highway. According to the strategy, Lismore will accommodate an additional 8000 new dwellings over the next 25 years. This represents more than 15% of the total anticipated growth for the Far North Coast region. The following table from the draft strategy shows new dwelling projections for the six local government areas:

Table 1: Local Government Area Dwelling Targets (from the draft FNC Regional Strategy)

LGA	Existing dwellings (2006)	Additional new dwellings to 2031		
		Single dwellings	Multi-unit dwellings	Totals
Ballina	16720	5300	3100	8400
Byron	13090	1300	1300	2600
Kyogle	4110	2600	400	3000
Lismore	17640	5800	2200	8000
Richmond Valley	8710	7300	2600	9900
Tweed	34650	9300	9800	19100
Totals	94920	31600	19400	51000

The proposed new release areas in Lismore correspond with the areas that Council has previously identified for potential development in its Urban Strategy and Village Development Strategy. According to Council's strategies, the estimated lot/dwelling potential for each of the release areas is as follows:

Table 2: Est. Lot Yields for Lismore (from Council's Urban Strategy & Village Development Strategy)

Locality	Est. Area (ha)	Est. Lot Yield
Urban Area:		
Trinity Drive	38	400*
North Lismore plateau	127	1000*
Tucki Creek/Chilcotts Grass	31	250*
Invercauld Road	40	320*
Infill sites	40	150*
Sub-total	276	2120
Villages:		
Clunes	24	75**
Wyrallah	13	20
Bexhill	20	90**
Caniaba	100	200**
Sub-total	157	385
Totals	433	2505

* discounted for constraints, open space, etc and based on an average yield of 7 lots per ha.

** assumes availability of sewer to some of the release area

In addition to the estimated lots in the release areas identified in Table 2, vacant subdivided and unsubdivided 2(a) land in the Lismore urban area would yield an additional 1370 lots with a further 385 lots in existing 2(v) Village zones (including Nimbin and Dunoon). This gives a total estimated lot yield for Lismore of **4260** lots. Even with 2200 of the 8000 new dwellings allocated to multi-unit housing, Lismore is likely to have difficulty in achieving the strategy targets without a significant increase in lot densities.

By contrast the Ballina-Lennox Head locality has significant land identified for potential release. Release areas in the Ballina-Lennox Head locality have been estimated from the strategy map (Sheet 3-Ballina) as follows:

Ballina-Lennox Head corridor	450 ha
Cumbalum Ridge area	<u>1090 ha</u>
Total	1540 ha

The 1540ha of proposed land release in the Ballina area is more than five times that of the Lismore urban area (276ha), although the 2031 new dwelling target for Ballina Shire is just 400 more than that for Lismore. It is apparent that the area of land identified in Ballina-Lennox Head will accommodate much more than the projected 8400 new dwellings identified in the strategy. It is also apparent that, with the amount of land available in the Ballina area, the bulk of the targeted growth in this part of the region in the next 25 years will occur in Ballina. It is therefore very unlikely that the projected 15% displacement of growth from coastal to inland areas will occur, or that Lismore and the other inland areas will achieve their nominated population and housing targets. It is considered that the draft strategy will fail to fulfil its dual objectives of restricting development on the coast and encouraging growth in the major inland towns.

2. Sustainability Criteria for New Development

A further concern is the provision that allows new urban development west of the Pacific Highway to be located outside the nominated town and village growth boundaries providing the proposals meet the sustainability criteria set out in Appendix 1. Although the concept of encouraging new village-style development in suitable locations is supported, the eight criteria listed in Appendix 1 are sufficiently vague and generic as to be virtually unusable, both for proponents who may wish to put forward a rezoning proposal and for Councils in assessing the suitability of a proposal.

The criteria need to be more rigorously developed so that the community can have confidence that development will occur in appropriate locations and in a sustainable manner and so that the development industry can proceed with a reasonable degree of certainty.

3. Infrastructure Plan

Prior to the preparation of the regional strategy, the Department of Planning invited Councils to submit up to ten priorities they would like addressed in the new regional strategy. A priority that Lismore City Council identified was the need for State Government to make a commitment to infrastructure provision in the targeted growth areas. There is no infrastructure plan in the strategy. Although reference is made to a State Infrastructure Strategy, there is no explanation of how this will provide or fund key State infrastructure in the region.

4. Lismore's Town Growth Boundary

Lismore's town and village growth boundaries are primarily based on the potential urban and village release areas as shown in Council's Urban Strategy and Village Development Strategy. Whereas the Far North Coast Regional Strategy has a twenty five year timeframe, Council's strategies have a much shorter timeframe. Consequently there are a number of small areas on the boundary of the urban and village areas that are not included in Council's strategies but should be included the twenty five year strategy. These are as follows:

- a) The Invercauld Road release area is shown as the unconstrained land mapped in the Lismore Urban Strategy. The limits of the Invercauld Road release area should be extended to reflect cadastral boundaries and so that the area is contiguous with existing residential areas.
- b) Land zoned 1(d) Investigation on Lot 1 DP 795581 and Lot 2 DP 252826 (formerly the "Hosie land") is excluded from the strategy. The 1(d) area is only 7ha in size but represents an integral stage for future subdivision of this area.
- c) Land in the vicinity of the Lismore Saleyards in Tweed Street, North Lismore should be included with the town growth boundary and shown as "employment land".
- d) The 4(a) zone shown as employment land at Tuncester should be extended to encompass adjoining areas of rural land that are flood free.
- e) That the town growth boundary of Wyrallah Village be adjusted to reflect the contours and the potential of the area.

The above areas are shown on a map attached to this report.

Comments

Financial Services

Not required

Other staff comments

Not required

Public consultation

The Department of Planning has placed the draft Far North Coast Regional Strategy on public exhibition from March 15, 2006 until May 10, 2006. The Strategy has been exhibited at all local Councils in the region including Lismore Council.

Conclusion

The Minister has promoted the draft strategy on the basis that it will restrict future land release east of the Pacific Highway and encourage development in Lismore, Casino and Kyogle. It is considered that the strategy in its current form will fail to deliver this outcome. Significant growth will only be diverted to Lismore and other inland areas if sufficient restrictions are placed on land release in the coastal areas. The amount of land nominated for future release in Ballina Shire is likely to have a direct effect on Lismore's growth rate. In this respect the draft strategy will exacerbate the current disparity that exists between growth rates in coastal and inland centres.

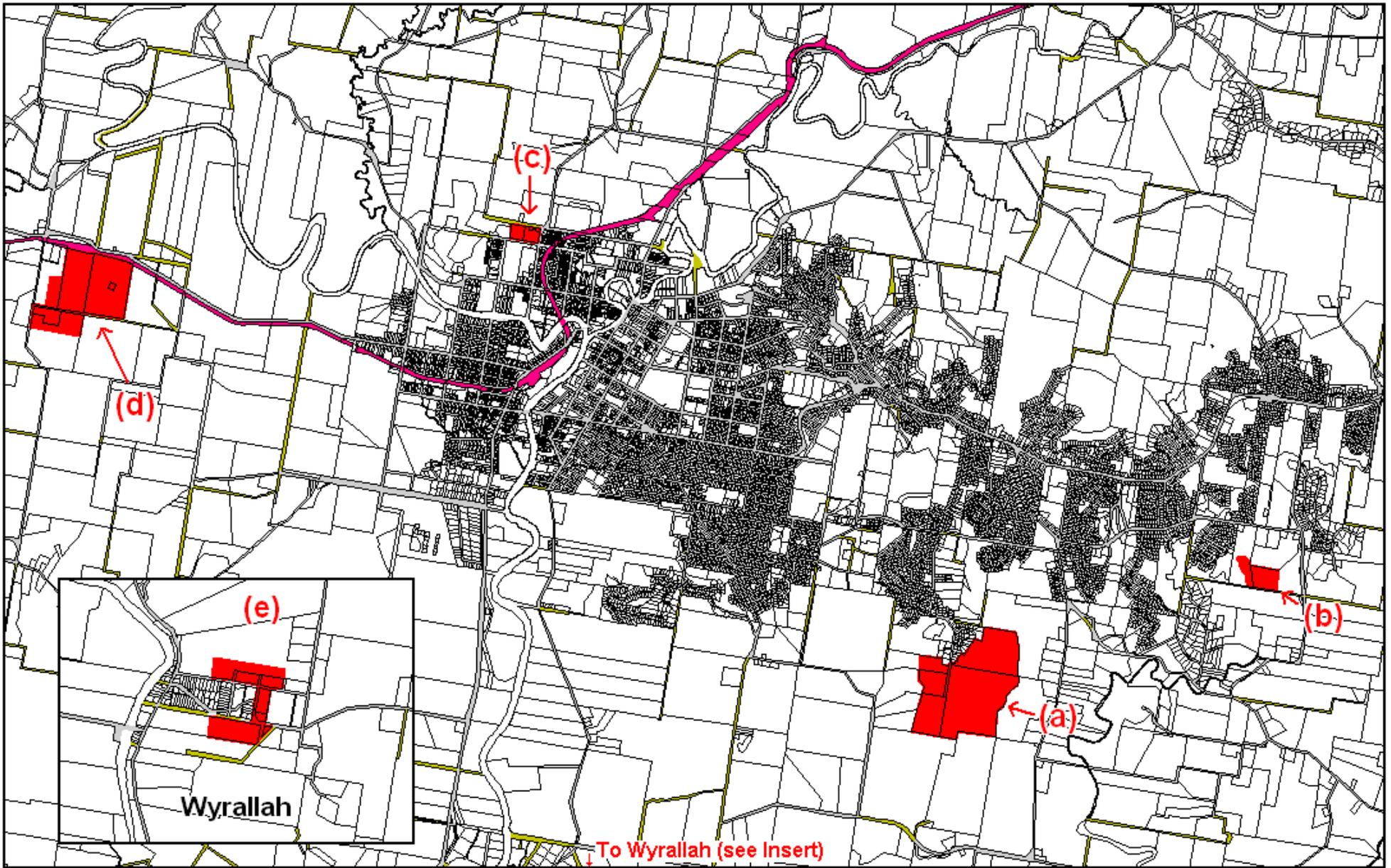
There are also concerns with other aspects of the draft strategy in particular the poor articulation of the sustainability criteria for new development outside the nominated town and village growth boundaries and the lack of any State Infrastructure Plan for the targeted growth areas. There are also a number of minor amendments to the town growth boundary for Lismore that Council should seek to ensure development potential is maximised in areas where the full range of urban services are available.

It is recommended that Council make a submission on the draft Far North Coast Regional Strategy highlighting its concerns.

Recommendation (PLA2)

That Council make a submission to the Department of Planning on the draft Far North Coast Regional Strategy:

- 1 Advising that while Council is in agreement with the Strategy's aims and stated objective of encouraging growth in regional centres and inland towns, it has serious concerns regarding those aspects of the strategy pertaining to:
 - i) Projected growth rates for Lismore.
 - ii) Sustainability criteria for new urban development.
 - iii) Lack of an infrastructure plan.
- 2 Requesting that the town growth boundary for Lismore be amended as outlined in issue 4 of this report.



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



Far North Coast Regional Strategy

Proposed Amendments to Sheet No 4

Printed 30.03.2006

Scale: 1:47 000



Report

Subject	North East Waste Forum (NEWF)
File No	S768
Prepared by	Manager – Waste Services
Reason	To withdraw from membership of NEWF.
Objective	To seek approval from Council to withdraw from membership of NEWF.
Strategic Plan Link	Water and Waste Cycle
Management Plan Activity	Northern Rivers Waste

Overview of Report

It is proposed to withdraw from membership and associated operations of NEWF.

Background

The North East Waste Forum (NEWF) is one of a number of regional waste groups established by the then NSW Environmental Protection Authority to encourage regional co-operation and development of programmes on waste issues from member Councils. Currently NEWF's members are Byron, Ballina, Lismore, Richmond Valley and Clarence Councils. Tweed Heads and Kyogle have chosen not to be members of the group. Membership is voluntary.

NEWF activities are funded both by the member Councils on a per capita basis and by grants from the State Government. The table below gives recent history of this funding. The membership fees are a base rate of \$1.00 per resident which covers administration and a range of base load projects. Additional contributions are made to various projects not funded from this pool as required. Lismore is committed to contribute a base contribution of \$30,400 and a project contribution of \$14,344 in 2005/06. Last year's reduction in funding from the Government is a trend likely to continue.

Recent representations received the response that State funds were intended as 'seed money' to establish the regional groups and that member Councils would be required to increase their contributions in the future. At the last NEWF meeting such an increase was discussed.

NEWF Funding Breakdown since 2000

Year	NEWF Councils	DEC
2000/2001	\$ 27,500	\$160,000
2001/2002	85,000	0
2002/2003	180,000	322,000
2003/2004	137,000	175,000
2004/2005	182,000	162,000
2005/2006	182,000	105,000
Totals:	\$793,500	\$924,500

Information

In mid 2003 Lismore Council withdrew from NEWF because it was felt that the benefits arising from NEWF activities did not meet the expectations of the funds contributed. Whilst Lismore was entreated to return to the membership based on a review of activities, nothing much has changed. Lismore runs substantial educational activities and waste management programmes in its own right and in many ways is leading the region in waste-related activities. On many issues NEWF is seen to be replicating these activities.

NEWF activities have in the past 18 months been largely focussed on the following areas -

- **Research :** NEWF has co-ordinated many reviews of the regional waste position. Whilst these reviews have been of interest, they have by necessity been broad brush in their approach and provide little in the way of specific actions which could be implemented on an operational basis. Lismore will need to conduct its own research to enable the development of proposed activities such as composting and recycling. Lismore has for many years conducted its own research (auditing) into the make-up of the waste stream and has and is continuing to use this information to develop its waste strategies. The NEWF audit duplicates this work.
- **Education :** Development of the "Green House" trailer and Byron Eco Friendly Youth Projects has provided little benefit for Lismore. The recently implemented commercial waste reduction programme aimed at reducing waste generation appears to be delivering some results at a limited number of operations. How this is maintained and delivered on a broader scale requires close attention.
- **Hazardous Waste Stores :** Development of the hazardous waste stores at Lismore and Grafton have been a major milestone for NEWF and one of the few mainstream deliverables from their activities. Lismore currently funds the operation of this facility with minor contributions from other Councils based on usage by their residents. Approximately 90% of the usage is Lismore based.
- **Regional Landfill Facility :** Considerable funds have been spent on the development of a plan for a regional landfill facility. Current government and industry trends both in Australia and overseas is towards avoiding landfill.

Management is not seeking to be isolationist in this approach and would continue to support significant projects which are beneficial to waste reduction or diversion in the region. Tweed and Kyogle Councils already operate within this arrangement.

The development of strong relationships with other Councils would continue without NEWF's involvement. In particular, operational synergies with other Councils will be explored at every opportunity.

Council will still be privy to legislative and industry information through its current relationships with the Department of Environment and the Waste Management Association of Australia.

No reduction to State funding or grants to Lismore are anticipated as all grants have been directed through Waste Forums around the State in recent times. All operational issues are separate to NEWF and would not be affected by withdrawal from this association.

Comments

Financial Services

The 2005/06 Waste Minimisation budget has \$30,400 allocated for NEWF membership with no payments made so far this financial year. Council membership of NEWF is funded from the Environment Protection Charge.

As to contributing to significant projects on a merit basis, this arrangement can continue as funding comes from recurrent waste reduction or diversion budgets.

Public consultation

Nil

Conclusion

Whilst Lismore City Council may derive some benefit from its relationship with NEWF, that benefit does not equate to the cost involved in being a member. The direct application of those resources to Lismore's own projects would provide greater returns to the Lismore community.

Lismore can remain active regionally by being involved in various projects and by being proactive with other Councils as the need arises.

Recommendation (IS07)

That Lismore City Council withdraw from membership of NEWF.

Report

Subject	Lismore Floodplain Management Plan
File No	S106
Prepared by	Senior Strategic Planner
Reason	Proposed review of the Lismore Floodplain Management Plan and appointment of a new Lismore Floodplain Management Committee
Objective	Council's nomination of a two Councillor representatives to the Floodplain Management Committee
Strategic Plan Link	Economic Development
Management Plan Activity	Review and update planning controls

Overview of Report

This report outlines the need for a review of the current Lismore Floodplain Management Plan and the appointment of a new Floodplain Management Committee. Council is requested to appoint two Councillors to the Committee.

Background

The current Lismore Floodplain Management Plan (2002) was adopted by Council in October 2002. It was preceded by the Lismore Floodplain Management Study which was prepared by Patterson Britton & Partners in 2001. The Management Study used two dimensional flood modelling to determine peak water depth and velocity contours for the 1 in 10, 1 in 20 and 1 in 100 ARI flood events as well as the PMF. It provided the basis for the preparation of the Floodplain Management Plan.

The primary role of Floodplain Management Plans is to investigate risk management options for various uses of the floodplain and to provide input into the strategic and statutory planning functions of Councils. Following adoption of the Lismore Floodplain Management Plan, floodplain controls in Council's LEP and DCPs have been amended to achieve consistency with the Plan.

Floodplain Management Plans must be prepared in accordance with State policy as set out in the Government's Floodplain Development Manual. As a requirement of that policy, Council must appoint a Floodplain Management Committee to oversee the preparation of its Floodplain Management Plan. The former Lismore Floodplain Management Committee that was appointed to oversee the preparation of the 2002 Management Plan was disbanded following the adoption of that Plan.

Issues

There are several issues that warrant a review of the 2002 Floodplain Management Plan.

The current Management Plan was prepared in accordance with the State Government's Floodplain Management Manual 2001. The 2001 Manual was never formally gazetted and has since been superseded by the Floodplain Development Manual 2005, which has been gazetted.

New Ministerial directions under s117 of the EP&A Act provide that draft LEPs cannot allow a significant increase in development on flood prone land unless the rezoning is consistent with a Floodplain Management Plan prepared in accordance with the Floodplain Development Manual 2005. Although the 2005 Floodplain Development Manual does not substantially differ from the 2001 Floodplain Management Manual, it is important that Council's Floodplain Management Plan is updated to avoid potential problems with future rezoning proposals involving land on the floodplain.

A second issue involves the proposed excavation of the airport floodway. Previous modelling has indicated that excavation within the airport floodway would result in an increased conveyance of floodwaters in the floodway with consequent reductions of peak flood levels in the CBD and North Lismore. This has already been identified in the current Floodplain Management Plan and a preferred excavation area has been nominated. Since the adoption of the Floodplain Management Plan, more detailed modelling has been undertaken on the basis that the excavated material will be used to fill land inside the South Lismore levee. This would provide approximately 20ha of developable land (between the levee and the railway line) with future industrial potential.

The proposal involves limited amendments to part of the Hollingworth Creek floodway. The modelling has indicated that, with some widening of Hollingworth Creek at strategic locations, other properties in the locality would not be adversely impacted. To facilitate the future rezoning of this land, the proposal needs to be addressed through the Floodplain Management Plan.

A third matter involves the Wilson River floodway in South Lismore. Modelling by Patterson Britton indicates that the river bank behind Bunnings, running west to east on the southern side of the river, plays a significant role in constricting flood flows. Modelling has simulated the removal of the river bank in this location and shows there would be significant reductions in peak water levels upstream of the site (by up to 0.15m) with a reduction at the Rowing Club Gauge of approximately 0.09m.

Excavation of the airport floodway and lowering the riverbank behind Bunnings are likely to be cumulative in effect. If so, the efficacy of flood mitigation measures such as house raising in North Lismore and the CBD levee banks would be significantly enhanced. The extent of the works required should be further investigated and addressed through the Floodplain Management Plan.

The proposed review of the Lismore Floodplain Management Plan will require the appointment of a new Floodplain Management Committee to provide input into that review. It is recommended that the new committee comprise the following:

- Two Councillors
- Three community representatives (one each from North Lismore and South Lismore and a business owner from the CBD)
- A representative from the Department of Natural Resources
- A representative from the SES

The Committee will be supported by staff with relevant expertise.

Council will need to appoint two Councillors to fill the vacant positions on the Committee.

Comments

Financial Services

Not required

Other staff comments

Not required.

Public consultation

Following the proposed review of the Floodplain Management Plan, any amendments to the Plan will require public exhibition.

Recommendation (PLA1)

- 1 That Council establish a new Lismore Floodplain Management Committee with membership comprising:
 - 2 Councillors
 - 1 community member representing businesses in the CBD
 - 1 community member representing North Lismore
 - 1 community member representing South Lismore
 - 1 member representing the SES
 - 1 representative of the Department of Natural Resources.
- 2 That Council appoint two Councillors as members.
- 3 That nominations be invited by advertising for the three community representatives.

Report

Subject	Roadrunner Caravan Park – Request for Reduction in Trade Waste Charges
File No	S518, P14794
Prepared by	Acting Manager - Lismore Water
Reason	Reduce Road Runner Caravan Parks trade waste charge for 2006.
Objective	To gain Council's approval to reduce high sewerage charges incurred by Roadrunner Caravan Park as a result of major water leak.
Strategic Plan Link	Water and Waste Cycle
Management Plan Activity	Wastewater Services

Overview of Report

Requesting Council approval to reduce the 2006 sewer charge for the Roadrunner Caravan Park from \$28,086.20 to \$10,100.40. The higher than normal sewer charge was a direct result of major water leaks experienced in the previous year that did not enter the sewage treatment plants.

Background

Lismore City Council charges its commercial customers sewer charges based upon their water consumption and is measured in terms of Equivalent Tenements (ET) and each ET incurs a Non Domestic sewer charge of \$443.00 (2005/06). The number of ET's discharged from a property is calculated by taking the metered water consumption, reducing it by a discharge to sewer factor (95% for a caravan park) and dividing this figure by 250kL.

Roadrunner Caravan Park in 2006 was charged 63.4 ET's, a direct result of their water consumption. They wrote to Council stating that they had experienced major water leaks over the previous 12 months without being aware of the leaks as the water escaped underground into storm water channels and did not appear on the ground surface. They state that they have begun upgrading the water pipes in the park and are now monitoring their water usage on a weekly basis so that the situation does not arise again. They requested Council's consideration to waiver the high sewer charges on the basis that the water consumption did not discharge to the sewer.

If Council agreed to adjust the sewer charge it would be justifiable to adjust the charge to an average of the previous three annual ET calculations incurred by the business (2005 = 23.2 ET's, 2004 = 21.2 ET's, 2003 = 24 ET's) giving an average of 22.8 ET's. The sewer charge for the Roadrunner Caravan Park for 2006 based on 22.8 ET's is \$10,100.40, this would mean an abandonment of \$17,985.80.

Council staff visited the site and inspected the site plans of the pipe system, the repaired lines (to confirm that the water did not infiltrate the sewer system), and proposed future upgrades. They also confirmed that the caravan park staff are monitoring and recording their weekly water usage. The information that Council's staff collected established that the water consumption would have entered the park's stormwater system as in most cases the breaks were not near sewer pipes.

Comments

Financial Services

The sewer fund charging regime is predominately based on 'user pays' principles. In this case, Lismore Water has agreed that the water from the major leaks did not infiltrate the sewer system. As such, it is reasonable to conclude that the methodology used to calculate the 2006 charge of \$28,086.20 for the Roadrunner Caravan Park does not reflect the intended user pays principles and therefore a reduction in charge, and the approach taken, is supported.

Other staff comments

Not required

Public consultation

Not required

Conclusion

Our primary goal should be to ensure that our treatment plants are not overloaded and where appropriate, concessions on abnormal, one-off trade waste charges should be granted on condition that system improvements are undertaken.

Roadrunner Caravan Park has requested that their abnormally high trade waste charges be reduced on the basis that the additional water due to leaks did not discharge into the sewer system and they have taken steps to ensure that this does not happen again and therefore a reduction in charge is recommended.

Recommendation (IS06)

- 1 That Council approve the adjustment of the 2006 sewer charges for the Roadrunner Caravan Park from \$28,086.20 to \$10,100.40.
- 2 That Roadrunner Caravan Park be informed that similar concessions will not be available again.

Report

Subject	March 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 March 28, 2006 total \$30,359,829 subject to the final value of funds held under Managed Funds being advised shortly.

The interest rate reported over the period of March 2006 was estimated to be 6.37% in comparison to 6.02% for March 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 Council at the next ordinary meeting.

Report on Investments

- *Confirmation of Investments – 28th February 2006* \$30,323,055

The amount is the same as the estimate reported for February 2006.

- *Estimate of Investments – 28th March 2006* \$30,359,828

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 March 2006 was estimated to be 6.37% compared to 6.02% for the same period last year.

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

Financial Services Comments

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 MARCH 15, 2006, AT 10.00 AM.**

Present	Councillor Merv King (<i>Chairperson</i>), Mr Thomas George, MP, Ms Liz Smith (<i>RTA</i>), Snr Const Steve Hilder (<i>Lismore Police</i>), together with Mrs Wendy Johnson (<i>Road Safety Officer</i>), Messrs Garry Hemsworth (<i>Executive Director-Infrastructure Services</i>) and Bill MacDonald (<i>Co-Ordinator-Traffic & Emergency Services</i>).
In Attendance	Messrs Warren Rackham and Mike Perkins for Item No. B-06:03-9 and TAC14/06. The non-attendance Councillors Jenny Dowell and John Hampton and Mr John Daley was noted.
Apologies	Nil
TAC07/06 Minutes	The Committee was advised that the Minutes of the Traffic Advisory Committee Meeting held on February 15, 2006 had been confirmed by Council on March 14, 2006.

Disclosure of Interest

Nil

Part 'A' – Committee Recommendations

Correspondence / Reports

R McKenzie, Snr; requesting consideration be given to amending the Loading Zone on Woodlark Street, in front of the Gollan Hotel, to permit parking after 6.00pm.

As it had been confirmed that the Loading Zone was not used after normal business hours, there was no objection to Mr McKenzie's proposal.

TAC08/06 **RECOMMENDED** that times of "8.30am to 6.00pm Mon-Fri, and 8.30am to 12.30pm Sat", be included on the Loading Zone signage on the southern side of Woodlark Street in front of the Gollan Hotel. (06-1349:R7329)

Wyrallah Road Public School; submitting four proposals to improve road safety at the Nielson Street entrance to the school in support of the recently constructed carpark and drop-off/pick-up area on the school grounds.

Mr MacDonald advised that he had met with the Principal onsite to discuss the issues raised and had carried out a count of vehicle and pedestrian traffic movements in the vicinity of the school gate (approximately 100 vehicle movements and 25 pedestrians). Whilst the counts did not support the introduction of a marked crossing or crossing supervisor, they did support the provision of a "children's crossing" which operated at specific times when flags were in place, generally before and after school. The school principal needed to provide a written undertaking that the flags would be displayed during and only during the specific hours of operation.

Wyrallah Road Public School (Cont'd)

It was noted that the section of Nielson Street between Elizabeth Street and the school gate was already within the 40 kph School Zone and there did not appear to be a significant speeding problem in this area. A speed bump was not considered warranted.

- TAC9/06 **RECOMMENDED** that if sufficient space existed, a “children’s crossing” be introduced at the southern end of Nielson Street near the school gate, provided written agreement is obtained from the Principal that the flags will only be displayed at specific times.
(06-1768:P15889,R7459)

Wyrallah Road Public School P & C Association; requesting that a pedestrian rail be installed on the kerb on Wyrallah Road to separate the footpath area from the bus bays.

There was some concern that the installation of a pedestrian rail in front of the school on Wyrallah Road may reduce the capacity of the Bus Zone and access to it by the various bus operators due to the specific lengths that would be required for each gap in the railing.

- TAC10/06 **RECOMMENDED** that this issue be referred to Council's Design Services Section for assessment and the provision of a plan, and this be referred to Council's Manager-Roads & Parks for consideration of funding in a future programme if it is found that the Bus Zone capacity is not compromised.
(06-1957:P15889,R5201)

Xerox Shop; requesting consideration be given to providing a Loading Zone in front of No. 10 Keen Street.

An onsite inspection confirmed that the parking on Keen Street in front of the Xerox Shop needed to be formalised with signage which would include a Loading Zone. At present all deliveries were being carried out from the road shoulder on Orion Street, on the opposite side of the road and moved across the road by forklift right on the intersection. This was considered dangerous, however, there were few other options available at present.

- TAC11/06 **RECOMMENDED** that -
- a) a No Stopping Zone be introduced on the eastern side of Keen Street from the kerb line on Orion Street for a distance of 10m
 - b) 45° angle parking be introduced from the No Stopping Zone down to the end of the paved footpath area
 - c) a Loading Zone be introduced from the paved footpath area down to the driveway beside the Xerox Shop.
(06-2189:P5782)

General Business

Removal of Bollards in Glasgow Lane and One-Way Traffic Movement in Club Lane – Lismore CBD

(Refer Item B-06:02-6 of minutes of meeting held February 15, 2006)

The Committee considered a proposal to install a removable bollard in the narrow section of Glasgow Lane in front of the Newtrain premises (old Lismore Club). This would effectively prohibit the movement of all vehicular traffic along Glasgow Lane except when the bollard was removed in times of flood when emergency access was required. Pedestrian traffic would be still able to use the area in question.

Glasgow Lane / Club Lane (Cont'd)

Newtrain and WorkCover had raised concerns on a number of occasions about the danger posed to pedestrians accessing their premises due to the closeness of through vehicular traffic in the laneway to their front entrance. There was also a need to introduce one-way traffic movement on Club Lane due to its narrowness, the danger to pedestrian traffic and the damage that was being done to awnings along Club Lane.

- TAC12/06 **RECOMMENDED** that both the proposal for the installation of a removable bollard on Glasgow Lane and one-way traffic movement (westbound) on Club Lane be advertised and if no objections were received then these measures be implemented. (R7311,R7305)

Lismore Square – Taxi Rank on Brewster Street

Mr Rackham advised that he had received a letter from the Taxi Co-Operative requesting consideration of the provision for a shelter for taxi operators and their clients similar to that constructed on Carrington Street at Lismore Central.

- TAC13/06 **RECOMMENDED** that this proposal be referred to Council's Design Services Section to assess whether such a structure was compatible with the current location of the taxi rank and Bus Zone in terms of access and turning movements, and should these issues be able to be addressed, then Council's Infrastructure Services Directorate prepare an estimate of any proposed structure that could be used in a grant submission to the NSW Department of Transport. (R6007)

Part 'B' – Determined by Committee

Correspondence / Reports

Ms M Roskell; drawing attention to the speed of traffic on Dudley Drive, Goonellabah, and the current habit of motorists 'cutting the corner' in the vicinity of No. 41, and suggesting that speed bumps and line-marking be installed on the road pavement.

- B-06:03-1 It was suggested that traffic classifiers be installed on Dudley Drive to ascertain vehicle speeds with the results being brought back to the next meeting for further consideration of any action required. (06-1233:R6554,S352)

Lismore High School; expressing appreciation for the installation of a chicane on the southern side of the pedestrian crossing on Dalley Street, in front of the school, and seeking further improvements to be undertaken directly in front of the school to increase safety for students.

- B-06:03-2 Snr Const Hilder and Bill MacDonald had met with the Acting Principal onsite to further discuss the issues raised. The school has requested consideration of installing a pedestrian guardrail / chicane on the marked crossing approach on the school side, similar to that installed on the southern side of the crossing. It was pointed out that the existing chicane had been installed to address a specific problem, that being a restricted sight distance of children who were coming out of College Road from behind a hedge on the corner of Dalley Street and College Road. Sight distance on the school side of the marked crossing was good and a chicane was not considered warranted. The school had also requested consideration of installing a high fence along the centre of the median that separates the bus bay from Dalley Street through traffic. After considerable discussion it was agreed that this proposal needed to be further assessed as there were concerns that students may either become trapped in the bus bay or more importantly may be encouraged to walk to either end of the fence and then walk along the roadway to access the car that was picking them up. Removing the parking along the northern side of Dalley Street was also considered. However, with the limited parking currently available within close proximity to the school, this could create more problems than it solved by merely shifting the problem. It was suggested that the school be advised in accordance with the above. (06-1455:S352,R7426,P15879)

Dr MR Jones; again drawing attention to the excessive speed of traffic on Nimbin Road, in the vicinity of the Goolmangar Public School, and requesting that a speed camera be installed and a higher Police presence be provided in the interim.

- B-06:03-3 The RTA representative, Ms Liz Smith, advised that the results of the trial School Zone 'flashing lights' proposal were still being formulated and no decision had been made as to whether they would be introduced on a State-wide basis. Snr Const Hilder advised that an application had been made for approval for the Police to operate a speed camera car within the Goolmangar area. However, in the meantime Police would continue to patrol the area as often as possible. Council's advisory speed trailer would also be installed to assist in raising motorists' awareness of the legal speed limit. (06-1907:S352,R2801)

Ms S Nagy (on behalf of Carrington Street business proprietors); submitting a proposal for the existing No Stopping zone on Carrington Street to be converted to a Loading Zone.

- B-06:03-4 It was noted that this item could not be considered at this stage as Carrington Street was to be reconstructed and parking within this area would undoubtedly change. The request would be referred to Council's Design Services Section for consideration of inclusion in any future plans if warranted. (06-2052:S352,R7303)

Trinity Catholic College Lismore; requesting that the Restricted Bus Zone on Leycester Street, directly in front of the college, be amended to a Timed Bus Zone, between the hours of 8.15am-9.30am and 3.00pm-4.00pm school days, to improve access for parents and delivery services.

- B-06:03-5 Mr MacDonald advised that he had spoken with the letter writer and advised that the request to have the two full-time Bus Zones installed on Leycester Street closest to the marked crossing had come from St Carthage's School in consultation with Trinity College and bus operators only a couple of years ago. Trinity College has now undertaken to take this issue back to the schools and bus operators for further discussion before any decision is made on the alteration of existing signposting. (06-2239:S346,R6042)

Ms E Quested; requesting consideration be given to erecting No Parking signs on the access road that leads to her property at No. 21 Emily Street, Wyrallah.

- B-06:03-6 Mr MacDonald advised that he had since spoken with Ms Quested regarding the installation of the No Parking signs and the fact that it was not clear whether the access road and the area where the signs were to be installed was in fact public land. As a result of further discussion with her neighbours, Ms Quested no longer wishes to pursue this matter at this stage. (06-2187:R5231)

General Business

2006 Lismore Lantern Parade

- B-06:03-7 Due to the Traffic Management Plan not being completed prior to this meeting, this item was held over to a future date. (S823)

Corner of Ballina Road and Invercauld Road, Goonellabah – Pedestrian Access

- B-06:03-8 Mr George raised concerns on behalf of a resident about the lack of adequate pedestrian ramps on the footpath area adjacent to the first driveway on the eastern side of Invercauld Road. Parents with prams and those less mobile were being forced to walk down the driveway and along Invercauld Road and then back up the next driveway. Steps were in place and it was acknowledged that it may be too steep for a ramp with a suitable grade to be installed. It was suggested that this item be referred to Council's Manager-Roads & Parks for further investigation and implementation of any measures to improve the current situation if possible. (R6408,R6465)

Goonellabah Shopping Centre – Proposed Taxi Rank

- B-06:03-9 Messrs Rackham and Perkins were in attendance for this item and were invited to outline the current proposal to extend the shopping centre and its impact on the provision of a taxi rank to adequately service the complex. It was acknowledged that the existing rank within the shopping centre carpark was not used by the taxi operators and the need to have a rank that was easily accessible to both taxi operators and their clients was noted. As a minimum Council would require an extension of the existing bus bay on Simeoni Drive to cater for two taxis. However, if the Developer and Taxi Co-Operative suggest any additional proposal this would also be considered. (R8647,D060033)

Closure

This concluded the business and the meeting terminated at 11.15 am.

Chairperson

**Co-Ordinator - Traffic and
Emergency Services**

Section 356 Donations

d) Mayor's Discretionary Fund (GL2033.26)

Budget: \$2,700 To date: \$664

Rotary Club of Lismore West in conjunction with 5 local charities,
 Combined Charities Auction Extravaganza on May 13 – 2 x \$500 vouchers. \$1,000.00

Lismore Thankfest 2006 - National Day of Thanksgiving – Magellan Street,
 June 3 – entertainment and activities for whole family. \$100.00

Note: The March 2006 Quarterly Budget Review report will recommend an increase in this allocation by \$1,000 for 2005/06 from the unexpended Mayoral Travelling – Representing Council allocation. The current budget (2051.3) of \$4,500 is unexpended.

e) Banners – Policy 1.4.14 (GL2033.8)

Budget: \$700 To date: \$175.00

RSL of Australia, City of Lismore Sub-branch, erection of banner in
 Uralba Street to promote Anzac Day – from April 17-21, 2006.
 In accordance with policy. \$145.00

f) Council Contributions to Charitable Organisations**Waste Facility – Policy 5.6.1 (GL2033.15)**

Budget: \$6,000 To date: \$6,465.44

March

Animal Right & Rescue \$14.55

Challenge Foundation \$75.82

Five Loaves \$58.18

Friends of the Koala \$19.09

LifeLine \$110.00

Shared Vision Aboriginal Corp \$47.27

St Vincent De Paul Society \$5.45

Salvation Army \$110.00

Westpac Life Saver Rescue Helicopter \$9.09

In accordance with policy. \$449.45

f) Hardship Claim – Lismore Water – Policy 6.1.6 (GL8201.13)

Budget: \$12,200 To date: \$4,914.50

N & JC Lynn – 16 Kareela Avenue, Lismore Heights 841.38

AM Lavis & JA Curry – 2 Clifford Place, Goonellabah 153.18

In accordance with policy. \$994.56

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.

Confidential Matters–Committee of the Whole

A Council may close to the public only so much of its meeting as comprises the receipt or discussion of any of the following:

Section 10A(2) – Local Government Act 1993.

- a) personnel matters concerning particular individuals;
- b) the personal hardship of any resident or ratepayer;
- c) information that would, if disclosed, confer a commercial advantage of a person with whom the Council is conducting (or proposes to conduct) business;
- d) commercial information of a confidential nature that would, if disclosed:
 - i) prejudice the commercial position of the person who supplied it, or
 - ii) confer a commercial advantage on a competitor of the Council, or
 - iii) reveal a trade secret;
- e) information that would, if disclosed, prejudice the maintenance of law;
- f) matters affecting security of the Council, Councillors, Council staff or Council property;
- g) advice concerning litigation, or advice, that would otherwise be privileged from production in legal proceedings on the grounds of legal professional privilege;
- h) information concerning the nature and location of a place or an item of Aboriginal significance on community land.

Recommendation

That the Council exclude members of the press and public from the meeting and move into Committee-of-the-Whole to consider the following matters:

Item	<i>Mayoral Minute – General Manager’s Contract</i> <i>(To be distributed under separate cover)</i>
Grounds for Closure	Section 10A(2) (a):
Public Interest	Discussion of this matter in an open meeting would on balance be contrary to the public interest because the contents of the report are of a personnel matter concerning a particular individual.

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE CITY OF LISMORE HELD IN THE KOONORIGAN COMMUNITY HALL ON TUESDAY, MARCH 14, 2006 AT 6.30PM

- Present** Mayor, Councillor King; Councillors Chant, Crimmins, Dowell, Ekins, Graham, Hampton, Henry, Meineke, Swientek (from 6.45pm) and Tomlinson, together with the General Manager, Executive Director-Development & Governance, Executive Director-Infrastructure Services, Corporate Support Officer, Acting Media Officer and Administration Support Officer.
- 30/06 **Apologies/ Leave of Absence** An apology for non-attendance on behalf of Councillor Irwin was received and accepted and leave of absence granted. Leave of absence was approved for Councillor Henry for the period April 7-23, 2006. (Councillors Hampton/Chant)
- 31/06 **Minutes** The minutes of the Ordinary Meeting held on February 14, 2006, were confirmed. (Councillors Graham/Hampton)

Public Access Session

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

Vicki Findlay re Urban Residence Floor Levels not Protected by the Flood Levee

(See Minute No. 35/06)

Ms Findlay spoke in support of Council adopting Option B, however she expressed concern at the lack of public consultation that had preceded the report and urged that such consultation take place. (S106)

Sherilee Matthews re Application for Closure of Public Walkway – Graeme Avenue, Goonellabah

(See Minute No. 36/06)

Mrs Matthews spoke in support of the closure of the pathway. She detailed problems with its physical structure and safety issues associated with its use. She claimed support from local police for its closure. (R6538,P18069)

Mayoral Minutes

Rotary Park – Flying Fox Colony (Tabled)

A MOTION WAS MOVED that the minute be received and that in response to residents' concerns, Council request the Department of Environment and Conservation to disperse the bats currently roosting in Rotary Park. (Councillors King/Hampton)

AN AMENDMENT WAS MOVED that the minute be received and that in response to residents' concerns, Council request the Department of Environment and Conservation to look at options to disperse the bats currently roosting in Rotary Park. (Councillors Dowell/Tomlinson)

On submission to the meeting the amendment was DEFEATED.

Voting Against: Councillors King, Chant, Crimmins, Graham, Hampton, Henry and Meineke.

- 32/06 **RESOLVED** that the minute be received and that in response to residents' concerns, Council request the Department of Environment and Conservation to disperse the bats currently roosting in Rotary Park.
(Councillors King/Hampton)
Voting Against: Councillors Tomlinson, Ekins, Dowell and Swientek.
(P6588)

Notice of Motion

Policy on Naming of Public Places

- 33/06 Formal notice having been given by Councillor Swientek it was **RESOLVED** that Council revise and develop its policy on the naming of public places.
(Councillors Swientek/Chant)
(06-1936: S328)

Altering Order of Business

- 34/06 **RESOLVED** that the order of business be altered to debate the following matters raised during Public Access.
- **Urban Residence Floor Levels not Protected by the Flood Levee**
 - **Application for closure of public walkway – Graeme Avenue, Goonellabah**
- (Councillors Dowell/Chant)

Reports

Urban Residence Floor Levels not Protected by Flood Levee

A MOTION WAS MOVED that the report be deferred for a further report to Council.
(Councillors Dowell/Tomlinson)

AN AMENDMENT WAS MOVED that the report be received and -

- 1 That Council support the principle of enhanced flood protection through house raising for properties not assisted by the measures available under the Lismore Flood Levee Scheme.
- 2 That all structural flood protection measures be governed by Council's adopted DCP No. 1, Chapter 9.
- 3 That Richmond River County Council be requested to support this Council in an application for subsidy funds to implement a new programme of house raising.
- 4 That the unsubsidised cost of this voluntary program be funded by contributions from the direct beneficiaries, the owners.

(Councillors Hampton/Graham)

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

Voting Against: Councillors Tomlinson, Ekins and Dowell.

35/06

RESOLVED that the report be received and –

- 1 That Council support the principle of enhanced flood protection through house raising for properties not assisted by the measures available under the Lismore Flood Levee Scheme.
- 2 That all structural flood protection measures be governed by Council's adopted DCP No. 1, Chapter 9.
- 3 That Richmond River County Council be requested to support this Council in an application for subsidy funds to implement a new programme of house raising.
- 4 That the unsubsidised cost of this voluntary program be funded by contributions from the direct beneficiaries, the owners.

(Councillors Hampton/Graham)

Voting Against: Councillors Tomlinson, Ekins and Dowell. (S106)

Application for Closure of Public Walkway - Graeme Avenue, Goonellabah

A MOTION WAS MOVED that the report be received and –

- 1 That Council conduct a further survey to determine community usage and attitude to closure of the subject walkway.
- 2 That Council consider pedestrian movements between the proposed Goonellabah Leisure Centre and Graeme Avenue as part of the overall Centre proposals.
- 3 That a further report on options for addressing issues pertinent to the subject pathway be brought back to Council's June meeting.

(Councillors Swientek/Hampton)

AN AMENDMENT WAS MOVED that the report be received and –

- 1 That Council conduct a further survey to determine community usage and attitude to closure of the subject walkway.
- 2 That Council consider pedestrian movements between the proposed Goonellabah Leisure Centre and Graeme Avenue as part of the overall Centre proposals.
- 3 That a further report on options for addressing issues pertinent to the subject pathway be brought back to Council's June meeting.
- 4 That the walkway be temporarily closed whilst investigations are undertaken, if physically possible.

(Councillors Hampton/Crimmins)

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

Voting Against: Councillors Tomlinson, Ekins, Dowell and Swientek.

36/06

RESOLVED that the report be received and –

- 1 That Council conduct a further survey to determine community usage and attitude to closure of the subject walkway.
- 2 That Council consider pedestrian movements between the proposed Goonellabah Leisure Centre and Graeme Avenue as part of the overall Centre proposals.
- 3 That a further report on options for addressing issues pertinent to the subject pathway be brought back to Council's June meeting.
- 4 That the walkway be temporarily closed whilst investigations are undertaken, if physically possible.

(Councillors Hampton/Crimmins)

Voting Against: Councillors Ekins and Swientek. (R6538)

Changes to Local Government Act – Water Entitlements, Valuation and Farmland Rates

37/06 **RESOLVED** that the report be received and -

- 1 The information be noted in relation to the \$42,000 loss of Farmland rates income for 2005/06.
- 2 Council write to both the Minister and Department of Local Government, as well as the Local Government & Shires Associations, setting out the concerns expressed in this report and requesting that consideration be given to amending the legislation to eliminate the 20% cap.
- 3 The matter of the lost \$42,000 be addressed by Council upon receipt of options for the Budget process for 2006/07.

(Councillors Tomlinson/Dowell) (S384)

Richmond River County Council – Scope, Role and Responsibilities

38/06 **RESOLVED** that the report be received and –

- 1 That Richmond River County Council be informed that Lismore City Council supports in principle the revision of the County Council's Proclamation insofar as that proposal enhances the opportunities for improved catchment and floodplain management outcomes.
- 2 That the County Council be requested to provide details of the revised Proclamation before setting in train the formal process of change through the Department of Local Government.
- 3 Lismore City Council agree to the proposal that Richmond River County Council operate across the whole Lismore Council area under its current delegations.

(Councillors Chant/Graham) (S409)

Draft LEP Amendment No. 33 - Reclassification of Certain Public Lands

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

- 1 Pursuant to section 54 of the EP&A Act, prepare a draft amendment No 33 to Lismore Local Environmental Plan 2000 to reclassify Lot 1 DP 709802, Magellan St, Lismore, Lot 54 DP 716577, Graeme Ave Goonellabah, Lot 632 DP 810600 Oliver Av, Goonellabah, Lot 630 DP 810600 Gordon Blair Dr, Goonellabah, Lot 4 Sec. 46 DP 758615 Molesworth St, Lismore, Lot 70 DP 245302, Greenhills Dr, Goonellabah and Lot 1 DP 122285, Taylor St, South Lismore from community land to operational land.
- 2 Advise the Department of Planning that Council wishes to use its s65 and s69 delegations and therefore requests a "Written Authorisation to Exercise Delegation" with respect to the use of those delegations.
- 3 Advise the Department of Planning that Council considers that the preparation of a Local Environmental Study is not necessary.
- 4 Consult with relevant government and other agencies pursuant to section 62 of the EP&A Act.
- 5 Arrange a Public Hearing into the reclassification following the public exhibition period.

(Councillors Meineke/Hampton)

AN AMENDMENT WAS MOVED that the report be received and -

- 1 Pursuant to section 54 of the EP&A Act, prepare a draft amendment No 33 to Lismore Local Environmental Plan 2000 to reclassify Lot 54 DP 716577, Graeme Ave Goonellabah, Lot 632 DP 810600 Oliver Av, Goonellabah, Lot 630 DP 810600 Gordon Blair Dr, Goonellabah, Lot 4 Sec. 46 DP 758615 Molesworth St, Lismore, Lot 70 DP 245302, Greenhills Dr, Goonellabah and Lot 1 DP 122285, Taylor St, South Lismore from community land to operational land.

- 2 Advise the Department of Planning that Council wishes to use its s65 and s69 delegations and therefore requests a "Written Authorisation to Exercise Delegation" with respect to the use of those delegations.
- 3 Advise the Department of Planning that Council considers that the preparation of a Local Environmental Study is not necessary.
- 4 Consult with relevant government and other agencies pursuant to section 62 of the EP&A Act.
- 5 Arrange a Public Hearing into the reclassification following the public exhibition period. (Councillors Dowell/Ekins)

On submission to the meeting the amendment was DEFEATED.

Voting Against: Councillors Swientek, King, Chant, Crimmins, Graham, Hampton, Henry and Meineke.

39/06

RESOLVED that the report be received and Council –

- 1 Pursuant to section 54 of the EP&A Act, prepare a draft amendment No 33 to Lismore Local Environmental Plan 2000 to reclassify Lot 1 DP 709802, Magellan St, Lismore, Lot 54 DP 716577, Graeme Ave Goonellabah, Lot 632 DP 810600 Oliver Av, Goonellabah, Lot 630 DP 810600 Gordon Blair Dr, Goonellabah, Lot 4 Sec. 46 DP 758615 Molesworth St, Lismore, Lot 70 DP 245302, Greenhills Dr, Goonellabah and Lot 1 DP 122285, Taylor St, South Lismore from community land to operational land.
- 2 Advise the Department of Planning that Council wishes to use its s65 and s69 delegations and therefore requests a "Written Authorisation to Exercise Delegation" with respect to the use of those delegations.
- 3 Advise the Department of Planning that Council considers that the preparation of a Local Environmental Study is not necessary.
- 4 Consult with relevant government and other agencies pursuant to section 62 of the EP&A Act.
- 5 Arrange a Public Hearing into the reclassification following the public exhibition period. (Councillors Meineke/Hampton)

Voting Against: Councillors Ekins and Dowell. (S933)

Draft Lismore LEP Amendment No. 28 – 4 Holland Street, Goonellabah

40/06

RESOLVED that the report be received and Council –

- 1 Adopt LEP Amendment No. 28 as attached to this report, subject to the words "*a subdivision certificate or construction certificate*" being deleted and the words "*an interim or permanent occupation certificate*" being inserted in clause [1](2) of Schedule 1 and (2b) of Schedule 1 being re-worded to read "*the site be rehabilitated in accordance with the approved rehabilitation plan within 2 years of the occupation certificate being issued and a bond to an agreed value being lodged with Council.*"
- 2 Forward the amendment to the Department of Planning pursuant to s68 of the Act, together with a request for a "Written Authorisation to Exercise Delegation" to enable Council to use its delegations under section 69.

(Councillors Meineke/Crimmins)

Voting Against: Councillor Swientek. (S927)

Councillor Fees

41/06

RESOLVED that the report be received and Council adopt the maximum fee payable for Councillors and the Mayor, effective from July 1, 2005.

(Councillors Tomlinson/Hampton)

Voting Against: Councillor Dowell. (06-1136: S45)

Executive Member – Richmond Tweed Regional Library

- 42/06 **RESOLVED** that the report be received and that to comply with the current Regional Library agreement, the Finance Manager be appointed as the Executive Member to the Richmond Tweed Regional Library.
(Councillors Hampton/King) (S120)

Application for Closure of Public Road - Unformed Roads off Breckenridge Road, Wyrallah

- 43/06 **RESOLVED** that the report be received and –
- 1 That the application to close the unformed unused Council roads adjoining Lot 3 Deposited Plan 747275 and Lot 1 Deposited Plan 731324 (as shown on Plan A) be endorsed by Council and lodged with the Crown for adoption and gazettal as Council land.
 - 2 That upon formal notification of the Road Closure and gazettal as Council land the Council resolve that the land be classified as Operational Land in accordance Part 2, Division 1 of the Local Government Act 1993.
 - 3 That the Council sell the land in the closed roads to applicant "A" except for that part of the lane immediately adjoins the boundary of both applicants "A" and "B", which shall be shared equally between the applicants', at the current market value of the land as determined by a registered valuation by the Council's nominated Valuer and that land be amalgamated within the applicants' adjoining land.
 - 4 All costs associated with the road closure, including any Council and Department of Lands fees, survey, plan registration and legal fees be borne by the applicants.
 - 5 That the General Manager and Mayor be authorised to sign and affix the Council Seal to land transfer documents and plans of survey or any other documents deemed necessary to complete this resolution.

(Councillors Meineke/Dowell)

Voting Against: Councillor Ekins. (P13658,P13662)

Application for Closure of Public Road - Unformed Road off Broadwater Road, Dungarubba

- 44/06 **RESOLVED** that the report be received and
- 1 That the application to close the disused Council lane adjoining Lot 2 Deposited Plans 875523, (as shown on Plan A) be endorsed by Council and lodged with the Crown for adoption and gazettal as Council land.
 - 2 That upon formal notification of the Road Closure and gazettal as Council land the Council resolve that the land be classified as Operational Land in accordance Part 2, Division 1 of the Local Government Act 1993.
 - 3 Council sell the land in the closed road to the applicant at the current market value of the land as determined by a registered valuation by the Council's nominated Valuer and that land be amalgamated within the applicant's adjoining land.
 - 4 All costs associated with the road closure, including any Council and Department of Lands fees, survey, plan registration and legal fees be borne by the applicant.
 - 5 That the General Manager and Mayor be authorised to sign and affix the Council Seal to land transfer documents and plans of survey or any other documents deemed necessary to complete this resolution.

(Councillors Graham/Chant) (P26742)

Application for Closure of Public Road - Part Unformed Lane, off Forbes Lane, Lismore

- 45/06 **RESOLVED** that the report be received and –

- 1 That the application to close the disused Council lane adjoining Lots 1 Deposited Plans 748972, 963652 and 900109 (as shown on Plan A) be endorsed by Council and lodged with the Crown for adoption and gazettal as Council land.
- 2 That upon formal notification of the Road Closure and gazettal as Council land the Council resolve that the land be classified as Operational Land in accordance Part 2, Division 1 of the Local Government Act 1993.
- 3 Council sell the land in the closed road to the applicant at the current market value of the land as determined by a registered valuation by the Council's nominated Valuer and that land be amalgamated within the applicants adjoining land.
- 4 All costs associated with the road closure, including any Council and Department of Lands fees, survey, plan registration and legal fees be borne by the applicant.
- 5 That the General Manager and Mayor be authorised to sign and affix the Council Seal to land transfer documents and plans of survey or any other documents deemed necessary to complete this resolution.

(Councillors Hampton/Dowell) (R6065)

Application for Closure of Public Road - Unformed Road, Hume Street, North Lismore

46/06

RESOLVED that the report be received and –

- 1 That the application to close the unformed Council Road adjoining Lots 81 Deposited Plan 809579, (as shown on the **attached** plan) be endorsed by Council and lodged with the Crown for adoption and gazettal as Council land.
- 2 That upon formal notification of the Road Closure and gazettal as Council land the Council resolve that the land be classified as Operational Land in accordance Part 2, Division 1 of the Local Government Act 1993.
- 3 Council sell the land in the closed road to the applicant at the current market value of the land as determined by a registered valuation by the Council's nominated Valuer and that land be amalgamated within the applicant's adjoining land.
- 4 All costs associated with the road closure, including any Council and Department of Lands fees, survey, plan registration and legal fees be borne by the applicant.
- 5 That the General Manager and Mayor be authorised to sign and affix the Council Seal to land transfer documents and plans of survey or any other documents deemed necessary to complete this resolution.

(Councillors Meineke/Dowell) (P9400,R6218)

Application for Closure of Public Road - Part Unformed Lane, off Little Keen Street, Lismore

47/06

RESOLVED that the report be received and –

- 1 That the application to close part of the disused Council lane adjoining Lot 1 Deposited Plan 104152 (as shown on the **attached** plan) be endorsed by Council and lodged with the Crown for adoption and gazettal as Council land.
- 2 That upon formal notification of the Road Closure and gazettal as Council land the Council resolve that the land be classified as Operational Land in accordance Part 2, Division 1 of the Local Government Act 1993.
- 3 Council sell the land in the closed road to the applicant at the current market value of the land as determined by a registered valuation by the Council's nominated Valuer and that land be amalgamated within the applicants adjoining land.
- 4 All costs associated with the road closure, including any Council and Department of Lands fees, survey, plan registration and legal fees be borne by the applicant.

- 5 That the General Manager and Mayor be authorised to sign and affix the Council Seal to land transfer documents and plans of survey or any other documents deemed necessary to conclude this resolution.
(Councillors Chant/Crimmins) (R7317, P7872)

Application for Closure of Public Road - Part Formed Road, Market Street, Lismore

- 48/06 **RESOLVED** that the report be received and –
- 1 That the application to close approximately 675 square metres being part Market Street, Lismore adjoining Lot 538 Deposited Plan 755718, (shown on Plan A) be endorsed by Council and lodged with the Crown for adoption and gazettal as Council land.
 - 2 That upon formal notification of the Road Closure and gazettal as Council land the Council resolve that the land be classified as Operational Land in accordance Part 2, Division 1 of the Local Government Act 1993.
 - 3 That the General Manager and Mayor be authorised to sign and affix the Council Seal to land transfer documents and plans of survey or any other documents deemed necessary to complete this resolution.
(Councillors Hampton/Graham)
- Voting Against:** Councillor Ekins. (R7320)

Application for Closure of Public Road - Unformed Road, Stony Chute Road, Nimbin

- 49/06 **RESOLVED** that the report be received and –
- 1 That the application to close the disused Council lane adjoining Lot 11 Deposited Plans 598676, (as shown on Plan A) be endorsed by Council and lodged with the Crown for adoption and gazettal as Council land.
 - 2 Council endorse the closure of all of the road as shown in the plan labelled Plan of Road to be Closed above and that negotiations be held with the adjoining owners other than the original applicant for the closure and amalgamation with their land or transfer the land to the Crown, whichever is appropriate.
 - 3 That upon formal notification of the Road Closure and gazettal as Council land the Council resolve that the land be classified as Operational Land in accordance Part 2, Division 1 of the Local Government Act 1993.
 - 4 Council sell the land in the closed road to the applicant at the current market value of the land as determined by a registered valuation by the Council's nominated Valuer and that land be amalgamated within the applicants adjoining land.
 - 5 All costs associated with the road closure, including any Council and Department of Lands fees, survey, plan registration and legal fees be borne by the applicant.
 - 6 That the General Manager and Mayor be authorised to sign and affix the Council Seal to land transfer documents and plans of survey or any other documents deemed necessary to complete.
(Councillors Graham/Hampton) (P13866)

February 2006 – Investments held by Council

- 50/06 **RESOLVED** that the report be received and noted.
(Councillors Dowell/Meineke) (S178)

Committee Recommendations

Traffic Advisory Committee 15/2/06

- 51/06 **RESOLVED** that the minutes be received and adopted and the recommendations contained therein be adopted.
(Councillors Graham/Hampton) (S352)

Strategic Plan Steering Committee 21/2/06

- 52/06 **RESOLVED** that the minutes be received and adopted and the recommendations contained therein be adopted, subject to Item SP5/06 (5) reading “.....to address key environmental issues such as contained within the State of the Environment report” and Councillor Hampton voting against the motion.
(Councillors Swientek/Graham)

Documents for Signing and Sealing

- 53/06 **RESOLVED** that the following documents be executed under the Common Seal of Council:

Council and C & M Bennett Properties Pty Ltd

Easement to drain water in favour of Council for land that was previously road known as East Street, South Lismore.
(P27180)

Lease Agreement Council and M & J Cornell

Lease of small strip of land on Industry Drive occupied by Blinky's Corner Child Care Centre, being 40 square metres more or less immediately adjoining Lot 21 DP63408, 94 Military Road, East Lismore.
(P6683)

Removal of \$1 Charge from Title Deed – GW & KA Ethell Lot 4, Section 12, DP 2613, 59 Union Street

Council introduced this form of “charge” more than 20 years ago as a method by which it would limit its liability in the event of flood damage to a property or land use activity for which it has given consent.

Subsequent to the charge being registered a Court decision held that councils could not limit or negate its responsibilities in regard to flooding considerations as they relate to land use. It flowed from this decision that the subject “charge” is no longer binding and Council should accede to the applicant’s request to have it removed.

(06-1986: P9661)

(Councillors Hampton/Chant)

Section 356 Donations

- 54/06 **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.

g) Mayor’s Discretionary Fund (GL2033.26)

Budget: \$2,700 To date: \$474.00

Royal Flying Doctors Service

Donation towards time trial across the outback - Alice Springs to Broome \$50.00

(06-1426: S164)

The Exodus Foundation (assisting children with disabilities, homeless and abandoned youth and other people in need)– requesting support for its local fundraiser, Movie Mania at Birch Carroll & Coyle this Easter.

Sponsorship for 2 children @ \$70.00 \$140.00
(06-2413: S164)

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

Budget: \$1,100 To date:\$1,312.00

Tyson Hussien - selection as part of a talent identification group to train with the junior and cadet National Karate Team in Belgium. Tyson competed in two European Championship events in Schoten and Bouillon in October 2005.

In accordance with policy. \$335.00
(06-1084: S164)

i) Council Contributions to Charitable Organisations

Waste Facility – Policy 5.6.1 (GL2033.15)

Budget: \$6,000 To date:\$6,015.99

February 2006

Animal Right & Rescue	\$14.55	
Challenge Foundation	\$93.82	
Five Loaves	\$27.27	
Friends of the Koala	\$14.55	
LifeLine	\$110.00	
Shared Vision Aboriginal Corp	\$11.82	
St Vincent De Paul Society	\$43.18	
St Vincent De Paul Society (Oct - Dec 2005)	\$240.00	
Salvation Army	\$110.00	
Westpac Life Saver Rescue Helicopter	\$14.55	
<i>In accordance with policy.</i>		\$679.74

d) Miscellaneous Donations

- 1 Lismore Revival Fellowship** - hire of Council's mobile education unit for opening of the Market Street Community Centre on February 18, 2006. Normal cost \$192.50.

Recommendation

A reduced rate of \$140.00 be charged. (06-626: P2693,S164)
Donation \$52.50

2 Group One Junior Rugby League -

Council has received a request to waive fees for the use of Oakes Oval to hold the 2006 Country Rugby League Rep Cluster the weekend of May 20-21. Oakes Oval was chosen for this event because of the excellent facilities.

Our current policy requires fees be charged once a booking is received for the use of Crozier and Oakes Oval.

Recommendation

The fees valued at \$1,000, for the hire of Oakes Oval, be waived for 2006 Country Rugby League Rep Cluster.

The donation is to be funded from Parks & Recreation – Sportfield Hire – Urban Revenue. (06-2234: S164,P15870) \$1,000.00
(Councillors Chant/Graham)

Closure

This concluded the business and the meeting terminated at 9.00 pm.

CONFIRMED this 11TH of APRIL, 2006 at which meeting the signature herein was subscribed.

MAYOR

