



## Ordinary Meeting

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An ORDINARY MEETING of LISMORE CITY COUNCIL will be held at the COUNCIL CHAMBERS, Oliver Avenue, GOONELLABAH on **March 11, 2008** and members of Council are requested to attend.

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

March 4, 2008



# Agenda

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Opening of Meeting and Prayer (Mayor)	
Apologies and Leave of Absence	
Confirmation of Minutes February 12, 2008	
Disclosure of Interest	
Public Access Session	
Public Question Time	
Condolences	
Mayoral Minutes	
Notice of Rescission Motions	
Notice of Motions	
Altering Order of Business (Consideration of altering the order of business to debate matters raised during Public Access).	
Reports	
Star Court Theatre .....	2
Water Industry Reform .....	5
Recyclables Processing .....	11
Commercial and Multiple Unit Dwellings (MUD) Waste Collection Strategy .....	15
Purchase of Council Plant – x 2 Backhoe-Loaders .....	19
Public Art – Contributions by Development .....	23
Social Impact Assessment Policy and Guidelines .....	25
Crozier Field Lighting .....	26
Fire Safety Policy .....	28
Pinchin Road - Reconstruction at Goolmangar .....	31
Investments held by Council – February 2008 .....	33
Committee Recommendations	
Traffic Advisory Committee – February 20, 2008	36
Documents for Signing and Sealing	
Financial Assistance - Section 356	44



Questions Without Notice

Confidential Matters – Committee of the Whole



# Strategic Plan Summary

## Lismore regional city

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

## Notice of Motion

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

That Lismore Council agrees to provide \$80.00 for the cost of a bike for a woman politician in the democracy campaign in Cambodia.

### **Councillor Irwin**

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### Councillor Comment

Since 1992 over 5000 Cambodian women have received training in the skills needed to run for election and to govern once elected to local or state government. Many of the elected women live and work in remote, rural communities and their constituents are spread quite far apart so getting to visit them is often challenging and time consuming. This campaign, which was initiated by Leichhardt Council and is supported by Unifem and the NSW Minister for Women, is to fund bicycles for these women because they need them and because it will increase the participation of women in local government. This will not only improve gender equity and decision making for communities and strengthen democratic governance.

UNIFEM Australia has agreed to sponsor Bicycles for Democracy by receiving and forwarding the funds for the bicycles to the appropriate organisation in Cambodia. A one-off donation of \$A80.00 will purchase one bicycle for an elected woman in Cambodia and help make her job representing her community easier.

### Staff Comment

This program follows on from UNIFEM's White Ribbon Day campaign concerning violence against women in Asia.

While the sum of \$80.00 is of itself a small amount Council should be mindful of the precedent that can be set by ad hoc decisions which are outside of previously adopted Council Policies, Programs or Strategies.

# Report

<b>Subject</b>	<b>Star Court Theatre</b>
<b>File No</b>	P6869
<b>Prepared by</b>	Manager – Assets and Support Services
<b>Reason</b>	To advise Council of an opportunity to acquire the Star Court Theatre.
<b>Objective</b>	To have Council reach a decision on whether to proceed with negotiations and enquiries to purchase the building.
<b>Strategic Plan Link</b>	Infrastructure
<b>Management Plan Project</b>	

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## Overview of Report

Council has been approached by the current owner of the Star Court Theatre to ascertain if it would be interested in purchasing the building. Northern Rivers Performing Arts (NORPA) are currently tenants of the building and there are a range of issues to consider in reaching a decision about a potential purchase. The key issue is whether Council wishes to provide such a facility for the Lismore community.

## Background

The Star Court Theatre is privately owned and is currently occupied by Northern Rivers Performing Arts (NORPA). The current owners have decided to sell the building.

An approach has been made to Council to ascertain if it would be interested in purchasing the building. In particular, the current owners are concerned about the future tenancy of NORPA and the ramifications for them if the building was to be delivered into other private ownership.

Whilst the exact details of the tenancy relationship between NORPA and the current owners is not known, it is understood that NORPA benefit from attractive tenancy conditions. It is further understood that the reasons for this are due to the support of the existing owners for the performing arts. It could be argued that if not for the generosity of the current building owner, the venue, and certain aspects of NORPA's operations, would not be available to the Lismore community.

Preliminary discussions have been held between Council staff, a representative of the owners of the building and NORPA. The Mayor has also been involved in these discussions. It is clear that the current owner is very concerned about protecting NORPA's interests and their tenancy of the building.

The proposal for Council to consider is as follows:

- Council to purchase the building at a cost to be negotiated, subject to normal due diligence investigations e.g. building inspection etc.
- NORPA to remain in the building as sole tenant under a lease agreement with minimal rental payable. The lease would be structured such that should revenue to NORPA increase, lease fees also increase. NORPA would be required to provide Council a copy of its annual financial statements to assess their position.

- NORPA to manage the building on behalf of Council under a similar arrangement as per City Hall. There would be no additional fee to NORPA for managing the facility.
- Council to provide an annual maintenance allocation for the building as per the arrangements with City Hall.

Council has had a valuation undertaken for the building and the asking price is within the range assessed by the valuer.

The issue for Council is whether to invest a significant amount of money in providing an asset for the community, particularly when there is little financial return to be made on the investment. However, there is no doubt that the Star Court Theatre and NORPA would provide significant benefits to the local community. This point was made at length in the discussions that have taken place to date and was accepted as reasonable and essentially the key issue for Council to consider in reaching a decision.

## Comments

### Financial Services

There are no funds allocated for the purchase of this building in the 2007/08 Budget. On review of viable funding options, unless a change in use of existing reserves is contemplated, loan borrowings would be recommended.

In regards to the impact on Council's recurrent budget, as rental would be minimal, the full cost of the loan repayments, building maintenance, future improvements and other ownership costs will result in a negative impact on Council's financial ability to provide the recurrent range of works and services. The initial added recurrent costs could be as much as \$20,000 plus loan repayments.

Included in the 2007/08 Budget is \$100,000 for preparation of a development application and plans for the refurbishment and re-development of the Lismore City Hall. The intention is to provide a facility that services the local community to a higher standard. The preliminary estimated cost for these works is approximately \$2 million. From a financial perspective, the inclusion of this project funded by loans in Council's recurrent budget will prove challenging and timing may need to be reconsidered. The purchase of the Star Court Theatre will only exacerbate this situation.

### Other staff comments

N/A

### Public consultation

N/A

## Conclusion

The Star Court Theatre currently provides a performance venue for the local community through the tenancy and activities of NORPA. NORPA are essentially only able to occupy the building and conduct their activities due to the generosity and support from the building's current owners. The building is currently for sale and should it sell to private interests, there is no guarantee that it will remain available to NORPA and the community. Council has an opportunity to purchase the building and therefore protect its future and the benefits that it provides to the local community.

However, Council already has significant commitments and is not well placed to provide the necessary funding to purchase the building. It would be premature for Council to commit to any purchase without first considering its overall budget position. It is therefore recommended that Council consider the matter further as part of the 2008/09 budget process.

Recommendation (IS09)

That Council consider purchase of the Star Court Theatre in conjunction with the 2008/09 budget process.

# Report

<b>Subject</b>	<b>Water Industry Reform</b>
<b>File No.</b>	GJH:VLC:S301,S387
<b>Prepared by</b>	Executive Director – Infrastructure Services
<b>Reason</b>	Advise Council of a State Government Inquiry which will impact Lismore City Council.
<b>Objective</b>	To advise Council of the possible impacts of the Inquiry and obtain Council's endorsement of a proposed submission to the Inquiry.
<b>Strategic Plan Link</b>	Infrastructure
<b>Management Plan Project</b>	Water Supply and Wastewater Services

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## Overview of Report

The State Government is holding an Inquiry into water and sewerage provision in Regional New South Wales. The Minister has stated that the status quo is not an option. Therefore Lismore City Council will be impacted by the Inquiry outcomes. This report provides some background to the issue and explains some possible models and the impact on Lismore. It also makes recommendations that Lismore City Council should make a submission to the Inquiry on the preferred size and structure of a new water and sewerage entity that will service the Lismore local government area.

## Background

The NSW Minister for Water Utilities, the Hon Nathan Rees, MP, announced an Inquiry into the provision of water supply and sewerage services in regional New South Wales. The purpose of the Inquiry is to identify the most effective institutional, regulatory and governance arrangements for the long-term provision of water supply and sewerage services, and to ensure these arrangements are cost-effective, financially viable, sustainable, optimise whole-of-community outcomes and achieve integrated water cycle management. The terms of reference for the Inquiry are attached; refer *Appendix A*.

A discussion paper into the Inquiry was released by the Department of Water & Energy in January 2008. It stated;

*“The last detailed review of the water supply and sewerage services for country towns was conducted in 1993. Since then, the operating environment of local water utilities has changed dramatically. Drought, climate change and sustainable extraction rules have reduced the yield of local water utilities’ water systems. Forecast population growth will place additional pressure on water yields and will require sewerage system enhancements and expansion. A substantial capital expenditure program is underway to replace ageing assets. Additionally, local water utilities are experiencing shortages in skills needed to plan and operate water assets.”*

Performance of NSW local water utilities is wide ranging. Some local water utilities are very well managed. These utilities have achieved broad compliance with Government's Best-Practice Management of Water Supply and Sewerage Guidelines and most have reasonable residential bills and operating costs. They also have high compliance with Australian Drinking Water Guidelines and low levels of water quality and service complaints. However, many utilities face constant challenges to plan for, and deliver reliable, high quality water and sewerage services. Over 85% of utilities with more than 10,000 connected properties comply with Best Practice Guidelines. However, 52 utilities with fewer than 3,000 connected properties have achieved 53% compliance.

It would appear this wide range of compliance is one of the main reasons for the Inquiry.

To assist Local Government's involvement in, and response to the Inquiry, the NSW Local Government and Shires Associations (LGSA) and the NSW Water Directorate have commissioned the Institute for Sustainable Futures to prepare a working paper.

The working paper (*refer to Appendix B attached*), identifies nine (9) potential models but reduces this down to six (6) potentially favourable options which are -

- Mandatory Regional Alliance
- County Council delivering services only
- County Council owning assets
- Council owned regional corporation
- Regional Councils
- Status quo – but only probably for certain Local Water Utilities.

The LGSA and Water Directorate do not make recommendation on any preferred model. They have provided the working paper to encourage councils to respond to the Minister by using one option or a combination of options as outlined in the working paper, rather than 107 different models being submitted from each of the Local Water Utilities.

At a recent meeting which was attended by General Managers and Engineering Staff from the NOROC Councils, it was agreed in principle that the Mandatory Regional Alliance model was the preferred option. This approach was considered by NOROC at its meeting on February 29, 2008 but was not endorsed.

NOROC has concluded that its member councils agree that any new model for water management has a core attribute of maintaining ownership and control in the hands of local government. In that respect, all six (6) options reflect that value.

Beyond that, there was some support for three (3) catchment based water management arrangements based on the Tweed, the Richmond and the Clarence, however this view was not universally held. The NOROC consensus was that each council should make its own submission but engage with member councils which are open to development of a joint or co-operative model.

## Size of the Proposed Entity

The size of the proposed water and sewerage entity is a good starting point to analyse this issue as size will impact on the assessment criteria alluded to in the objectives of the Inquiry. An assessment of how size will impact on the Lismore community and Council follows -

## Business Viability

Size obviously impacts on the business viability and sustainability of the water service entity. Lismore Water in its current form is viable and sustainable but increasing its size would improve efficiency and viability. A larger specialised skills base should also be possible with a larger entity.

## Remaining Local Council Operations

The removal of water services from Lismore City Council would have a negative impact with the loss of budget and proportionate support staff. However, it is more fortunate than some smaller councils. If water services were removed from Lismore City Council, the residual structure is still of a size that it would remain viable.

## The Impact on Local and Regional Communities

The size of the new entity will influence the structure of the organisation in terms of head office, branch offices and works depots which could impact either positively or negatively on Lismore in terms of job numbers, money in the local economy, associated economic development and access for locals to communicate with the new entity.

## Integrated Resource Planning and Management

A large water organisation separate from Council will make it difficult to achieve integrated land use planning, integrated water cycle management and whole of community outcomes.

Given the above factors a water entity no larger than the Richmond/Brunswick catchment is recommended. It will be large enough to improve on existing financial viability; Lismore City Council can remain viable if the water and sewerage services are removed from Council without undue impact on other Council services; Lismore being the regional centre may well benefit from this size entity (although this is not definite), and it should still be possible to manage integrated resource planning at this size.

## Models for the Provision of Water and Sewerage Services

Of the six (6) potentially favourable models identified in the LGSA working paper, two (2) will not be discussed at length because they are not suitable for this Council or region. They are -

- *Regional Council* – This model is the amalgamation of councils aligned to catchments. It is considered this option would not be acceptable to councils in the Richmond catchment.
- *Status Quo* – The Minister at meetings and briefings associated with the Inquiry has stated that the status quo is not an option. The services of Lismore Water could improve by adopting some of the other models.

The four (4) remaining models are:

- Mandatory Regional Alliance;
- Two (2) County Council models:
  1. either an operational service provider; or
  2. a complete water supply and sewerage entity;
- Council owned regional corporation.

Details of each of these models can be found in Appendix B. A brief outline and commentary on these models follows -

### Mandatory Regional Alliance

This is a minimalist option in that it imposes least change on Council. As it is described in the working paper, an agreed scope of pooled activities will be undertaken by a centralised body owned by the participating councils. Ownership of assets and operational activities remain with the councils. Critical pooled professional staff and technical resources such as GIS, mechanical and electrical services will be supplied by the Alliance.

The difficulty with this model is determining where the line is between what the Alliance will do and what will remain with the councils. For it to really work regional strategic business planning, asset management and the associated setting of fees and charges should be the Alliance's responsibility. This way a true regional approach to managing water can be employed. Councils will be relegated to supplying operational services and still be left with the difficulty of how to manage these activities. The NOROC debate reveals that only two (2) councils support this model.

## County Council as Operational Service Provider Only

Under this model the County Council only performs operational functions. Asset ownership and strategic water management and planning remains with Council. This is similar to the recent resource sharing model proposed between Lismore City Council and Rous Water. Under this model Lismore called the shots and in a one-on-one relationship this was workable. However, if there are several councils calling the shots with one service provider this will be very difficult to manage and administer.

A regional approach to managing water will not be possible as individual councils will still pursue their isolated Strategic Business Plans under this model.

## County Council as Complete Water Supply and Sewerage Entity

Under this model the County Council performs operational as well as strategic water management functions. The County Council owns and controls relevant assets.

The advantages of this model are the organisation is dedicated to focus on water supply and sewerage operations. The disadvantage is the associated insular mentality associated with existing County Councils and the potential for Councillor representation on the proposed County Council to act parochially rather than regionally. This attitude may be a product of the existing County Council not having full responsibility for water cycle management.

## Council Owned Regional Water Corporation

This model operates like the "County Council as a complete water supply and sewerage entity". However, it operates under Corporations Law rather than the Local Government Act.

It is not clear under this model whether the State Government or the constituent councils appoint the Board. This decision could impact heavily on the amount of local government control and local accountability of the new entity.

## Comments

### Financial Services

At this stage it is not possible to draw any meaningful conclusions arising from a change to the status quo.

## Other Staff Comments

### General Manager

Over the time that the investigation into the Lismore/Rous resource sharing model was undertaken, it became increasingly clear that there was a sound basis for developing new methods to eliminate the duplication of activities which were associated with delivering water and wastewater services to the Lismore community. One of the biggest challenges related to the development of measurable and enforceable service agreements between the parties. These agreements were required due to the sharing of responsibilities between Lismore as owner and Rous as service provider. These special agreements were also required because the relationship between Lismore and Rous would have been uniquely different to the existing relationship between Rous and its other member Councils of Ballina, Byron and Richmond Valley.

Even though that proposed model would have delivered advantages, the fact is that, because of the lack of scale inherent in the absence of a region wide approach, the potential efficiency benefits would not have been optimised. On the other hand, if the approach was taken to develop a true Regional Water Authority as a new County Council created under Section 387 of the Local Government Act, it is a structural model which:-

- is understood and would be owned by local government;
- aligns with existing Council boundaries;
- recognises defined catchments and thereby community interests, and
- could be given total responsibility for water and wastewater services.

Under this model all the relevant infrastructure assets of the member Councils would be pooled and in the future, the construction of new infrastructure and upgrading of existing assets falls to the Water Authority. The Authority collects the revenues direct from the consumers and the local member Councils step away from a direct interaction with the consumer.

This model has parallels with the evolution of the non-metropolitan electricity industry which started with individual Councils doing their own thing, struggling with their responsibilities and eventually passing the role on to a specialised organisational structure – the regionally based County Councils.

In terms of obvious synergies the Water Authority footprint favoured is one focussed on the Richmond/Brunswick catchments with that new organisation invested with all existing water and wastewater assets and delegated all commensurate responsibilities by the Ballina, Byron, Lismore, Richmond Valley and Kyogle Councils.

The benefits of including Tweed to the north are perhaps limited to the opportunities for inter-valley water transfers but with Clarence Valley to the south, there is no readily apparent advantage.

**I support the RECOMMENDATIONS of the Executive Director – Infrastructure Services.**

## Public Consultation

Due to the short notice given of the Inquiry, there has not been sufficient time to seek community feedback. The Minister will be conducting public hearings across the State in April/May with the closest venue in Tweed Shire.

## Conclusion

The closing date for submissions into the State Government Water Inquiry has been extended to April 4, 2008. The Minister has made it clear that the status quo is not an option. Therefore, Lismore City Council will be impacted in some fashion if the Inquiry is taken to a conclusion.

Council should therefore make a considered submission to the Inquiry. Our submission should state that Lismore City Council is willing to work collaboratively with State Government and neighbouring councils to provide an improved water and sewerage service for residents of Lismore. The models, with some qualifications, preferred by Lismore City Council in order of priority are -

1. County Council as complete water supply and sewerage entity
2. Mandatory Regional Alliance (*with responsibility for regional strategic business planning and pricing*)
3. Council owned regional water corporation (*with local government control of Board*).

Furthermore Lismore City Council would prefer the size of the new entity to be based on the Richmond / Brunswick River catchments area.

1. That Council authorise the General Manager to make a submission to the State Government Inquiry into secure and sustainable urban water supply and sewerage services for non-metropolitan New South Wales.
2. That the submission reflects support for improving management of urban water resources in the Richmond River catchment through development of formal collaborative structures such as –
  - (a) A County Council; *or*
  - (b) A Mandatory Regional Alliance; *or*
  - (c) A Council owned Water Corporation.

# Report

<b>Subject</b>	<b>Recyclables Processing</b>
<b>File No</b>	S317
<b>Prepared by</b>	Manager Business Services
<b>Reason</b>	To review the options for disposal of recyclables and developments in the establishment of a Material Recovery Facility (MRF).
<b>Objective</b>	To update Council on developments in the recycling processing operations and seek approval for further developments.
<b>Strategic Plan Link</b>	Infrastructure
<b>Management Plan Project</b>	Waste Services

## Overview of Report

Recycling volumes have increased significantly with the introduction of the kerbside collection services. Disposal options have narrowed to two which are to build a Material Recovery Facility (MRF) or send the materials to the Visy facility at Carrara. The cost structures are approximately the same. Additional volumes would push the balance to the MRF construction alternative.

## Background

### Collection

In July 2006, Council introduced an urban kerbside comingled collection to replace most of the previous Drop Off Centre (DOC) collection program. DOCs were retained in Brewster Street and at the Wyrallah Road Waste Facility. In January 2007, this kerbside collection was extended to those rural residents with an existing waste collection service.

Volumes of comingled recyclables have increased as follows:

2005/06	1,430 tonne
2006/07	3,887 tonne
2007/08 est.	4,500 tonne (2,774 tonne to end January)

In addition to the comingled recyclables there was 687 tonne of cardboard collected in 2006/07 and the estimate for this year is 850 tonne. Volumes will continue to increase to around 6,000 tonne in total as more rural residents request services and focus is increased on commercial recycling options.

### Disposal

In the report to Council in 2006, three alternatives were put forward for possible disposal options for these recyclables. They were:

1. Continue to take Materials to the Ballina Council Material Recycling Facility (MRF).
2. Transport to MRFs to the north.
3. Construct a MRF at Lismore.

### *Ballina MRF*

Discussions with Ballina Council centred on the high cost of disposal at their MRF and the alternatives available. Charges were \$130 gate fee plus material delivery of around \$80 per tonne. MRF costs were the result of an aging and poorly designed facility. The alternative of a possible joint venture facility being developed was discussed but these discussions bogged down over ownership, location and cost structures. Ballina Council has now decommissioned the MRF and dispose of their recyclables north to the Visy plant at Carrara as Lismore does. Ballina staff is currently investigating ways to establish permanent facilities for off site disposal.

### *Transport to northern MRFs*

In late 2006, a trial of cartage of the recyclables to the Visy MRF at Carrara commenced. This was at a cost of \$25 gate fee and \$35.35 cartage per tonne. Storage and handling costs at the Waste Facility add approximately \$8 per tonne giving an overall cost of \$68 per tonne. A tender was called in November 2006 with only one tender being received from Visy. The costs were \$10 gate fee and \$35.50 cartage. A twelve month contract was signed in February 2007 for this disposal option.

### *Lismore MRF*

In March 2007, a Registration of Interest was called for parties interested in constructing and/or operating a MRF at Lismore. Five complying replies were received with a range of options from – operate only, construct and operate, and construct only.

A summary of the assessment of these options is included in the attachment. The only alternative that approached the current cost structure was for Lismore to build and operate a MRF in its own right. This solution provides no financial improvement to the current situation and so further options have been investigated.

### **MRF Analysis - Volumes**

Volumes are paramount to the success of a MRF operation. A MRF is a simple processing plant with a fairly fixed cost structure for any range of processing capability. The smaller units are usually built to handle the 10,000 to 25,000 tonne per annum range. Below this level they are not commercially viable. The general rule of thumb in the industry is that a break even situation is reached at around 8,000 tonne per annum and at around 10,000 tonne surplus funds become enough to support a commercial operation.

Lismore is not likely to generate such volumes at any time in the foreseeable future. Thus the possibility of regional volumes has been revisited.

Regionally there are adequate volumes of material to justify a MRF with approximately the following volumes being available:

- Lismore 5,500
- Ballina 5,000
- Kyogle 700
- Richmond Valley 2,000
- Byron 3,000
- Clarence 2,500

Discussions at a recent General Manager's meeting suggest that Kyogle and Richmond Valley Council would show support for the introduction of a recyclables collection in those areas. Ballina already have a well established collection and the recent indications are that there may be opportunities for a commercial arrangement to be developed to receive their tonnage to a Lismore MRF. Byron and Clarence Councils have agreements in place for the immediate future however may be able to add volumes at a later date.

## MRF Analysis – Costs

Traditional MRF operations have focussed on maximising separation of a mixed input stream into various end products. This requires considerable plant and labour inputs to achieve effectively. Any ability to simplify the MRF operations will significantly reduce construction and operating costs but have in the past resulted in low earnings because of cross contamination issues.

A major item has been glass sorting as it is a very complicated and expensive component of the structure of a MRF and glass pieces smaller than 25 mm are considered contamination in the glass end product and lead to rejection of the loads. There is also an oversupply of glass for recycling purposes and prices are generally low. Recent techniques developed in Western Australia are integrating a granulator crusher into the process and crushing the whole glass stream into sand for use in asphalt production. This is a much cheaper method for handling glass and Lismore has an internal market for such a product.

Plastics are normally sorted into No.1 (PET), No.2 (PEDT) and “mixed other” streams manually. Visy Recycling is in the process of commissioning a large mixed plastics sorting facility in Brisbane and are actively seeking volume for this plant. By producing a fully mixed plastic line operating costs would be significantly reduced. Prices for mixed plastics are also increasing as the demand for this product increases.

Metal sorting is relatively simple and automated as is paper and cardboard separation. These products are easily saleable with a range of purchasers in the market.

More research needs to be done to establish the balance between capital and operational cost savings and the net income from a less sorted product range.

## Immediate Opportunity - Cardboard Processing

Previous figures for cardboard collection from the DOC bins are unreliable but last year's volume was 687 tonne and the estimate for this year is 850 tonne. Currently cardboard is sold to Richmond Waste for \$30 per tonne in a loose state as collected. The market rate for cardboard from Visy and Amcor is \$130 per tonne baled and delivered to Brisbane. The current cartage cost for recyclables is \$560 per load.

Baled cardboard would allow for loads of 25 to 30 tonne per load giving a cartage cost of \$18 to \$22 per tonne. Based on \$22 cartage and allowing \$5 per tonne labour costs for loading the press, there is a net difference of \$73 per tonne or \$62,000 per annum. Suitable baling units cost around \$50,000 installed.

They can also be used for baling other products such as plastic wrapping film which is currently land filled. There have been several enquiries recently from transport companies for a disposal option for this material. Plastic wrap is saleable – currently for \$350 per tonne.

## Proposed Action Plan

1. Extend the contract for disposal to Visy Recyclables on a month-by-month basis until a firmer direction is established. There have been no changes in available alternative contractors in the last twelve months and no price changes so there is no value in re-tendering this contract at this stage.
2. Proceed with discussions with surrounding Councils to establish suitable arrangements to secure additional recyclables volumes.
3. Purchase a cardboard bale press and begin the processing of this already separated recyclable stream.
4. Depending on the outcome of Action Item 2 and further MRF cost analysis, develop a new MRF specification.
5. Report back to Council within twelve (12) months.
6. Call tenders for construction.

## Comments

### Financial Services

The recommendation to continue development of MRF options, including regional discussions is supported as the capital and ongoing costs associated with recycling are significant. It is prudent to fully investigate options that maximise the benefits and reduce the risks before a long term direction is determined.

In the meantime, it will be necessary to extend the current contract with Visy Recycling for recyclables disposal on a month-by-month basis. The current waste facility budget is sufficient to meet these ongoing costs.

In regards to the proposed purchase of the bale press, based on the financial projection contained in the report, this purchase will have a pay-back period of less than twelve (12) months. This indicates that it is a very profitable investment and the recommendation to purchase a bale press is supported.

### Other staff comments

N/A

### Public consultation

N/A

## Conclusion

The current position is that there is an economic balance between building a MRF and sending the material to Visy unsorted. The opportunity to build a MRF in Lismore exists if sufficient volumes of recyclables could be sourced and this needs to be further investigated. In the short term there is an opportunity to generate additional income from the baling of the clean cardboard stream.

## Recommendation (IS07)

That:

1. Council approve the extension to the Visy Recycling contract for recyclables disposal on a month-by-month basis.
2. Council approve the continued development of MRF options including regional discussions.
3. Council approve the purchase of a bale press to the value of \$50,000 from resource recovery operating funds.

# Report

<b>Subject</b>	<b>Commercial and Multiple Unit Dwellings (MUD) Waste Collection Strategy</b>
<b>File No</b>	S318
<b>Prepared by</b>	Manager Business Services
<b>Reason</b>	To introduce a new waste service to assist with the recycling program at commercial and multiple unit premises.
<b>Objective</b>	To seek Council approval to proceed with the implementation of a new waste service targeting increased waste diversion from landfill.
<b>Strategic Plan Link</b>	Infrastructure
<b>Management Plan Project</b>	Waste Services

## Overview of Report

A review of the issues associated with the waste management of commercial and multiple unit dwellings has been undertaken. The report outlines a proposal to introduce a more flexible service using 1.1 m<sup>3</sup> bins to overcome or reduce these issues. At the same time increased diversion of recyclables from landfill is expected.

## Background

### Issues identified

Following on from the restructuring of the kerbside waste collection services in 2006 and 2007 there was a need identified to address several issues with the management of the waste streams from commercial and multiple unit dwellings (MUDs). The 2007/08 Management Plan for waste services included a review of current systems and alternatives and the carrying out of research into implementation and demand issues. This report outlines these findings and recommends a way forward.

The issues identified were:

### Commercial / Industrial

- There is a general lack of diversion of materials from the waste stream.
- There are very limited facilities offered to enable this to occur. The Brewster Street Drop-Off Centre is utilised by many businesses for their larger cardboard disposal. The organics collection introduced in 2006 to the CBD businesses largely collects paper which could be recycled rather than composted. Richmond Waste offer skip bins and compactors to larger operations for cardboard only.
- Efforts to encourage pre-sorting by differentiating costs at the Waste Facility have been partially successful with self haul customers but had little impact on skip operators.
- There is not a lot of room at many sites so additional skip bins is not a suitable solution.

### Multiple Unit Dwellings (MUDs)

- Some sites require a large number of bins to match their service requirements at three bins per unit.
- The large number of bins requires a significant area for their storage. This often leads to bins being left on the kerbside, stacked in front of units or reduction in car parking space. This is not a good look for the unit owners or occupiers.
- Contamination issues are a major problem at units and research has indicated it is at least partially due to the large number of bins present.
- Not all bins are presented for collection unless there is a person employed to do this. This can create health and vermin issues.

### Review of available systems

**The current system** is a three bin system as per the urban domestic service for MUDs and either a weekly waste only or weekly waste and organics for commercial customers. While this system is recognised as best practice for domestic waste collection it has issues as outlined above.

**Reduced choice** is utilised in many cities in an attempt to overcome the issues identified however it is poor waste management practice as it does not address the single largest issue facing the waste industry, i.e. reduction of waste to landfill. In some larger cities compacting units are installed in MUDs and commercial buildings but this is not easily matched to the local requirements.

**The use of rear load trucks and 1.1 m3 bins** is used extensively in Europe and capital cities in Australia. This system has been trialled in several areas in Australia and was introduced into the Coffs Harbour and Port Macquarie areas in 2007. It has proved a popular and effective mechanism to assist with the issues of MUD waste services. It is also a suitable solution for some businesses as it requires less room than skip bins.

A local trial commenced in December 2007 with the purchase of 30 bins and a second hand rear loader truck. Several businesses and unit owners were approached to trial the service with an overwhelming positive reaction. The Department of Community Services office, the University campus shops and college accommodation units, the Richmond Hotel, private units in Jubilee Street, Lismore Central and the Department of Housing units in Eggin's Place, Goonellabah, have undertaken to trial the bins. Other enquiries have been received regarding the service from word of mouth knowledge of its availability.

### Advantages of 1.1 m3 bins

1. **Number of bins.** The 1.1 m3 bins equate to 4.6 times larger than the 240 litre bins and take up roughly the space of three normal bins.
2. **Collection regime.** Most unit blocks would require only one of each of these bins with a variable collection regime worked out to match their usage requirements. Because the collection is not tied to a normal run, it can be done on any day of the week and multiple times a week if required.
3. **Contamination reduction.** The use of a limited number of clearly marked bins has shown to lead to less contamination of the waste streams.
4. **Collection.** In many cases the truck driver will be responsible for the retrieval and return of the bins to the storage area, (they are on wheels and easily moved). This will ensure all the waste is collected and not left under units to rot.
5. **Flexibility.** If used in conjunction with the normal bins it increases the flexibility in delivery of services to match the customers' requirements. An example might be a 1.1 m3 weekly waste bin, a 1.1 m3 fortnightly recycle bin and a 240 litre fortnightly organics bin.

6. **Parks bins.** An unanticipated additional benefit from the use of the rear loader truck has been the significantly improved OH&S issues associated high collection of waste from Council's parks. Previously, the plastic liner bags were removed and replaced with new bags, the bags carried to a utility and loaded into a tray, returned to the Waste Facility and then unloaded – all of these were manual tasks. An incident was recorded last year involving the stabbing of a staff member's leg from a broken light tube which was dumped in the bag. This could easily have been a needle stick injury. Using the rear loader the whole bin is taken to truck and lifted by hydraulic ram into the rear of the truck. The manual handling is significantly reduced and the risk is practically eliminated.

### Issues with a 1.1 m3 waste service

**Commercial Operation.** This service would need to be conducted as a purely commercial operation to enable the flexibility of delivery of the service and to allow in some cases the direct provision of the service to business operators rather than landlords. This requires the generation of invoices and raises bad debt possibilities. To reduce Council's exposure to bad debts it is proposed to forward charge for the services either annually (preferred) or quarterly – if payment stops, the service is withdrawn.

Estimates worked out to date indicate that most invoices will be below \$5,000 per annum. Very large organisations could reach \$30,000 for a service with more than one site and a large number of bins. Many customers will have existing accounts with Council.

From interest exhibited to date, it is expected that uptake of this service will to be 15 to 20 in year one, growing to around 50 in following year.

**Fees and Charges.** Reviews of the cost so far have indicated that a similar capacity of service may be provided using the 1.1 m3 bins for a slightly lesser price than current services. Initial charges are anticipated to be \$800, plus GST per bin, per year for a weekly collection. This compares to \$860 for commercial for the same collection volume and \$816 for domestic. Tailoring of the services may allow some further reduction in charges in some cases.

To enhance the flexibility of the service it is also proposed to offer 240 litre bins for a charge of \$90, plus GST for a weekly collection which is in line with the current non domestic fees and charges.

**Resources.** Staffing will initially involve using existing drivers from the hook truck operation and overtime however, as business grows there will likely be a need for a full time position. Bins cost \$560 each and will be bought out of the existing commercial operational budget as required. These costs are recouped out of the charges for the service. A Financial summary is attached.

The collection truck will need upgrading in the next financial year as it was purchased only for a trial basis with the view to reselling it irrespective of the outcome of the trial.

**Competition.** The focus of this proposal is not commercial garbage collection. The skip bin operators already provide adequate services in this area. This proposal is aiming to increase waste diversion, in particular of recyclables, which is not being addressed by current contractors. No other operator provides the proposed service in the area. In some cases, Council will also do the waste collection as it does now, in others it won't, e.g. the University campus.

### Additional Paper and Cardboard Service

Separate to the 1.1 m3 strategy, it is proposed to offer Lismore's larger CBD businesses a paper/cardboard bin. This could either be in place of the existing organics bins or be an additional bin. It proposed to provide this service at no charge as cost recovery is possible from the sale of the collected product. The only additional resource required is the bins which could be purchased from the existing commercial collection budgets.

## Comments

### Financial Services

This service is to be conducted on a commercial basis and all direct and indirect costs must be considered. These would include all typical business operating, administration and management costs. Also, as the fee structure for this service will be flexible, it is no longer an 'annual charge' and therefore GST must be added. For business clients, the GST can be reclaimed however, for residential clients, it can not.

Based on the financial information provided, the proposed service is viable with a reasonable buffer for some costs which are not yet fully assessable.

Prior to investing in a new vehicle, additional staffing and additional bins beyond the current trial, which are funded from within existing waste operating budget or waste/plant reserves, it is recommended that the result of the trial and overall service viability be reassessed.

### Other staff comments

N/A

### Public consultation

Upon approval of the rollout of the service option, a twenty eight (28) day advertising period will be conducted before any charges are made.

## Conclusion

The current waste system is not meeting the needs of the commercial and MUD sectors of the community for a number of reasons. Trials here and in other areas have shown that the use of 1.1 m3 bins addresses many of the issues and at the same time leads to improved waste management practices.

## Recommendation (IS08)

Council approve the:

1. Introduction of the 1.1 m3 bin to waste collection service alternatives.
2. The charge be set initially at \$880, including GST per bin, per annum for 1 pick up per week and be reviewed in the 2009/10 budget.
3. The charge for single weekly 240 l bins in conjunction with this service to be set at \$99, including GST per bin.
4. Purchase of bins as required to implement the services from existing commercial operation budgets.
5. The proposed charges be advertised for public comment and reported back prior to implementation.

# Report

<b>Subject</b>	<b>Purchase of Council Plant – x 2 Backhoe-Loaders</b>
<b>File No</b>	T2008-12 – Supply and Deliver two Backhoe-Loaders
<b>Prepared by</b>	Coordinator - Fleet Services
<b>Reason</b>	Major plant replacement – to maintain an efficient and effective fleet.
<b>Objective</b>	To seek Council’s approval for the purchase of two (2) new four-wheel-drive backhoe-loaders.
<b>Strategic Plan Link</b>	Infrastructure – support fleet operations
<b>Management Plan Activity</b>	Fleet Operations – major fleet replacements

## Overview of Report

This report recommends the replacement of two (2) four-wheel-drive backhoe-loaders with accessories as tendered.

## Background

### Plant Items and Movements

Lismore City Council and the Urban Works section, operates two backhoe-loaders:

- **Fleet No. 244** - A JCB 3CX 4x4 backhoe-loader purchased in 2002 and with 5,800 hours registered. It is intended that this machine be replaced with a new machine and then moved to replace an older machine operating in Lismore Memorial Gardens (LMG). The LMG machine, Fleet No 251, was purchased in 1990 and has 11,349 hours on the clock. It is constantly experiencing downtime and LMG have been hiring machines in the recent past to maintain services. Fleet No 251 will then be sold with an estimated return of \$20,000.
- **Fleet No. 220** - A JCB 3CX 4x4 backhoe-loader purchased in 2003 and showing 6,300 hours on the clock. It is intended that this machine be replaced with a new machine and then moved to work with the Parks Section to replace a machine, Fleet No 245, purchased in 1989, which was stood down and sold in August 2006 due to its operating condition becoming unsafe. An amount of \$21,000 was received for this machine and receipted to the Roads Plant fund. This machine will also be available for overflow work for the Urban Works section. Urban Works and Parks have both been hiring machinery to replace the missing machine with combined costs in the last 12 months approaching \$100,000.

The backhoe-loaders working within the Urban Works section are used constantly in the Lismore urban area and have high utilisation rates. Due to the nature of their work, it is critical that they experience minimal down-time. It is for this reason of operational efficiency that it is intended to put the new machines into this role and move the used machines to other operations where utilisation levels are 50% lower. In effect, this proposal is for the replacement of machines 251 and 245.

Fleet No. 251 was transferred to the LMG from Roads in 2003 in a similar approach to that proposed in

this report. General industry standards would suggest 10 years/10,000 hours is the maximum effective life of most earthmoving equipment with operational efficiencies declining from about the 8 years/8,000 hours mark.

## Tenders

Tenders closing on November 13, 2007 were invited for the supply of two machines. Responses were received from five firms, one of which offered two alternatives:

1. SEMCO EQUIP SALES offering a Terex 880 Elite.
2. KOMATSU offering Komatsu WB97R-5.
3. WESTRAC offering a Caterpillar 432E with tool carrier front end as option 1.  
WESTRAC offering a Caterpillar 432E with roll-over forks as option 2.
4. EARTHQUIP offering Hidromek 102B.
5. CONSTRUCTION EQUIPMENT AUSTRALIA offering JCB 3CX Contractor.

The tender from EARTHQUIP failed to meet the minimum mechanical specifications and was deemed non-conforming. For a summary of the tenders see 'Attachment 1'.

## Short listing

Of the machines tendered Komatsu, Caterpillar and JCB backhoe-loaders are well represented in the Lismore area with experienced service personnel available. Council's Workshop personnel have had positive dealings with each of these companies and are experienced in their maintenance. The Terex branded machine is not well represented in the area and mobile breakdown services are provided from Tamworth or Coffs Harbour with travel calculated from Coffs Harbour. Council's Workshop personnel have no experience of the Terex brand or the supplier Semco Equipment Sales. For this reason a shortlist of Komatsu, Caterpillar and JCB machines were selected to be assessed by our operators.

## Operational Performance

A summary of the staff assessment of key operational factors is as follows:

	Komatsu WB97R-5	Caterpillar 432E Opt. 1	JCB 3CX Contractor
<b>Backhoe control configuration (Levers)</b>	Cab mounted. When digging at an angle the operator faces the controls and twists to view the job.	Cab mounted. When digging at an angle the operator faces the controls and twists to view the job.	Mounted with the seat and moves with the seat. When digging at an angle the operator can directly face the job and is not forced to twist their body.
<b>Forklift configuration (Method of changeover)</b> The Forklift is used for loading and unloading in the urban environment, often in tight situations.	Forks roll-over into the bucket from a frame mounted position giving bad visibility and limiting lifting performance.	Machine has a Tool-carrier front end, i.e. the forks are mounted on a separate frame. To operate the forks, drop off the bucket, and then attach fork-frame. This system gives good visibility and good lifting performance but means carrying the fork-frame from job to job.	Forks are mounted on the loader frame. To operate the forks, drop the bucket and flip the forks over. Their mounting position does not impact on visibility and provides good lifting performance.
<b>Safe Working Load (SWL) of front bucket</b>	1,000 kg	3,176 kg	3,196 kg

	Komatsu WB97R-5	Caterpillar 432E Opt. 1	JCB 3CX Contractor
<b>Transmission</b>	4 fwd / 4 rev. Full Powershift.	4 fwd / 4 rev. Full Powershift.	6 fwd / 4 rev. Full Powershift. A lock up torque converter on top gear improves fuel efficiency and maintains better road speed on hills.
<b>Power tilt control</b>	90° rotation. Separate from extender boom control.	180° rotation. On same control as extender boom. Can only operate one or other.	180° rotation. Separate from extender boom control.

There are clear advantages in the operating characteristics of the JCB over the other two backhoe-loaders.

### Additional Equipment

To increase the efficiency of the machine in constructing and maintaining drains, a hydraulic swivel head is required for each machine. This backhoe attachment reduces the number of machine movements whilst working and reduces manual labour or the need for other machinery for finishing work. Pricing is included as an option in Attachment 1.

A range of buckets/attachments which will be interchangeable between the machines will be required as existing buckets will go with the machines to their new locations.

### Fleet Management Plan

The Management Plan lists only one backhoe replacement but Fleet No 245 should have been replaced last year. Some other items in the Plan are not likely to be replaced this year due to time constraints. It should be noted that there is a significant backlog of equipment from last year for which reserves have already been generated. A two-year interim replacement plan will be presented in the upcoming budget process.

## Comments

### Manager Operations

The proposed purchase of the two (2) JCB 3CX backhoe-loaders is strongly supported by the Operations section. These machines represent the best value with regards to safety, functionality, operator comfort and capability. Reliability of these machines is also very critical as it is the primary plant item with regards to several maintenance and construction activities being relied upon by other major plant items, ensuring utilisation rates are kept to a maximum. JCB backhoe-loaders have a proven track record with regards to reliability and back-up service, as evidenced with our other backhoe fleets.

### Financial Services

All plants nominated have generated more revenue than required to fund their replacement and as such there are sufficient funds available in Plant Reserves for these purchases.

As indicated at a recent workshop, a full review of internal plant hire rates is planned to be undertaken by Fleet staff over the next few months with the outcome being a close alignment between all net ownership costs, replacement investment and internal revenue generated.

## Public consultation

N/A

## Conclusion

The assessment of the equipment offered concluded that the preferred machine is the JCB 3CX supplied by Construction Equipment Australia.

## Recommendation (IS11)

It is recommended that:

1. Council accepts the Tender from Construction Equipment Australia for the supply of two (2) JCB 3CX backhoe-loaders as tendered, for the cost of \$327,617.10, including GST.
2. Council purchase from Construction Equipment Australia a JB brand hydraulic swivel head fitted to each machine, at a total cost of \$21,890.00, including GST.
3. Council purchase a range of buckets to suit operational needs at a total cost of \$8,800.00, including GST.

# Report

<b>Subject</b>	<b>Public Art – Contributions by Development</b>
<b>File No</b>	S86
<b>Prepared by</b>	Senior Planner
<b>Reason</b>	Close of Public Exhibition Period
<b>Objective</b>	Council's adoption of Amendment No. 2 to the Lismore Development Control Plan
<b>Strategic Plan Link</b>	Economic development
<b>Management Plan Activity</b>	Implement adopted Council Land Use Strategies

## Overview of Report

Amendment No. 2 to the Lismore Development Control Plan, which inserts Chapter 21 – Public Art, was placed on public exhibition from January 17, 2008 for 28 days. No submissions were received. It is therefore recommended that Council adopt the Amendment in the form in which it was publicly exhibited and give public notice that Amendment No. 2 to the Lismore DCP is adopted.

## Background

At its meeting of December 11, 2007 Council resolved to place draft Amendment No. 2 to the Lismore Development Control Plan (DCP), which inserts Chapter 21 - Public Art, on public exhibition for a period of 28 days. The draft Amendment was subsequently placed on public exhibition between January 17, 2008 and February 18, 2008. The Lismore Chamber of Commerce was also invited to review the document and provide any comment. No submissions were received. In accordance with Clause 21 of the *Environmental Planning and Assessment Regulation 2000*, it is recommended that Council adopt Amendment No. 2 in the form in which it was publicly exhibited and give public notice that the Amendment is adopted.

## Overview of Amendment No. 2

Amendment No. 2 inserts Chapter 21 in Part A of the Lismore DCP. A copy of the Chapter is attached to this report. The intention of Chapter 21 is to achieve an increase in the amount of public art in Lismore. Chapter 21 will require public art to be provided by development proponents, either on the development site or on public land under the following circumstances:

- Commercial, retail and tourist development with a value greater than \$2 million;
- Where provided on the development site, the public art shall have a minimum value of \$15 000 and be in a location that is readily accessible to the public. In this situation appropriate documentation will be submitted with the development application;
- Where the art work is to be provided on public land, the proponent will enter into an agreement with Council to provide a minimum monetary contribution of \$12 000.

## Conclusion

Amendment No. 2 to the Lismore Development Control Plan intends to achieve an increase in the amount of public art in Lismore. The Amendment was placed on public exhibition from 17 January 2008 for 28 days. No submissions were received. It is therefore recommended that Council adopt Amendment No. 2 to the Lismore DCP in the form in which it was publicly exhibited and give public notice that the amendment is adopted.

## Recommendation (PLA1)

That Council:

- 1 Adopt Amendment No. 2 to the Lismore Development Control Plan, which inserts Chapter 21 – Public Art, in the form in which it was publicly exhibited; and
- 2 Provide public notification of Council's adoption of Amendment No. 2 to the Lismore DCP in accordance with the *Environmental Planning and Assessment Regulation 2000*.

<b>Subject</b>	<b>Social Impact Assessment Policy and Guidelines</b>
<b>File No</b>	S588
<b>Prepared by</b>	Community Development Officer
<b>Reason</b>	Review of the 1998 SIA policy was requested by Council. Guidelines were developed and placed on Public Exhibition.
<b>Objective</b>	To seek Council endorsement of the SIA Policy and Guidelines following public exhibition of documents
<b>Strategic Plan Link</b>	Quality of Life
<b>Management Plan Project</b>	Community Services

### Overview of Report

The report seeks Council endorsement of the Social Impact Assessment Guidelines and SIA Policy. The documents have been on public exhibition with no changes required.

### Background

In 2007 Council requested that the Social Impact Assessment policy be reviewed. Guidelines were developed to assist proponents to improve the SIA process and to ensure consistency and transparency across SIA's. The Guidelines outline the SIA process, triggers for SIA, content and format requirements of the SIA report, data sources and other information to assist development proponents in the process.

The Guidelines were presented to Councillors at a workshop on October 16. Following the ordinary Council meeting of November 2007 the Policy was publicly exhibited for twenty (28) eight days. One submission was received which supported the document in principle and raised a concern that a trigger for an SIA was listed as being 20 dwellings. The 20 dwelling trigger was decided upon following thorough discussion and consultation therefore no amendment is recommended.

### Other staff comments

#### Manager Planning Services

Fully supports the reviewed SIA Policy; it very clearly states the requirements for development applications.

### Public consultation

The SIA Guidelines and Policy were developed using current practice and expert opinion. They were reviewed by LCC staff and Councillors and put on public exhibition for a period of 28 days.

### Conclusion

The SIA Guidelines and Policy are an easy to read reference for proponents of development to assist in the SIA process and to encourage consistency and transparency in the process.

### Recommendation

1. That Council endorse the proposed Social Impact Assessment Policy and supporting Social Impact Assessment Guidelines.

# Report

<b>Subject</b>	<b>Crozier Field Lighting</b>
<b>File No</b>	S36
<b>Prepared by</b>	Sport and Recreation Project Officer
<b>Reason</b>	Increased costs associated with the Crozier Field Lighting Project
<b>Objective</b>	To seek approval for further funding to complete the lighting of Crozier Field
<b>Strategic Plan Link</b>	Quality of Life
<b>Management Plan Project</b>	Community Services

## Overview of Report

Approval is sought for the allocation of further funds from the Urban Sports Ground Development Fund to ensure the completion of the Crozier Field Lighting Project.

## Background

At their 15 March 2007 meeting the Sports and Recreation Policy Advisory Group recommended that Council allocate a sum of \$103,000 for the Lighting of Crozier Field from the Urban Sports Ground Development Fund as per the cost estimate provided by Floodlighting Australia in their Floodlighting Audit and Management Plan, completed in late 2006. The cost estimate allowed for 4 x 22m poles with 20 x 2kw fittings generating 200 lux level lighting which would cater for club training, and local, regional and semi-professional competition.

The Policy Advisory Group further recommended that the Council proceed with the development of a 5 -10 year Master Plan for Crozier Field in order for the field to become a premier regional facility for rugby league, football and rugby union. These recommendations were subsequently adopted by Council at the May 2007 meeting.

As part of the audit report undertaken by Floodlighting Australia, Pierlite Australia Pty Ltd prepared a technical report on Crozier Field which outlined a number of recommendations and design alternatives and a price estimate for the work of \$103,000.

Since that time staff have undertaken research into the most suitable lighting structures. Tilt or "see-saw" poles are considered to be the best option for Crozier Field as the tilt mechanism allows the lamps to be maintained and replaced without the need for hiring and manoeuvring cranes on the field. Firm prices have now been obtained for all aspects of the project and the total cost to erect the lighting is \$133,000, approximately \$30,000 more than the 2006 quotation.

There are sufficient funds available in the Urban Sports Ground Development Fund to cover this extra cost. The Riverview Park Lighting Project was delivered with a saving of \$21,737 on budget, and two projects funded in 2006/07 will not be commenced during the current financial year. These projects involved the installation of concrete modular seating at the South Lismore Soccer Club and at Riverview Park. The practical logistics associated with delivering these projects are difficult and cost prohibitive and may not be achievable in the short term. The total amount allocated for these two projects was

\$31,000.

The Development Application for the project has now been approved and the poles and the lights are ready to install. At their February 2008 meeting the Sport and Recreation Policy Advisory Group recommended the additional allocation of \$30,000 from the Urban Sports Ground Development Fund in order to complete the project.

## Comments

### Financial Services

Based on uncommitted funds, savings associated with the Riverview Park Lighting Project and committed project funds not able to proceed this financial year, there is approximately \$42,300 available in the Urban Sports Ground Development Fund.

In regards to the committed project funds (\$31,000), it is assumed that these will be reconsidered for funding from the 2008/09 Urban Sports Ground Development Fund.

## Public consultation

This report is essentially a submission for funding. The public has previously had input to the concept of lighting Crozier Field through the review of the Lismore Park Plan of Management and the subsequent Development Application pertaining to this project.

## Conclusion

The provision of high quality lighting for Crozier Field will be the first stage in the long term plan to create a premier regional facility for three of the football codes in Lismore. The Sports and Recreation Policy Advisory Group believe that the extra funding allocation is justifiable because the quality of lighting has been upgraded from the original design and because of increased costs in building and construction over the past 12 months. The tilt “see-saw” poles will provide long term savings by allowing maintenance work to be undertaken from ground level, negating the need to hire cranes which may not be manoeuvrable in the restricted space around the field. The required funds are available through the Urban Sports Ground Development Fund.

## Recommendation

That Council approve an additional allocation of \$30,000 from the 2007-2008 Urban Sports Ground Development Fund for the Crozier Field Lighting Project.

# Report

<b>Subject</b>	<b>Fire Safety Policy</b>
<b>File No</b>	S963
<b>Prepared by</b>	Fire Safety Officer
<b>Reason</b>	To seek Council approval for the exhibiting of the Fire Safety Policy
<b>Objective</b>	To improve the level of fire safety in buildings in the Council area
<b>Strategic Plan Link</b>	Quality of Life
<b>Management Plan Project</b>	Building Services Fire Safety Program

## Overview of Report

This report proposes a Fire Safety Policy for the purpose of improving the level of fire safety in existing buildings in the Council area.

## Background

Lismore City Council, in recent years, has been involved in the inspection and upgrading of a variety of buildings throughout the Lismore City local government area, many of which had been erected prior to the introduction of current building regulations. Some buildings were found to be in a condition that was considered to be a danger to the occupants in the event of a fire and/or an emergency event. In these instances, Council has served a Fire Safety Order on the owner of the building requiring the building to be upgraded to provide a reasonable level of fire safety for the occupants.

In addition to the above, Lismore City Council over the past ten (10) years has been addressing its legal obligations by maintaining a regime which ensured the essential fire safety measures installed in buildings, are being maintained & serviced on a regular basis

The development of this policy is to provide clear guidelines, both for Council staff, and the general community in relation to how Council will conduct, not only its legislative requirements with respect to fire safety within existing buildings in the City, but also Council's moral and ethical responsibilities to the occupants of those buildings (ie to ensure that an adequate level of fire safety has been provided).

The policy has four (4) guiding principles:

- 1. Investigation of fire safety matters.**  
Identifies the trigger by which an inspection of a building will be undertaken by Council.
- 2. Complaint procedure.**  
Sets out clear guidelines on how and when complaints are to be enacted on.
- 3. Co-operation with NSW Fire Brigade and NSW Rural Fire Service.**  
Council will work co-operatively with the NSW Fire Brigade to ensure a reasonable level of fire safety exists within buildings in the City area.

#### 4. Fire Safety Program.

To address the complexities of ensuring that a reasonable level of fire safety is provided in buildings, a fire safety program has been developed comprising of the following six (6) sections;

a) *Maintenance of Essential Service Fire Safety Measures.*

These fire and safety measures have a vital function in protecting life and preventing injury to persons in a building in an emergency event. The importance of procedures being in place and operating to ensure that essential fire or other safety measures perform in the manner intended in the event of an emergency cannot be over-emphasised. Building owners have clear obligations under the Environmental Planning and Assessment Regulation 2000 to have these measures maintained.

b) *Fire Safety Audit of Building*

Establish a fire safety audit program to ensure all buildings within the city area are identified and an acceptable level of fire safety is provided to the occupants of these buildings.

This audit will identify buildings that are in need of a fire safety upgrade and will be prioritised as follows;

- i. Shared accommodation;
- ii. Council buildings;
- iii. Place of Public Entertainment (POPE)/ Assembly Buildings;
- iv. Heritage buildings;
- v. Residential Flat Buildings;
- vi. All other commercial buildings.

Where it is determined the building will be required to be upgraded, Council will serve a Fire Safety Order No 6 upon the owner of the building. Attached to this Notice will be a Schedule of Works specifying the works to be undertaken within a specified time period.

c) *Fire Safety Orders*

Council's responsibility for the serving of Fire Safety Orders is contained in the *Environmental Planning and Assessment Act 1979, Section 121B - Order No. 6.*

Fire Safety Orders can be served where the following circumstances have arisen :--

- i) Provisions for fire safety or fire safety awareness is not adequate to prevent fire, suppress fire or prevent the spread of fire or ensure or promote the safety of persons in the event of fire;
- ii) Maintenance or use of the premises constitutes a significant fire hazard. Council uses the Building Code of Australia and relevant Australian Standards to determine the fire safety criteria to assess the abovementioned circumstances.

d) *Enforcement*

Undertake the enforcement of fire safety orders either by the issuing of penalty infringement notices (PIN) or prosecutions through the local court system or the Land & Environment Court.

e) *Place of Public Entertainment*

A place of public entertainment is where a building provides various forms of entertainment for the general public to attend, and where Development Consent to conduct the entertainment has been issued by the Council. Prior to issuing any consent, Council must take into account the following

- i) whether the building will contain reasonable provision for the safety of persons proposed to be accommodated in the building or structure, in the event of a fire, particularly in relation to egress, and
  - ii) whether the building will contain reasonable provision for the prevention or suppression of and the prevention of the spread of fire;
- f) Community Education and Awareness
- i) undertake a community awareness and education campaign, including fire consultants, contractors and building owners.
  - ii) place all information on Council's webpage about fire safety.

## Comments

### Financial Services

N/A

### Other staff comments

N/A

## Public consultation

The Policy is to be placed on public exhibition.

## Conclusion

This policy will give Council a secure basis for proceeding with the implementation of a Fire Safety program (including legal procedures) which is considered essential for the safety and wellbeing of the residents, building owners and further ensure that visitors feel safe when visiting in the City of Lismore and further, ensures Lismore City Council will continue to improve the level of fire safety in buildings through the provision of:

- 1) Improved fire safety measures within buildings; and
- 2) Continue to raise the awareness amongst the residents and building occupants of Lismore for the need for greater fire safety in buildings.

## Recommendation (PLA5)

That Council:

- 1 Publicly exhibit the proposed Fire Safety Policy for a period of twenty eight (28) days.
- 2. A further report be brought to Council at the conclusion of the exhibition period prior to the adoption of the Fire Safety Policy.

# Report

<b>Subject</b>	<b>Pinchin Road - Reconstruction at Goolmangar</b>
<b>File No</b>	R2820,P16447
<b>Prepared by</b>	Manager - Assets and Support Services
<b>Reason</b>	To advise Council of the outcome of negotiations with a property owner, that potentially involved works on private property as part of the reconstruction of a section of Pinchin Road at Goolmangar.
<b>Objective</b>	To bring the matter to a conclusion and comply with Council's obligations under section 67 of the Local Government Act.
<b>Strategic Plan Link</b>	Infrastructure
<b>Management Plan Project</b>	Roads

## Overview of Report

As part of the adopted 2006/07 works programme Council allocated funding to reconstruct a section of Pinchin Road, from 3.7km to 5.0km north of its intersection with Nimbin Road. The work was completed last year. During the design process it was determined that acquisition of a section of private property being Lot 2, DP 611606 was desirable. In negotiating with the property owner, it became apparent that he wanted Council to undertake certain other works within his private property as part of any compensation that Council offered for acquiring part of his land.

A report was presented to Council at its meeting on December 12, 2006 to comply with Section 67 of the Local Government Act 1993, as any works to be undertaken on private property that is not subject to the payment of fees or charges in accordance with Council's adopted pricing policy, must first be approved at a meeting of the Council.

Whilst negotiations continued with the property owner, an agreement was unable to be reached and the acquisition of the land did not proceed.

## Background

The background to this matter is outlined in the report overview. Following Council's consideration of the matter at its meeting on December 12, 2006, staff continued to negotiate with the property owner. However, the situation became problematic as the owner continually sought to amend earlier agreements and in particular have Council represent him in discussions with the Department of Lands regarding other issues associated with his property.

As such it was determined not to proceed with the land acquisition and the road was reconstructed on its existing alignment.

Section 67 of the Local Government Act covers the carrying out of private works on privately owned land. Sub-section (2) states:

*“(2) A council must not carry out work under this section unless:*

- (a) *it proposes to charge an approved fee for carrying out the work as determined by the council in accordance with Division 2 of Part 10 of Chapter 15, or*
- (b) *if it proposes to charge an amount less than the approved fee, the decision to carry out the work is made, and the proposed fee to be charged is determined, by resolution of the council at an open meeting before the work is carried out.”*

Sub-sections 3 and 4 state:

- “(3) *A council must include details or a summary of any resolutions made under this Section and of work carried out under Sub-section (2)(b) in its next annual report.*
- (4) *A report of work to which Sub-section (2)(b) applies must be given to the next meeting of the council after the work is carried out specifying:*
- *the person for whom the work was carried out*
  - *the nature of the work*
  - *the type and quantity of materials used*
  - *the charge made for those materials*
  - *the total of the number of hours taken by each person who carried out the work*
  - *the total amount charged for carrying out the work (including the charge made for materials)*
  - *the reason for carrying out the work.”*

As the negotiations ceased, and no work was actually carried out on the property for the property owner, this requirement no longer applies.

## Comments

### Financial Services

N/A

## Other staff comments

N/A

## Public consultation

N/A

## Conclusion

Council did not actually undertake any work on the subject property, having been unable to reach an agreement with the property owner on the proposed land acquisition. As such no further action on the matter is required. This report is for Council’s information only to bring the matter to a conclusion.

## Recommendation (IS06)

That the report be received and noted.

# Report

<b>Subject</b>	<b>Investments held by Council – February 2008</b>
<b>File No</b>	S178
<b>Prepared by</b>	Management Accountant
<b>Reason</b>	Required by Local Government Act 1993, Clause 212 Local Government (General) Regulations 2005 and Council's Investment policy.
<b>Objective</b>	To report on Council Investments
<b>Strategic Plan Link</b>	Leadership by Innovation
<b>Management Plan Activity</b>	Financial Services

## Overview of Report

Council investments as at 29 February 2008 are estimated to be \$30,636,016 subject to final value of funds held under separate management being advised shortly.

The interest rate reported over the period of February 2008 is estimated to be 6.35% in comparison to 6.99% for February 2007. Council's return of 6.35% is below the Bank Bill Swap Rate for the same period of 7.58%. The final interest return may vary due to actual returns achieved in the funds held under separate management.

Volatility continues within the markets, however all rated investments continue to maintain acceptable credit ratings. Acceptable credit ratings indicate that capital on maturity and interest on investment receipts will be received, however, the volatility has resulted in the future payment of interest from two investments to cease until such time the investments reach a trigger which allows interest payments to recommence.

## 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.

### Report on Investments

- *Confirmation of Investments – 31 January 2008* \$29,258,097  
(Note: Final value decreased due to \$2.2m withdrawn for Progress Payment for Recreation Centre on 31/1/08)
- *Estimated Investments – 29 February 2008* \$30,636,016

The current rate of return on investments for February 2008 is estimated to be 6.35% compared to 6.99% for the same period last year. Council's return of 6.35% is below the Bank Bill Swap Rate for the same period of 7.58%. The rate of return reported has been calculated using actual returns where available and estimates based on the previous period balance and interest rates. The methodology used to calculate estimates appear reasonable in light of discussions with portfolio managers.

Volatility in the investment markets has continued to impact on Council's current market valuation of investments and interest on investment returns. Council's investment advisors have confirmed the view that the current valuation of the market is not a true reflection of Council's overall position as typically most investments are held to maturity. All rated investments held have a credit rating (AAA to A for long term investments) indicating the underlying assets supporting the investments are sound. With credit ratings acceptable, receipt of interest on investments are anticipated, however, in two cases detailed below, they have ceased.

### **Interest on Investments – Issues**

Advice has been received that interest payments on two investments have ceased for an undetermined period due to the volatility experienced in financial market during January 2008. In both cases, the investments are capital guaranteed on maturity meaning Council original investment is protected, but the payment of interest (dividends/coupons) is not. From a budget perspective, expectations are that the overall interest on investments budget will still be achieved for 2007/08.

### **Longreach Series 25 Investment**

Coupons are only payable (7%p.a.) while 100% of the investment is held in the share basket. With the current economic conditions, a sell trigger has been reached due to the fall in market value with 35% of the investment converted to UBS Discount Debt Securities. When the market turns and the value of the investment reaches a buy trigger, the Debt Securities will be converted back to shares. When 100% of the investment is back in the share basket, the coupon will become payable.

### **ANZ ASPRIRIT III**

When a sell trigger is reached, due to a fall in the market value of the investment experienced during January 2008, part of the investment is moved out of the income producing fund and into a Zero Coupon Bond. Coupons are only payable on the investment when the net Asset Value (NAV) is greater than 100 (currently 85.1640). While any funds are in the Zero Coupon Bond the growth of the NAV to 100 or greater is difficult. Currently 32.78% of the investment is held in Zero Coupon Bonds.

### **Attachments**

The following attachments have been included for Council's information:

- Summary of Capital Value Movements on Investments including name of institution, lodgement date and maturity date.
- Schedule of Estimated Interest showing interest rate and estimated interest earned for the period.
- Total Investment Portfolio held by month with last year comparison - graphical
- Investment by Type - graphical
- Weighted average interest with last year comparison – graphical
- Investment by Institution as percentage of total portfolio – graphical

### **Change to Attachments**

With the volatility within the financial markets, it is important to separate performance into capital movement and interest returns. To better disclose this performance, the Summary of Investments is now reported as two separate attachments showing the Movement in Capital Value and the Estimated Interest separately.

The capital value movement shows the difference in the market value of investments from the base capital value to the estimated current market value to date. The base capital value for Managed Funds is the market value as at 30/6/07 plus additions less redemptions during the year. For all other investments the base capital value is the face value of the investment.

The estimated interest attachment shows the estimated interest for the period based on the annualised interest rate for each investment. The weighted interest for the period is also calculated to show an estimated interest rate on the investment portfolio for the period.

## Comments

### Responsible Accounting Officer

The investments held by Council with various financial institutions, have been made in accordance with the Local Government Act 1993, Local Government (General) Regulation 2005 and Council's investment policy.

### Other staff comments

N/A

### Public consultation

N/A

## Conclusion

A report on investments is required to be submitted to Council monthly. This report meets that requirement. For 29 February 2008, investments total \$30,636,016 and the annualised rate of return was 6.35%.

The investments held by Council with various financial institutions, have been made in accordance with the Local Government Act 1993, Local Government (General) Regulation 2005 and Council's investment policy.

## Recommendation

The report be received and noted.

**MINUTES OF THE TRAFFIC ADVISORY COMMITTEE MEETING  
HELD ON FEBRUARY 20, 2008, AT 10.00 AM.**

	<b>Present</b>	Councillor Merv King ( <i>Chairperson</i> ), Thomas George, MP ( <i>left at 11.00am</i> ), Lance Vickery and Stefan Wielebinski ( <i>RTA</i> ), Snr Const Steve Hilder and Snr Const Rob Clarke ( <i>Lismore Police</i> ).
	<b>In Attendance</b>	Councillors Jenny Dowell and John Hampton, John Daley, Garry Hemsworth ( <i>Executive Director-Infrastructure Services</i> ), Scott Turner ( <i>Manager-Assets &amp; Support Services</i> ), Salina Runge ( <i>Road Safety Officer</i> ), and Bill MacDonald ( <i>Traffic &amp; Emergency Services Coordinator</i> ).
TAC1/08	<b>Apologies</b>	Nil
TAC2/08	<b>Minutes</b>	The Committee was advised that the minutes of the Traffic Advisory Committee meeting held on November 21, 2007, were confirmed by Council on December 11, 2007.

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## Disclosure of Interest

Salina Runge advised that she lives next door to Freshzest on Fredericks Road (Item B-08-02:2)

## Public Access

### **Lee Schiavon – Invercauld Road, Goonellabah**

Raising concerns on traffic issues, in particular the intersection of Ballina Road and Invercauld Road.

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Mr Schiavon was present at the meeting and given the opportunity to address the Committee on several issues. Mr Schiavon raised concern that buses being turned into Invercauld Road from Ballina Road were crossing the double white centre line on Invercauld Road. Snr Const Hilder pointed out that this was acceptable in areas where heavy vehicles had difficulty in negotiating locations with restricted turning paths provided due care was taken by drivers. Another concern was the existing steps on the eastern side of Invercauld Road just south of Ballina Road. The steps made it difficult for those less mobile or pushing prams to access the footpath.

B-08-02:1 **It was agreed** that the issue of modifying the footpath to include a ramp rather than steps be referred to Council's Manager-Operations for investigation and if a practical solution can be found this be included in Council's Pedestrian Access and Mobility Plan.

*Voting unanimous*

(R6408)

## Part 'A' – Committee Recommendations

### **Our Lady Help of Christians School P&F Committee – Rhodes Street**

Requesting consideration of providing a pedestrian crossing on Rhodes Street, South Lismore, between the school and the hall opposite.

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The results of a pedestrian and vehicle count were tabled at the meeting for consideration of an appropriate response to the request. The count did not meet the warrant for a marked pedestrian crossing. However, the installation of a "children's crossing", which includes the positioning of orange flags on the road by the school, is a possible solution. It was noted that any such installation would require a written undertaking from the school to take responsibility for using the flags as intended.

**TAC3/08 Recommendation:** That the school be advised of the results of the counts and that a "children's crossing" be installed on Rhodes Street provided agreement can be reached with the school on positioning and responsibilities.

*Voting unanimous*

(07-10838:R6932)

**Waller's Bus Company – Cullen Street, Nimbin**

Raising concerns that tourist buses are being parked in the Bus Zones on Cullen Street for extended periods making it impossible for local bus operators to access the zones.

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This has been an ongoing problem for local bus operators for some time due to the increasing number of tourist bus operators visiting Nimbin who access the existing Bus Zones and leave their buses empty and locked for extended periods. After discussion with the Nimbin Sgt Matt Johnson and Council's Rangers, it has been suggested that a 5-minute time limit be imposed on the Bus Zone in front of the NRMA Depot on Cullen Street and the zone on Cullen Street just north of Sibley Street. This would still allow tourist operators to use these zones for dropping off or collecting passengers but would require them to seek alternative locations for longer term parking. Alternative locations suggested are down the school access road off Thorburn Street, off the Nimbin Pool access road or down Cecil Street.

**TAC4/08 Recommendation:** That a 5-minute time limit be imposed on the two full-time Bus Zones on Cullen Street, Nimbin.

*Voting unanimous*

(08-49:R1701)

**Marion Sanders – Intersection of Diadem / McKenzie Streets, Lismore**

Requesting consideration of installing a pedestrian facility on Diadem Street.

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There are a considerable number of pedestrians who walk along McKenzie Street and cross Diadem Street to access the Lismore Shopping World. There is an existing kerb ramp on the eastern side of Diadem Street, just north of McKenzie Street, which necessitates pedestrians to cross a wide section of Diadem Street without a break. It would appear that there is room for a pedestrian refuge to be located in the centre of Diadem Street at this crossing point.

**TAC5/08 Recommendation:** That this matter be referred to Council's Design Section for investigation to determine if a pedestrian refuge could be located in the centre of Diadem Street in front of No. 40 without interfering with turning movements in that area. Further that a refuge be installed should the above be confirmed.

*Voting unanimous*

(08-977:R6019,R6045)

**Dr Geoffrey Boyce – Skyline Road, Goonellabah**

Requesting consideration of implementing reduced speed limits along Skyline Road.

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Excessive speeds have been detected along Skyline Road through recent surveys and this information has been passed on to Police. There is little point in reducing the existing 60 kph zone down to 50 kph bearing in mind that compliance is already low. Council's Memorial Gardens Coordinator has also raised concerns about the dangers posed to those who park their vehicles along both sides of Skyline Road to attend funerals. A plan has been developed showing a proposal to install three speed humps along Skyline Road for the length of the Memorial Gardens from just south of the main carpark to calm through traffic, particularly at times when there are large numbers of people attending funeral services. It is also proposed to restrict parking along the western side of Skyline Road from a point opposite the most southern driveway to the gardens, up to the Rous Road intersection, but excluding any areas that may impact on the three residences along this section. As part of this proposal Mr Kris Whitney, Memorial Gardens Coordinator, has agreed to install additional signage near the southern end of the main carpark, which would indicate to visitors that additional parking was available within the internal road system. Any further reduction in speed limits along the balance of Skyline Road is not considered warranted.

**Dr Geoffrey Boyce – Skyline Road, Goonellabah**

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- TAC6/08 Recommendation:** That the proposed traffic calming measures be implemented once funds become available. Further, that parking be prohibited along the western side of Skyline Road from a point opposite the most southern driveway to the Memorial Gardens up to the Rous Road intersection, but excluding any areas that may impact on the three residences along this section.

*Voting unanimous*

(08-930:R5102)

**Dean Baldwin (Urban Works Engineer) – Larkin Lane, Lismore CBD**

Requesting consideration of introducing one-way traffic movement, eastbound, in Larkin Lane from Keen Street to Dawson Street.

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A request had been received from Country Energy for the relocation of its power pole from Larkin Lane onto Keen Street due to difficulties in maintaining supply in its current location and route. One-way traffic movement within the laneway would assist these works and allow modifications to the intersection to accommodate the new pole location. Complaints have also been received from the property owner on the north-west corner of Larkin Lane and Keen Street about the number of drivers of heavy vehicles cutting the corner when driving from Keen Street into Larkin Lane beside the Standard Hotel, and damaging his property. An inspection has revealed that by default it would appear that this section of Larkin Lane already operates as a one-way lane (eastbound) due to parking only being allowed on the northern side of the lane for the majority of its length. With vehicles being parked on one side the through section of the lane is virtually restricted to one-lane in any case. By making the laneway one-way, safety would be enhanced as it would remove conflict between opposing traffic.

- TAC7/08 Recommendation:** That the proposal to introduce one-way (eastbound) traffic movements within Larkin Lane from Keen Street to Dawson Street, be canvassed with those businesses whose properties access the laneway, and if a positive response is received the proposal be advertised and implemented accordingly.

*Voting unanimous*

(R7315)

## Part 'B' – Determined by Committee

**Freshzest Pty Limited – Fredericks Road, Caniaba**

Requesting consideration for the introduction of a 40 kph speed limit on the gravel section of Fredericks Road, Caniaba.

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It was reported that this gravel section is approximately 2.5km long at the end of Fredericks Road. The latter part is virtually single lane with limited sight distance and sparse development along its length. Whilst the general State limit is 100 kph there is little chance of achieving this speed and consequently the majority of motorists drive to prevailing road conditions. The RTA would not normally consider a reduction of speed limit on gravel roads.

- B-08-02:2 It was agreed** that the writer be advised that a reduction in speed limit was not supported given existing conditions and further that the matter of 'driving to conditions' be referred to Council's Road Safety Officer for inclusion in future education campaigns.

*Voting unanimous*

(08-1239:R4706)

**Mr Noel Parker – Road Speed Limit in McLeans Ridges Area**

Requesting consideration of reducing the speed limit on roads within the McLeans Ridges area.

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Whilst no particular road in the area had been nominated there was a general observation by the writer that the current general State limit of 100 kph in the area was too high and extremely dangerous given the current state of the roads. This would be the case with many rural roads and bearing in mind the RTA's warrants for a reduced limit, which take into account such issues as roadside development, accident history, volumes, etc, it is unlikely any reduction in speed limit would be approved. It was pointed out that the onus is on the motorists to drive to prevailing conditions even though a higher speed limit is in place.

- B-08-02:3 **It was agreed** that the writer be advised of the RTA's warrants for consideration of reduced speed limits and noting the requirement generally for motorists to drive to prevailing road conditions, also pointing out that this matter would continue to be addressed in future road safety education campaigns.

*Voting unanimous*

(08-54:R4500)

**Goolmangar School of Arts Inc – Nimbin Road, Goolmangar**

Suggesting that the 60 kph speed limit on the northern side of Goolmangar Village be extended around the bend towards Nimbin.

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The curve immediately north of the Goolmangar Village has been the subject of a number of improvements in recent years. These include the provision of fluoro hazard markers around the bend, a 55 kph advisory 'curve' warning sign and rumble strips on the bitumen road surface. A check of accident history revealed that there has been six reported accidents since 2002, which was reduced to two in the last two years since the above measures had been implemented. Police have reported that there are still significant speeds being detected within the village and extending the existing 60 kph is not seen as conducive to encouraging motorists to comply with the existing 60 kph speed zone.

- B-08-02:4 **It was agreed** that the Goolmangar School of Arts Inc be advised of the accident history and the measures already taken and that extending the 60 kph speed limit further towards Nimbin is not considered warranted.

*Voting unanimous*

(08-1144:R2801,R2551)

**M & C Quinn Buses – Morton Road, Nimbin**

Requesting consideration of approval to extend their existing Stony Chute Road bus run to include Morton Road.

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Morton Road is a gravel road with limited driveways along its length to a point where three properties are accessed from the end of the road. Whilst it would not be possible for the Toyota Coaster bus to turn around in a full forward movement, good sight distance would allow a three-point turn. This is considered a safer location for children to wait for the bus than on Stony Chute Road where vehicle speeds are considerably higher and pull-off areas are limited.

- B-08-02:5 **It was agreed** that approval be granted for the bus run to be extended along Morton Road with the condition that any reversing movements at the end of the road are performed once the children to be collected are seated on the bus.

*Voting unanimous*

(08-926:R2182,R2105)

**Mike Thurlow – Ross Street, Lismore Heights**

Raising concerns about the restricted availability of road width in Ross Street due to motorists parking on the road side and suggesting that the No Stopping Zone be extended.

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The speed of vehicles on the section of Ross Street in question is controlled by a number of speed humps. Whilst there would be times when residents might park on either side of the street thereby restricting available road width for through traffic, the introduction of a No Stopping Zone in front of residences is not considered warranted. This would virtually eliminate onstreet parking for these residents and their visitors.

- B-08-02:6 **It was agreed** that the writer be advised that the extension of the No Stopping Zone on Ross Street is not considered warranted for the reasons outlined above.  
*Voting unanimous* (08-1037:R7132,R6408)

**Asbey-Palmer & Davies Pty Limited – Dawson Street, Lismore**

Submitting a proposal to formalise onsite parking for staff and visitors at St Carthage's Catholic Primary School and seeking comment.

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The formalisation and increasing the availability of onsite parking is supported in principal as it will relieve existing pressures on parking generally within that area. It was suggested that the developers be required to modify the ingress/egress to ensure it is at 90° to the centre line on Dawson Street. Propping to turn right into the carpark from Dawson Street was not considered ideal but was seen as more acceptable than requiring motorists to continue on and carry out a U-turn to access the site. There is adequate room for through traffic to manoeuvre around stationary vehicles.

- B-08-02:7 **It was agreed** that the developers be required to modify the proposed ingress/egress to ensure it is at 90° to the centre line on Dawson Street.  
*Voting unanimous* (08-575:P29714,R6017)

**Mrs Janice Bryant – Sunnybank Avenue, Goonellabah**

Requesting consideration of installing a speed hump on Sunnybank Avenue.

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Mrs Bryant lives approximately half-way down Sunnybank Avenue just around a bend in the road. The location of the driveway makes it difficult to see oncoming traffic when exiting onto the roadway. A speed hump would not be a practical solution in this instance due to limited sight distance to the device for through traffic and also the significant slope on which the road is built. Apart from drivers of vehicles manoeuvring from within Mrs Bryant's property to allow them to drive out onto Sunnybank Avenue in a forward movement, there is little that can be done to reduce current concerns.

- B-08-02:8 **It was agreed** that the writer be advised that a speed bump could not be installed on Sunnybank Avenue due to restricted sight distance and excessive road grades. Further, that the suggestion be made for the property owner to investigate the possibility of modifying turnaround areas within the property to allow exiting in a forward movement.  
*Voting unanimous* (08-547:R6522)

**Northern Rivers Cycling Club – Cycle Road Race Application**

Requesting permission to conduct a series of road cycle races at Dungarubba during the period of April 1, 2008 and March 31, 2009.

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Council's Acting Rural Works Engineer had advised that roadworks were about to commence on Broadwater Road for a distance of 2km from Wyrallah Road for approximately seven weeks. No objection was given to the proposed races provided Council is indemnified against any incident that may occur as a result of the races. The course will need to be checked by the organisers prior to each event as road conditions will vary and it may not be possible to carry out maintenance to suit individual events. It should be the organisers' responsibility to assess the condition of the route prior to each event and decide if it is safe to proceed.

- B-08-02:9 **It was agreed** that approval be granted in accordance with the traffic management plan submitted and provided the above conditions are included, and that the races are conducted in accordance with the NSW Guidelines for Bicycle Road Races.

*Voting unanimous*

(08-293:R5804)

**RG & MR Hawkins – Tregeagle Road, Wyrallah**

Requesting consideration of extending the existing 60 kph zone on Tregeagle Road, east of the Wyrallah Village.

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The existing 60 kph speed limit on Tregeagle Road finishes west of the intersections of Wybelena Road and Skyline Road South with Tregeagle Road on the eastern side of the Wyrallah Village. The proposed new location, some 250m east is predominately through what would be classified as rural development with only two additional driveways onto the road. The bus bay referred to is a properly constructed bus bay and allows the bus to be stopped away from through traffic. An extension of the 60 kph was not supported. The extension of the 60 kph speed limit would be illogical to motorists and compliance would therefore be low.

- B-08-02:10 **It was agreed** that the request for an extension of the 60 kph speed limit on Tregeagle Road, 250m further east of the Wyrallah Village, not be supported for the reasons outlined above.

*Voting unanimous*

(08-1246:R5301)

**Mr Rob Andrews – Intersection of Wyrallah Road/Esmonde Street, Lismore**

Suggesting that a small roundabout be installed as part of the Wyrallah Road upgrade at its intersection with Esmonde Street.

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There is a longer term plan for a roundabout to be installed at the intersection of Wyrallah Road and Dalley Street, and this was seen as a priority given the significantly greater number of vehicle movements at this intersection. Nevertheless, the Wyrallah Road intersection with Esmonde Street is a busy one and given its configuration, does present problems for motorists. This matter could be referred to Council's Design Section for further investigation and development of a plan and estimate for any proposed works.

- B-08-02:11 **It was agreed** that the proposal for a roundabout at the intersection of Wyrallah Road and Esmonde Street be referred to Council's Design Section for further investigation and development of a plan and estimate for any proposed works. Further, that the roundabout be included in the upgrade of Wyrallah Road if funds permit.

*Voting unanimous*

(08-902:R5201,R7435)

**Mrs Joy Fitzgerald – Southern End of Invercauld Road, Goonellabah**

Raising concerns regarding the danger that exists at the first corner at the southern end of Invercauld Road near the access to the University Conference Centre.

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Mrs Fitzgerald had advised that there have been a number of “close calls” when drivers travel around the corner in question toward the north due to motorists driving south along Invercauld Road not taking due care when accessing the ‘Invercauld House’ driveway and driving straight in front of vehicles negotiating the corner. It was suggested that a Give Way sign be erected at the end of the straight section of Invercauld Road just prior to the bend. However, it was felt that this could lead to further confusion by motorists, particularly those unfamiliar with the area. A centre median around the bend was also discounted as drivers would then be required to proceed further along Invercauld Road and carry out a U-turn to access the Conference Centre driveway. Contact has been made with the manager of the University Conference Centre and they have undertaken to issue a memo to all staff in an effort to ensure that they and their visitors take due care when negotiating the corner prior to the Conference Centre driveway. Mrs Fitzgerald had also requested that consideration be given to erecting a “No Through Road” sign on Invercauld Road.

B-08-02:12 **It was agreed** that the Committee note the outcome of the inspection has been relayed to Mrs Fitzgerald and no further action is possible at this stage. Further, that a “No Through Road” sign be installed in front of No. 158 Invercauld Road.

*Voting unanimous*

(R6465)

**Councillor Jenny Dowell – Intersection of Felicity Drive/Beaumont Drive**

Raising concerns on behalf of residents who are finding it difficult when turning right from Felicity Drive onto Beaumont Drive, East Lismore, due to the number and speed of vehicles entering from Penelope Place.

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The intersection in question is a standard ‘T’ layout and motorists exiting from Felicity Drive onto Beaumont Drive are required to give way to motorists coming along Beaumont Drive from Penelope Place. Whilst the larger volume would be from Felicity Drive it was felt that the status quo should remain. It was a matter for those motorists exiting from Felicity Drive to ensure they took due care and give way to any traffic on Beaumont Drive.

B-08-02:13 **It was agreed** that the status quo remain.

*Voting unanimous*

(R7438,R7411)

## Late Items

**Nimbin Headers Sports Club Inc – Fun Run on June 8, 2008**

Seeking permission to conduct a Fun Run between 10.00a.m.-11.00a.m. on Sunday, June 8, 2008, within the Nimbin Village.

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It is proposed for the Fun Run to commence at the Nimbin Headers Sports Club and proceed through to Alternative Way, left into Sibley Street, right into Thorburn Street, left into Cullen Street, left into Cecil Street and back to the sports club. The Committee was advised that Sgt Matt Johnson from Nimbin Police had been notified and supported the Fun Run in principal provided suitable measures were taken to manage traffic. It was likely that sections where the Fun Run was on public roads, traffic controllers would be required to manage through traffic.

B-08-02:14 **It was agreed** that approval for the Fun Run be granted subject to the lodgement of an appropriate Traffic Management Plan and consent from Police also being obtained.  
*Voting unanimous* (08-1299:S336)

**Linda Banbury – Proposed ‘Gateway Entrance’ at Ballina Road and High Street**  
Raising concerns about the dangers that exist on this section of road and that any proposed structure may distract motorists’ attention.

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It was noted that the Gateway proposal was only in the early stages of development and prior to any implementation, full regard of any negative impact on motorists would need to be assessed. This would include the need to refer any proposal to the RTA for its endorsement.

B-08-02:15 **It was agreed** that the writer’s concerns be taken into consideration when assessing any proposed ‘Gateway’ development.  
*Voting unanimous* (08-1456:T200818,R6408,R7117)

**Sharon Kapchulovich – Fowler Street, Lismore**  
Raising concerns regarding the increase in bus movements on Fowler Street due to the changed traffic conditions on Ballina Road and Hunter Street.

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The Committee was advised that Kirklands Coaches had confirmed they had diverted a number of buses onto Fowler Street due to no longer being able to turn into Hunter Street from Ballina Road. Whilst there was a slight increase in the time required to use Magellan Street instead of Fowler Street, this was seen as the most acceptable route given the condition of Fowler Street.

B-08-02:16 **It was agreed** that a letter be written to Kirklands Coaches requesting that they use Magellan Street in lieu of Fowler Street when enroute to Lismore Primary School due to the unsuitability of Fowler Street to cope with additional heavy vehicle traffic.  
*Voting unanimous* (R6023)

## Closure

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

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Chairperson

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Traffic and Emergency  
Services Coordinator

## Financial Assistance - Section 356

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

Budget: \$11,700 To date: \$13,086

**Laurie Lawrence Kids Alive Drowning Prevention Campaign** requesting Council provide a City Hall Auditorium free of charge (\$290) for a show to local schools and preschools on March 11, 2008. An entrance fee is not to be charged (S164 & P6816:08-1462).

**Recommendation:** Consistent with Council financial assistance of this show in 2007, in accordance with Clause 5 of the policy, a donation of 100% of the hire fee applies \$290.00

**NORPA in partnership with Tweed Shire Council and Tweed Valley Respite Services** requesting Council to waive the fees (\$870) for the use of the City Hall for the performance of Gr8parT! R U Coming? in June 2008. The performance is involves working with people with disabilities and the audience target are school children. An entrance fee is to be charged (S164:08-1698)

**Recommendation:** In accordance with Clause 2 of the policy, a donation of 20% of the hire fee applies \$174.00

### Recommendation

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

**MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE CITY OF LISMORE HELD IN THE COUNCIL CHAMBER, GOONELLABAH ON TUESDAY, FEBRUARY 12, 2008 AT 6.00PM.**

- Present** Mayor, Councillor King; Councillors Chant, Crimmins, Dowell, Ekins, Graham, Hampton, Henry, Irwin, Meineke, Swientek and Tomlinson, together with the General Manager, Executive Director-Development & Governance, Executive Director-Infrastructure Services, Manager-Finance, Communications Co-ordinator, Corporate Compliance Officer, Youth Development Officer and General Manager's Personal Assistant.
- 1/08 **Apologies/  
Leave of  
Absence** A leave of absence was granted for Cr Meineke from February 23 – March 1, 2008, Cr Chant from February 23 - March 1, 2008 and Cr Henry February 13 – March 10, 2008  
(Councillors Graham/Dowell)
- 2/08 **Minutes** The minutes of the Ordinary Meeting held on Tuesday, December 11, 2008 were confirmed, subject to it being noted that the Motion/Resolution was moved and seconded by Crs King and Dowell respectively, and that the following Crs voted against the amendment Crs Henry, Swientek, King, Crimmins, Dowell and Tomlinson.  
(Councillors Hampton/Irwin)

### Public Access Session

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

#### **Anthony Franks – Joint venture with Rekindling the Spirit Inc**

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Mr Franks outlined the program provided by Rekindling the Spirit. He cited the benefits to both the local and regional indigenous community. He welcomed the opportunity to work with Council.

#### **Martin Field – December 2007 Quarterly Budget Review Statement**

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Mr Field spoke in support of the proposal to open Lismore Library on Sunday afternoons for a trial period, citing benefits of increased access to residents and spin off benefits for the CBD.

#### **Damian Chapelle – Draft Amendment No 20 to Lismore LEP**

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S451

Councillor Meineke declared a perceived conflict of interest in this matter and left the Chamber during the discussion.

Mr Chapelle outlined the process to date. He stressed the compliance with Council's requests, including the issue of the SIA. He urged the rezoning application be placed on exhibition.

#### **John Mulholland – Draft Amendment No 20 to Lismore LEP**

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Mr Mulholland spoke against the rezoning proposal. He questioned the standard of the SIA, on the basis of the data used. He also raised the issue of vehicular access to Cameron Road and the general capacity of the local road network.

At this juncture Councillor Meineke rejoined the meeting.

## Disclosure of Interest

### S451

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Councillor Meineke declared a perceived conflict of interest in Draft Amendment No 20 to Lismore LEP (Cameron Road) as he prepared rezoning material many years ago.

## Mayoral Minutes

### Adam Gilchrist Congratulations

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3/08 **RESOLVED** that the minute be received and that Council endorse the proposal to congratulate Adam Gilchrist on his achievements.  
(Councillors King/Swientek) (S75)

### Planning Challenge

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4/08 **RESOLVED** that the minute be received and that Council:-

1. Strongly supports the commitment of the Local Government and Shires Associations to negotiate improvements to the NSW planning system notwithstanding the lack of effective stakeholder consultation about the government proposals announced by the Minister for Planning on November 27, 2007.
2. Confirms that it is supportive of reforms which improve the planning and development decision making process and provide for genuine community input.
3. Encourages NOROC to devote its resources to lobbying the Premier of this State and all local State Members of Parliament to ensure that the voice of local government is properly heard and its concerns addressed through rational discussion.
4. Seek the urgent support of the Member for Lismore that he will represent Council's case for rejection of the Minister's proposals which diminish the role of community and Council in determining the outcomes of local development.
5. Provide evidence to the LGSA in a detailed submission which outlines those aspects of the proposed changes which are endorsed, and those which are rejected, on the grounds that any changes must be in the best interests of the Lismore community.
6. Reject completely the concept of denying Council the opportunity to collect financial levies commensurate with the impact of new development on public infrastructure and facilities.

(Councillors King/Crimmins) (S517)

## Notice of Motions

### **Removal of Political Parties election support and promotion signs**

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- 5/08 Formal notice having been given by Councillor Chant it was **RESOLVED** that Council request that all political parties and unions immediately remove their election support and promotional signs from public property in the Lismore area.  
(Councillors Chant/Hampton) (S852)

### **Amendment to the Tree Preservation Order**

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- 6/08 Formal notice having been given by Councillor Hampton it was **RESOLVED** that Council staff bring a report to the May meeting of Council outlining an amendment to the Tree Preservation Order which may allow for the voluntary removal, without fees, of large, invasive to local surroundings, potentially hazardous and generally unsuitable trees from residential areas on the understanding that any trees removed for these reasons are compensated for by replacement with species suited to the particular location.

(Councillors Hampton/Graham) (S453)

**Voting against:** Councillor Ekins

### **Dunoon Development D/A 2006/0647**

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- 7/08 Formal notice having been given by Councillor Tomlinson it was **RESOLVED** that Council:
1. Hold a workshop for councillors and an information session for Dunoon residents to examine the issues surrounding DA 2006/0647 (the development of 56 lots in the Dunoon village and a sewerage treatment plant).
  2. That these sessions be held before the DA comes to Council.
  3. That a site visit be arranged for Councillors and residents so that they can see a similar, operating sewerage treatment plant to the one proposed for the Dunoon development.
- (Councillor Tomlinson/Irwin) (DA2006/0647)

A FURTHER MOTION WAS MOVED that where developments are regarded as sensitive or controversial, Council prepare, or contract experts to prepare, key documents such as Social impact Statements, Environmental and economic statements so that they can be seen to be independent. The costs of these reports to be recovered from the developer.

(Councillors Tomlinson/Irwin)

An AMENDMENT was MOVED that Council staff provide a report to Councillors on the feasibility of achieving the outcomes in the motion.

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

**Voting against:** Councillors Chant, Hampton, Graham, Crimmins and Meineke.

- 8/08 **RESOLVED** that Council staff provide a report to Councillors on the feasibility of achieving the outcomes in the motion.  
(Councillors Irwin/Swientek)(DA2006/0647)  
**Voting against:** Councillors Chant, Hampton, Graham, Crimmins and Meineke.

## Altering Order of Business

9/08 **RESOLVED** that the order of business be altered to debate the following matters raised during Public Access.

- Draft Amendment No 20 to Lismore LEP (Cameron Road)
- Joint Venture with Rekindling the Spirit Inc  
(Councillors Graham/Irwin)

## Reports

### **Draft Amendment No 20 to Lismore LEP (Cameron Road)**

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S451

Councillor Meineke declared a perceived conflict of interest in this matter and left the Chamber during the discussion.

A MOTION WAS MOVED that the report be received and that Council defer LEP Amendment No 20 and request a new SIA based on the appropriate demographic data for McLeans Ridges.

(Councillor Dowell/Tomlinson)(S884)

AN AMENDMENT was moved that the report be received and that Council:-

1. Exhibit the redrafted LEP Amendment No 20 together with the amended proposal, additional supporting documentation, updated social impact assessment and amended Planning Agreement for a period of twenty eight (28) days; and
2. Refer the amended proposal and additional supporting documentation to relevant government agencies and other public authorities for their comment.  
(Councillors Henry/Chant)

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

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

10/08 **RESOLVED** that the report be received and that Council:-

1. Exhibit the redrafted LEP Amendment No 20 together with the amended proposal, additional supporting documentation, updated social impact assessment and amended Planning Agreement for a period of twenty eight (28) days; and
2. Refer the amended proposal and additional supporting documentation to relevant government agencies and other public authorities for their comment.  
(Councillors Hampton/Chant)(S884)

(Councillors Hampton/Chant)(S884)

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

At this juncture Cr Meineke rejoined the meeting.

### **Joint Venture with Rekindling the Spirit Inc**

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11/08 **RESOLVED** that the report be received and that Council prepare a Joint Venture Agreement with Rekindling the Spirit that reflects the proposal outlined in this report for further consideration by Council.

(Councillors Swientek/Irwin)(P21434)

## Resume Standing Orders

12/08 **RESOLVED** that standing Orders be resumed.  
(Councillors Chant/Graham)

### **Lismore Promotion Program**

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A MOTION WAS MOVED that the report be received and that Council apply 2007/08 SBRVL funding to the following projects:

1. The preparation and printing of a quarterly newsletter up to a value of \$6,000.
2. Financial assistance of up to \$10,000 towards the staging of the Warbirds over Lismore Airshow.
3. Financial assistance of up to \$2,500 towards the establishment of a "Regional City" standard at the coming LGSA Tourism Conference.  
(Councillors Hampton/Meineke) (\$740)

AN AMENDMENT WAS MOVED that the report be received and that Council ask the Committee to reconsider the series of recommendations to focus on a series of recommendations to promote Lismore Businesses rather than one off projects.  
(Councillor Swientek/Irwin)

On SUBMISSION to the Meeting the AMENDMENT was DEFEATED.

**Voting Against:** Councillors Irwin, Ekins and Swientek,

13/08 **RESOLVED** that the report be received and that Council apply 2007/08 SBRVL funding to the following projects:

1. The preparation and printing of a quarterly newsletter up to a value of \$6,000.
2. Financial assistance of up to \$10,000 towards the staging of the Warbirds over Lismore Airshow.
3. Financial assistance of up to \$2,500 towards the establishment of a "Regional City" standard at the coming LGSA Tourism Conference.  
(Councillors Hampton/Meineke) (\$740)

**Voting Against:** Councillors Irwin, Tomlinson, Ekins, Swientek,

### **Draft Amendment No 27 to Lismore Local Environmental Plan – 96 Breckenridge Street, Wyrallah**

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14/08 **RESOLVED** that the report be received and that Council re-exhibit draft LEP Amendment No 27 for a period of twenty eight days together with amended documentation and draft Planning Agreement.

(Councillors Mienieke/Hampton)(S919)

**Voting against:** Councillor Swientek.

**Lismore Development Control Plan – Amendment No 1**

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

1. Adopt Amendment 1 of the Lismore Development Control Plan subject to the following amendments:  
Access – It is preferred development with a floor area of greater than 2000m<sup>2</sup>.  
Car parking – Internal roads and car parking areas shall be constructed of bitumen seal approved or pervious pavements or similar material and are to be drained and marked to Council's satisfaction
2. Give public notification of its decision in accordance with the Environmental Planning and Assessment Regulation 2000.  
(Councillors Meineke/Hampton)(S924)

AN AMENDMENT WAS MOVED that the report be received and –

1. Adopt Amendment 1 of the Lismore Development Control Plan subject to the following amendments:  
Car parking – Internal roads and car parking areas shall be constructed of bitumen seal approved or pervious pavements or similar material and are to be drained and marked to Council's satisfaction
2. Give public notification of its decision in accordance with the Environmental Planning and Assessment Regulation 2000.  
(Councillors Irwin/Crimmins) (S924)

On submission to the meeting the AMENDMENT was APPROVED and became the MOTION  
**Voting Against:** Councillors King, Chant, Graham, Hampton and Meineke.

15/08 **RESOLVED** that the report be received and that Council:

1. Adopt Amendment 1 of the Lismore Development Control Plan subject to the following amendments:  
Car parking – Internal roads and car parking areas shall be constructed of bitumen seal approved or pervious pavements or similar material and are to be drained and marked to Council's satisfaction
2. Give public notification of its decision in accordance with the Environmental Planning and Assessment Regulation 2000.  
(Councillors Irwin/Crimmins) (S924)  
**Voting Against:** Councillors King, Chant, Graham, Hampton and Meineke.

**Planning Agreements Policy**

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16/08 **RESOLVED** that the report be received and that Council:-

1. Publicly exhibit the proposed Planning Agreements Policy for 28 days.
2. A further report be brought to Council at the conclusion of the exhibition period, prior to the adoption of a Planning Agreements Policy.  
(Councillors Swientek/Chant.)(S609)

**Request for Financial Assistance – Lismore Chamber of Commerce Inc.**

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17/08 **RESOLVED** that the report be received and that Council agree to the Lismore Chamber of

Commerce Inc. request to provide a loan to pay out an existing loan up to a maximum amount of \$18,000, for an eighteen month repayment period with monthly loan repayments at an interest rate equivalent to the investment portfolio interest rate for January 2008.  
(Councillors Graham/Swientek)(S124)

**Voting Against:** Councillors Irwin, Tomlinson and Ekins.

### **Lismore City Cycleway Strategy**

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

1. The Lismore City Cycleway Strategy as developed by LGES and attached to Councillors' business papers be adopted.
2. Council approve the proposed 2007/08 Cycleway Programme as set out in the body of the report.
3. The proposed cycleway prioritised works programme be reviewed annually in conjunction with the road works programme to achieve maximum economic benefits and efficiency of implementation.
4. That Council optimise the opportunity to provide or improve on road cycleways as and when roadworks are carried out on Bruxner Highway and other major roads.
5. That the Cycleway strategy be promoted in the Public arena.  
(Councillors Henry/Meineke)(S552)

AN AMENDMENT WAS MOVED that the report be received and –

1. The Lismore City Cycleway Strategy as developed by LGES and attached to Councillors' business papers be adopted.
2. Council approve the proposed 2007/08 Cycleway Programme as set out in the body of the report.
3. The proposed cycleway prioritised works programme be reviewed annually in conjunction with the road works programme to achieve maximum economic benefits and efficiency of implementation.
4. That Council optimise the opportunity to provide or improve on road cycleways as and when roadworks are carried out on Bruxner Highway and other major roads.
5. That the Cycleway strategy be promoted in the Public arena.
6. Apart from the funding for Orion Street and Rotary Drive, the Cycleway Strategy be placed on Public Exhibition for 28 days calling for public feedback.  
(Councillors Swientek/Tomlinson)

On submission to the meeting the AMENDMENT was DEFEATED.

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

18/08 **RESOLVED** that the report be received and that:

1. The Lismore City Cycleway Strategy as developed by LGES and attached to Councillors' business papers be adopted.
2. Council approve the proposed 2007/08 Cycleway Programme as set out in the body of the report.
3. The proposed cycleway prioritised works programme be reviewed annually in conjunction with the road works programme to achieve maximum economic benefits and efficiency of implementation.
4. That Council optimise the opportunity to provide or improve on road cycleways as and when roadworks are carried out on Bruxner Highway and other major roads.
5. That the Cycleway strategy be promoted in the Public arena.  
(Councillors Henry/Meineke)(S552)  
**Voting Against:** Councillor Hampton.

### **Water Supply and Sewerage Performance Monitoring**

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19/08 **RESOLVED** that the report be received and noted.  
(Councillors Irwin/Graham)(S301:S387)  
**Voting against:** Councillor Ekins

### **Emergency Management**

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20/08 **RESOLVED** that the report be received and that Council endorse the Executive Director - Infrastructure Services as Chair of the Local Emergency Management Committee and Manager Assets and Support Services as the Local Emergency Management Officer.  
(Councillors Irwin/Chant)(S676)

### **ECLEI – Local Governments for Sustainability – Water Campaign**

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21/08 **RESOLVED** that the report be received and that Lismore City Council join the ICLEI Water Campaign and undertake work to achieve the five milestones outlined within this programme.  
(Councillors Dowell/Swientek)(S752)  
**Voting against:** Councillor Meineke

### **December 2007 Quarter Management Plan Review**

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22/08 **RESOLVED** that the report be received and noted.  
(Councillors Irwin/Dowell)(S952)

**December 2007 Quarterly Budget Review Statement**

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23/08

**RESOLVED** that the report be received and that:

1. Council adopt the December 2007 Budget Review Statement for General, Water and Sewerage Funds.
2. The request for additional funding of \$9,900 from Richmond Tweed Regional Library for Sunday afternoon opening be approved.
3. This information be submitted to Council's Auditor.  
(Councillors Dowell/Meineke)(S929)  
**Voting against:** Councillor Swientek

**Investments held by Council – December 2007 and January 2008**

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24/08

**RESOLVED** that the report be received and noted.  
(Councillors Irwin/Crimmins)(S178)

**Financial Assistance - Section 356**

25/08

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

**b) Council Contributions to Charitable Organisations**

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

Budget:\$10,000 To date: \$5,563.02

Contributions for the period of 1/12/07 to 31/12/07

Challenge Foundation	\$60.66
Five Loaves	\$159.38
Friends of the Koala	\$32.73
LifeLine	\$198.00
Saint Vincent De Paul	\$19.85
Westpac Life Saver Rescue Helicopter	\$11.82

*In accordance with policy.*

\$482.44

Budget :\$10,000 To date: \$5,563.02

Contributions for the period of 1/1/08 to 31/1/08

Animal Right & Rescue	\$23.64
Challenge Foundation	\$133.03
Five Loaves	\$198.00
Friends of the Koala	\$21.82
LifeLine	\$198.00
Lismore & Dist Police Boys Club	\$18.18
Saint Vincent De Paul	\$64.85
Salvation Army	\$93.60
Westpac Life Saver Rescue Helicopter	\$23.64

*In accordance with policy*

\$774.76

**c) Mayor's Discretionary Fund (GL390.485.15)**

Budget:\$2,700 To date: \$990.91

**Southern Cross University – Northern Rivers Science and Engineering Challenge**  
**June 27, 2008 – Bronze Sponsorship** \$100.00

**Magic Mania’s Christmas Spectacular – December 21, 2007** \$100.00

**c) Miscellaneous Items**

**Lifeline Northern Rivers** requesting a special dispensation on waste fees for the month of January and February (2008) due to recent floods and general wet weather vastly increased the amount of rubbish cycled through their waste collection systems (R25041:08-1069).

Comment - Council's policy S356 Donations - Waste Disposal Charges (5.6.01) allows for a donation of the up to two tonnes per month (\$198) for an approved charity and this request is in addition to this donation.

For January 2008, disposal costs after the discount totalled \$643.50. The February account will not be issued until early March. The January 2007 account was for \$136. The average monthly account for 2007 was \$146. Clearly, there has been a significant increase in disposal costs in January 2008.

To provide additional support to Lifeline, it is proposed to double the allowance for January and February 2008 from \$198 per month to \$396 per month on a once only basis in recognition of the special circumstances. At the same time, Council's Waste Education Officer will work with Lifeline to review collection practices and recycling opportunities to minimise waste disposal costs

**Council increase the donation up to \$396 per month to Lifeline Northern Rivers for their January and February 2008 waste disposal costs on a once only basis and that they work with Council's Waste Education Officer to review collection practices and recycling opportunities to minimise waste disposal costs**

(Councillors Graham/Dowell)(S164)

## Documents for Signing and Sealing

26/08 **RESOLVED** that the following documents be executed under the Common Seal of Council:

**Lease to Mark Reynolds** - part Lot 45 DP847893 (P25041)

Renewal of lease to Mark Reynolds for former quarry site at 313 Wyrallah Road, Monaltrie for a term of five years with an option to renew for five years.

**Linen Plan and 88B Instrument** – Subdivision of Lot 11 DP1088977 at 76 James Gibson Road. (DA 02/699)

Council is required to sign under seal the linen plan of the subdivision and the 88B instrument which creates a number of easements in Council’s favour.

**Transfer - Lot 10 DP 1088977 - 12A Heather Avenue, Goonellabah** (P29304)

Transfer to Council Lot 10 DP 1088977 (306.5m<sup>2</sup>) to comply with Clause 9(d) of Development Application 2002/699 as operational land, being land for use as Heather Avenue sewer pump station.

(Councillors Irwin/Dowell)

## Closure

This concluded the business and the meeting terminated at 11.47 pm.

Council Minutes  
February 12, 2008

CONFIRMED this 11 of March 2008 at which meeting the signature herein was subscribed.

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**MAYOR**