



NOTICE OF COUNCIL MEETING

An ORDINARY MEETING of LISMORE CITY COUNCIL will be held on **TUESDAY, NOVEMBER 12, 2002, at the South Gundurimba Community Hall** at 6.30pm and members of Council are requested to attend.

Councillors are requested to attend at 6.00pm to informally meet residents.

A handwritten signature in black ink, appearing to read "Paul G. O'Sullivan". The signature is fluid and cursive, with a large initial 'P' and 'S'.

Paul G. O'Sullivan
General Manager

November 5, 2002

COUNCIL BUSINESS AGENDA

November 12, 2002

PUBLIC ACCESS SESSION:

PAGE NO.

PUBLIC QUESTION TIME:

OPENING OF MEETING AND PRAYER (MAYOR):

APOLOGIES AND LEAVE OF ABSENCE

CONFIRMATION OF MINUTES – Ordinary Meeting 8/10/02

CONDOLENCES

DISCLOSURE OF INTEREST

MAYORAL MINUTES

NOTICES OF RESCISSION

NOTICE OF MOTIONS

1 - 5

SUSPENSION OF STANDING ORDERS

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

REPORTS

6 - 37

COMMITTEE RECOMMENDATIONS

38 - 40

DOCUMENTS FOR SIGNING AND SEALING

41

QUESTIONS WITHOUT NOTICE

CONFIDENTIAL MATTERS - COMMITTEE OF THE WHOLE

INDEX

REPORTS:	PAGE NO.
Review of Clause 22 of LEP 2000 and DCP 7 (Flood Prone Lands)	6 - 7
Minor Amendment to S94 Contributions Plan	8
Proposed Redevelopment of Nimbin Hospital	9 - 10
Northern Arterial Ring Road	11 - 13
Policy Review – Footpath/Cycleway Risk Management	14 - 16
Contaminated Lands Policy	17 - 18
Management of Roy Waddell Community Centre	19 - 20
September 2002 Quarterly Budget Review Statement	21 - 23
Management Plan Review 2002/03 – September Quarter 2002	24 - 33
Financial Reports 2001/02	34 - 35
Council Meetings and Public Contact Forums for 2003	36 - 37
<u>Committee Recommendations:</u>	
Traffic Advisory Committee 16/10/02	38 - 40
<u>Documents for Signing and Sealing:</u>	41
<u>Questions Without Notice:</u>	
<u>CONFIDENTIAL MATTERS - Committee of the Whole:</u>	

NOTICE OF MOTION

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

That Lismore Council amends our Residential DCP to include the provision of rainwater tanks in future residential development and it investigate incentives such as those provided at Darebin City Council in Victoria to encourage their installation.

COUNCILLOR R M Irwin

DATE October 15, 2002

STAFF COMMENT BY:

Manager - Environmental Health & Building:

If the intent of the first part of the motion is for Council to include the provision of rainwater tanks as:

- a) **optional-** DCP 39 "Exempt Development" allows the installation of rainwater tanks up to 22,500 lt on any premises without approval from Council.
- b) **mandatory** – DCP 14 "Residential Development" Section 2.3 Energy Efficiency would require an amendment to include the provision of rainwater tanks on residential developments mandatory.

Council's Environmental Health Section has encouraged the use of rainwater tanks by the publication of a brochure last year. There is current debate from some State Government Authorities regarding the use of rainwater tanks for drinking purposes. At this stage this is still permitted in the Lismore City Council's area provided there is no interconnection with the reticulated water supply. In the urban area it is not accepted as potable water.

In regard to the Darebin City Council incentive scheme, the use of rainwater tanks for gardening purposes is investigated. The local Council linked with the local water authority to encourage and facilitate the uptake of rainwater tanks to residents. The water authority proposed a partnership arrangement with the Council, whereby a 7% return on revenue for all sales to Darebin residents is paid to the City of Darebin.

It is suggested that the matter be further investigated in conjunction with Rous Water and a report be submitted to Council's Management Group on the matter.

Manager - Planning Services:

The proposal does not raise any planning matters. Should Council wish to offer incentives on the installation of tanks that require consent, then the addition of an appropriate paragraph to DCP 14, Residential Development, in the section dealing with efficient water use, would be a minor administrative procedure. An offer of incentives for tanks not requiring development consent would not require an alteration to DCP 14 but could be specified in the brochure.

(02-11719: S461)

NOTICE OF MOTION

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

That Council urgently approve adequate resources to facilitate the process for developing industrial land at the Lismore Airport as identified in the Lismore Floodplain Management Plan

COUNCILLOR J Chant

DATE October 30, 2002

STAFF COMMENT BY:

Strategic Planner, Bruce Blackford

The concept identified in the Lismore Floodplain Management Plan involves the subdivision of part of the airport land fronting the Bruxner Highway (Lot 532 DP 825929 & Lot 2 DP 577321) to create eight industrial lots each with a building pad raised to the equivalent 1 in 100 ARI flood level. The flood modelling found that if filling was carried out in accordance with the concept plan, the effects on flooding behaviour upstream of the site would be negligible.

It is envisaged that the process for realising this project would involve several steps as follows:

1. Carrying out a Feasibility/Planning Study.
2. Preparation of a rezoning Application to rezone the land from 1(r) Riverlands to an appropriate industrial zone.
3. Processing of the rezoning through to gazettal.
4. Preparation of a Development Application/EIS for the filling and subdivision of the land.
5. Assessment and determination of the Development Application
6. Construction phase (filling, road construction, services etc)

A number of the above steps will require the commitment of significant financial and staff resources and may involve the engagement of consultants at various stages of the process. Some steps can also be relatively time consuming, eg the rezoning process would take a minimum 9 months to complete.

(02-12373: P9733)

NOTICE OF MOTION

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

That Council request Rous County Council to urgently address and respond to the following principles which are central to the justification of county councils (water supply).

- 1 That in the current drought conditions Rous County Council confirm that absolute priority be given to supplying water to consumers within the Rous County district.**
- 2 That any decision which would result in the supply of water from Rocky Creek Dam to Mullumbimby consider the equity and strategic implications for current Rous consumers.**
- 3 That should emergency water supply be extended by Rous to Mullumbimby, Lismore City Council suggests a condition of any supply agreement require Byron Shire Council to formally apply for inclusion of Mullumbimby into the Rous County district.**

COUNCILLOR J F Crowther

DATE October 30, 2002

STAFF COMMENT BY:

General Manager

Unprecedented climatic conditions have required the introduction of water restrictions not previously experienced in the local community. Since Level 4 restrictions were announced there has been some irrational and ill informed public commentary and behaviour. Security of the water supply is paramount in the minds of most.

Councillor Crowther's Notice of Motion is a reflection of the issues which were debated last month by Rous Water, following which a resolution was passed authorising the staff to negotiate a supply arrangement for Mullumbimby. The central issue is that in circumstances where the community which has borne the cost of the Rous water supply system is subject to severe restrictions, how can it be equitable for that now scarce resource to be offered to a community which has over many years resolutely avoided repeated overtures to join the regional scheme for mutual benefit.

This principle of equity was applied in 1988 and again in 1996 when Ballina/Lennox Head and then Alstonville/Wollongbar joined the Rous system for the precise same reason that their existing water supply was inadequate to meet their needs. Ballina Shire wanted a "top up" arrangement with Rous. That was rejected on the grounds that it is not equitable to take the benefits in the hard times and not share the burden in times of plenty.

A County Council is not a come and go proposition. It's either membership or not and as a foundation member it appears that Lismore Council has a responsibility to highlight the terms of membership – terms that historically aware Councillors such as John Crowther know, value and endorse. If the hydrology says there is adequate water for the current members plus Mullumbimby, well and good but Mullumbimby must formalise its entitlement to be supplied with water from the Rous system.

(02-12350: S306)

NOTICE OF MOTION

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

That Council seek urgent talks with the Minister for Education, Mr John Watkins, to seek a review of any further downgrading of TAFE courses and facilities in Lismore. We seek a strengthening of TAFE presence in Lismore.

Comment:

Lismore has already lost a number of TAFE courses and facilities in recent years. Many have been transferred to other areas – most notably Wollongbar. Lismore is a regional centre and a geographic centre for a large section of the population on the North Coast and is well placed to offer courses to students.

Transport infrastructure is established here, making it a much more convenient and economical destination for a majority of students. It's imperative we maintain a strong TAFE presence in our city.

COUNCILLOR F F Swientek

DATE October 30, 2002

STAFF COMMENT BY:

Community Services Co-ordinator, Karuna Fielden

I agree with Councillor Swientek that it is vital that there be no reduction in or downgrading of TAFE courses at the Lismore Campus as many local students experience hardship trying to access the Wollongbar and other outreach locations, due to the lack of public transport in this area. It is unsafe for students with classes at night to travel, as bus services are extremely limited and many students then resort to hitchhiking. Students without cars have told me that they often have complicated car pool arrangements that may easily collapse at short notice, eg if a fellow student is ill or absent and they cannot therefore access classes. For students in outlying rural areas and villages it is impossible to access classes in Wollongbar or Ballina without a car.

Lismore is a regional centre and the Lismore TAFE campus provides alternate high school certificate education for mature students and early school leavers. Students then have easy access to the Lismore Library and local businesses for work experience and vocational courses. The Lismore Campus is renowned for the high standard of Fine Arts Courses which are culturally very appropriate for this area as it has one of the highest populations of artists in Australia.

Youth Development Officer, Annie Mc William

I strongly agree with Councillor Swientek's concerns about the potential downgrading of facilities and educational offerings at the Lismore Campus of the North Coast Institute of TAFE. This move is particularly concerning as local educational service providers already struggle to meet the needs of disadvantaged and indigenous youth in the Lismore area.

The Access Department of Lismore TAFE has had a strong commitment and a long and successful track record in programming for young people who are perceived as being 'at risk' in this LGA.

LISMORE CITY COUNCIL - Meeting held November 12, 2002

Notice of Motion – TAFE

Each semester Lismore TAFE offers a Youth Access programme which specifically targets this group of students. The major focus of these programmes has been hospitality. This focus has provided young people with life skills, real vocational outcomes and, very significantly, food when their resources have run low.

The downgrading of TAFE Lismore campus and the re-location of the School of Hospitality to the Wollongbar campus has resulted in Youth Hospitality programmes struggling to remain viable. Young people with few financial resources, limited confidence and a dependence on their support systems in the Lismore CBD simply refuse to access the Wollongbar campus and decide, instead of re-entry into training, to return to the street.

Manager, Human Resources – Isabel Perdriau

TAFE is a Quality Endorsed Training Organisation that provides comprehensive vocational education and training to meet industry requirements. Lismore is the educational city of the Far North Coast, therefore centralising the learning facilities in the city where there is a significant population, and which is the economic and business hub of the region, seems logical.

Staff in Human Resources access the services of the Lismore Campus of the North Coast Institute of TAFE for a range of activities. In relation to training, we often seek proposals for delivery of training programs to our staff. Recently, staff from the Lismore TAFE Campus Business Services and Business Development Unit compiled and presented a proposal to NOROC, and then to the regional network of HR Managers for the development of an integrated function to facilitate the development of Local Government training initiatives. Councils utilise the Local Government Training Package, and will be supported further through the TAFE Lismore Campus development of this strategy which may see the launch in early 2003 of a Local Government Training 'Centre' Initiative.

Across Council, we employ a number of apprentices in a range of vocational areas, and also promote existing worker traineeships. The centralisation of study and support services at the Lismore Campus facilitates Council and its staff to fulfill the requirements of their study programs. The additional inconvenience, time and cost of staff having to travel to meet the requirements of their course is a deterrent in pursuing these opportunities for vocational training and thereby providing career development opportunities for young people in Local Government.

The facilities of the Lismore Campus are also utilised for training rooms for Council staff undertaking computer training activities. Staff in administration are also encouraged to undertake the Certificate IV in Business Administration offered through the Lismore Campus.

(02-12413: S93)

LISMORE CITY COUNCIL - Meeting held November 12, 2002

Subject/File No: REVIEW OF CLAUSE 22 OF LEP 2000 AND DCP 7 (FLOOD PRONE LANDS) (BB:S850/S365)

Prepared By: Strategic Planner – Bruce Blackford

Reason: Council's adoption of the Lismore Floodplain Management Plan.

Objective: Council's resolution to amend clause 22 of the LEP and prepare a new DCP for flood prone lands.

Management Plan Activity: Strategic planning

Background:

Council's planning controls for development on flood affected lands are expressed in clause 22 of the Lismore Local Environmental Plan 2000 and in Development Control Plan No.7 – Flood Prone Lands. These controls were prepared some time ago and are based on flood mapping and other flood data dating back to 1983.

Following Council's adoption of the Lismore Floodplain Management Plan (LFMP) in October 2002, it is appropriate that Council now review its flood planning controls to achieve consistency with the LFMP. The LFMP contains specific recommendations for new planning requirements to apply to development on various categories of flood prone lands that will necessitate amendments to both the LEP and DCP No. 7. Such controls will be based on more up to date mapping that has formed the basis of the LFMP. This mapping was derived from flood modelling work undertaken by Patterson Britton in 2000.

As the new DCP for flood prone lands will supplement the new requirements under clause 22, it is desirable that the LEP amendment and DCP be prepared and exhibited concurrently.

Manager - Finance & Administration Comments

Not required.

Public Consultations

Opportunity for public comment will occur once the amendments are placed on public exhibition. There is a statutory requirement that amendments to the LEP and DCPs be publicly exhibited for a minimum period of twenty eight (28) days.

Other Group Comments

Group Manager - City Works

The Lismore Flood Management Plan has been prepared over a long period of time with a lot of good computer modeling aimed at ensuring that the Plan truly reflects what has happened in past floods and what can reasonably be expected with future floods. The Plan was extensively advertised prior to its adoption by Council. The new LEP and DCP will reflect this information.

It is therefore reasonable to conclude that both Plans will be well accepted by the majority of the community.

Author's Response to Comments from Other Staff

Not required

LISMORE CITY COUNCIL - Meeting held November 12, 2002

Review of Clause 22 Of LEP 2000 And DCP 7 (Flood Prone Lands)

Conclusion

Amendments to clause 22 of the LEP and to DCP No.7 are required in order to implement the planning recommendations of the Lismore Floodplain Management Plan. The proposed amendment to clause 22 will require a formal section 54 resolution of Council.

Recommendation (PLA42)

That Council resolve, pursuant to Sections 54, 62 and 72 of the Environmental Planning and Assessment Act 1979, to:

- 1 Prepare a draft amending local environmental plan which amends clause 22 of the Lismore Local Environmental Plan 2000 consistent with the recommendations of the Lismore Floodplain Management Plan,
- 2 Consult with relevant public authorities as may be affected by the draft plan, and
- 3 Prepare a new draft Development Control Plan for flood prone lands consistent with the recommendations of the Lismore Floodplain Management Plan.

LISMORE CITY COUNCIL - Meeting held November 12, 2002

Subject/File No: MINOR AMENDMENT TO S.94 CONTRIBUTIONS PLAN (S517)

Prepared By: Manager, Planning Services – Helen Manning

Reason: To enable the effective levying of S94 contributions.

Objective: Efficient implementation of S.94 Contributions Plan.

Management Plan Activity: Strategic Planning

Background:

At its meeting of September 10, 2002, Council resolved to endorse the preparation and public exhibition of a draft amendment to the S94 Contributions Plan.

The amendment states that, in the case of a DA involving building work, contributions will be payable prior to the release of a Construction Certificate, an interim or final Occupation Certificate, or a Section 149D Certificate. A copy of the amending plan is in the attachment to this business paper.

This provision will replace the current requirement that contributions are payable prior to the release of an Occupation Certificate, and which proved impractical to implement because many building owners do not apply for this Certificate and thus avoid paying contributions.

Acting Manager - Finance & Administration Comments

As stated in the previous report to Council, this amendment is supported.

Public Consultations

As required by the Environmental Planning and Assessment Regulation, the draft amending plan was exhibited for public comment for 28 days. No submissions were received.

Other Group Comments

Not required.

Author's Response to Comments from Other Staff

Not required.

Conclusion

The alteration to the S94 Plan will provide certainty of timing of collection of payments and overcome current problems in their collection.

Recommendation (PLA41)

That Council adopt Amendment No. 2 to Lismore S94 Contributions Plan 1999.

LISMORE CITY COUNCIL - Meeting held November 12, 2002

Subject/File No: PROPOSED REDEVELOPMENT OF NIMBIN HOSPITAL (P16067)

Prepared By: Development Assessment Planner - Chris Soulsby

Reason: To facilitate the timely processing of the development application.

Objective: To grant delegated authority to the General Manager to determine the development application for the Nimbin Hospital.

Management Plan Activity: Development Assessment

Background:

Over the past eighteen months Northern Rivers Area Health Service has been consulting with the Nimbin community on options for redevelopment of the Nimbin Hospital. The current facility does not meet the requirements of Area Health or the needs of the community. A state standardised modular facility was initially proposed on the current site. This proposal was rejected by Area Health and the community without an application being lodged. Various other options, such as use of the Mulgum House site, were considered and rejected after community consultation by Area Health.

Area Health are now proposing to redevelop the current site. The existing hospital building will be retained and reused for community health purposes and a new hospital developed on the remainder of the site. The consultants engaged by Area Health have been working with Council's Planners to determine the requirements for the development application. The development application is to be lodged by Monday, November 4, 2002.

The total value of the project is \$3.485M. In accordance with Council policy a development application of this value is required to be presented to a meeting of Council for determination. At this point in time policy is the only reason that such an application would be submitted to Council.

The development application will require public exhibition by Council in addition to the consultation already undertaken by Area Health. Such consultation would be finalised before Christmas. The application would also require referral to various Government Departments for their consideration. Based on the probable timeframes for assessment of the proposal it is unlikely to make to the December meeting of Council. The next available meeting of Council would be in February. Due to budgetary constraints placed on Area Health this meeting will be too late. There is a risk that if a consent (if a consent is to be issued) is not issued by January 28, 2003, the funding for this facility may be lost.

On this basis, it is proposed that delegation be granted to the General Manager to determine the application subject to conditions with the concurrence of the Development Assessment Panel (DAP). In accordance with normal practice if there are issues of significance raised in submissions that cannot be adequately dealt with by way of conditions, or if two Councillors wish the application to be determined at a meeting of Council, they may suspend this delegation of authority in writing and request the matter to be presented to a meeting. If, due to unforeseen problems, the application required refusal, the matter would be referred back to Council.

As an alternative the Councillors may wish to convene a special meeting in January to deal with the matter.

Manager - Finance & Administration Comments

Not required.

LISMORE CITY COUNCIL - Meeting held November 12, 2002

Proposed Redevelopment of Nimbin Hospital

Public Consultations

Not required.

Other Group Comments

Not required.

Conclusion

In order to facilitate the timely processing of the application for the Nimbin Hospital it would be desirable for this matter to be dealt with under delegated authority.

Recommendation (PLA40)

That Council delegate authority to the General Manager to:

Approve the development application for the Nimbin Hospital subject to conditions with the concurrence of the Development Assessment Panel.

This delegation is not to be exercised if there are issues of significance raised in submissions that cannot adequately be dealt with by way of conditions or if two Councillors suspend this delegation in writing.

Subject/File No: NORTHERN ARTERIAL RING ROAD
(WJM:VLC:S683)

Prepared By: Group Manager – City Works

Reason: To update Council following completion of the draft Traffic Study.

Objective: Proceed towards providing a link road between Bangalow Road and North Lismore.

Management Plan Activity:

Background:

In recent years the traffic delays on Union Street, South Lismore, have been increasing due principally to the Ballina Street Bridge and the approach roundabouts now running close to capacity (*ie, up to 24,000 vehicles per day*).

This comes as no surprise as in the early 1990's both the RTA and Council's Traffic Consultants predicted that serious delays would start to appear around the Year 2000 when traffic loads over the bridge were expected to exceed 20,000 vehicles per day.

The simplistic answer to the problem is to duplicate the bridge at a cost of approximately \$15.0M and upgrade the entire approach networks. This proposal is not on the RTA agenda as the majority of the congestion is caused by local traffic and not through or inter-regional traffic which the RTA deems as its principal concern.

Both Fawcett and Coleman Bridges do offer some form of alternative route. However, the increased congestion in the Lismore CBD and particularly Woodlark Street (currently 15,000-19,000 vpd), and now the Zadoc Street bypass have only limited potential for additional vehicles.

The Mayor, Cr Bob Gates, and Group Manager - City Works met with Minister Scully when he visited Evans Head on April 30, 2002. At that meeting Minister Scully agreed to fund \$25,000 as a 50% share of a total \$50,000 study to assess alternative routes for traffic around the CBD with particular emphasis on roads that link Bangalow Road (MR65) with North and South Lismore.

Current Situation:

The draft Traffic Study has now been completed and was formally presented to RTA Staff in Grafton on October 25, 2002. The concept of developing a road system to the North of Lismore is favoured as the cost of a low level bridge is in the order of \$1.0M-\$1.5M which is only 10% of the cost of a major bridge. Similarly the new roads will be predominately constructed across rural land or existing lightly used roads which is substantially less expensive than alternative routes close to the CBD (*refer Appendix*).

The unfortunate reality is that a project of (say) \$30.0M to build a major new bridge and approach roads will not be funded in the current economic environment. A project costing of (say) \$3.0M-\$5.0M can be funded within the existing system over several years.

LISMORE CITY COUNCIL - Meeting held November 12, 2002

Northern Arterial Ring Road

RTA representatives have advised that they believe the next step should be to commence the preparation of an EIS which should publicly examine all the possible Northern Bypass options looking particularly at –

- possible river crossing sites
- possible future road locations
- impact on residents / business houses, etc
- impact on Schools
- impact on fauna and flora.

The suggested approach is for Council to obtain the services of a Consultant acceptable to the RTA on both price and reputation. The Consultant's role will be to collate information supplied by the various experts and progress the EIS through the various exhibition and public consultation phases. The end result will be that Council will be presented with a final EIS that is understood by the relevant parties and proposes a road alignment that works well and should be supported by all parties; *ie, RTA, Council, road users, Schools, NPWS and the overall community.*

The intention is to have a well accepted EIS that will then attract funding from the RTA as the project would show a high "needs" basis and a good benefit cost (BC) ratio. In simple terms our proposal must be very effective in attracting traffic off the Ballina Street Bridge and be economic to build. Without both of these characteristics, funding is likely to be allocated to other projects with higher BC ratios.

Funding to complete the EIS is to be on a 50:50 basis between the RTA and Council with Council's share being sourced from Section 94 contributions. The original project cost was \$50,000 with both Council and the RTA giving a commitment to provide \$25,000 each.

Currently \$40,000 remains which will be sufficient to progress the project well into this financial year. The RTA has advised that it will provide the balance of its contribution in the 2003/04 financial year. Council will fund its 50% share from Section 94 levies and therefore the delay in receiving the RTA's contribution will not pose a problem.

The expected final cost will be better understood once a Consultant has been appointed and the scope of works required for the EIS finalised.

Acting Manager - Finance & Administration Comments:

At present there is approximately \$780,000 in Section 94 funds available for this project which can be matched dollar for dollar with other funding - Council or other. Should the studies put forward a plausible option, Council will need to find the balance of the funding which could be substantial.

It is relevant to fund Council's share of this study from Section 94 funds. If the RTA is not able to contribute the remaining \$25,000 in the current financial year, this should be funded from the Contractor's Reserve. The reserve can be replenished when the funds are received from the RTA.

Public Consultations Not applicable at this stage.

Other Group Comments

Manager - Planning Services:

Planning Services fully supports the proposal to undertake a comprehensive analysis of the proposal for an alternative traffic route to the north of the CBD.

If information on the social, environmental and economic effects, as well as traffic impacts, is publicly available then possibly some of the opposition to the proposal (*which has been evident in previous attempts to identify the route*) may be overcome. Additionally, the focus of the Traffic Study and proposed EIS is consistent with the reviewed Urban Development Strategy which predicts short and medium term growth to the north of the City.

Manager - Design Services:

Councillors and staff have been aware of the need for alternate traffic routes around Lismore for some time. This project would be Step 1 towards achieving the final goal of an arterial road network.

Author's Response to Comments from Other Staff Not required

Recommendation (WOR6)

That Council proceed to obtain the services of a competent Consultant to complete an EIS for the construction of a road between Bangalow Road (MR65) and North Lismore.

Subject/File No: POLICY REVIEW – FOOTPATH/CYCLEWAY RISK MANAGEMENT
(GM:VLC:S342)

Prepared By: Administrative Services Manager – Graeme Wilson

Reason: Advice from Council’s insurance brokers on policy format.

Objective: To amend an existing policy.

Management Plan Activity: -

Background:

In October 2001 Council adopted a comprehensive policy to identify and prioritise potential trip hazards within its footpath network. This policy then lead to a budget submission for additional funds with Council resolving to allocate an extra \$100,000 per year.

Policy Review:

The initial policy adopted by Council (copy separately enclosed), is extremely detailed and amounts very much to a procedural document. This format followed a recommendation submitted by our Insurance Brokers. With the passage of time the advice has evolved to a point where it is now recommended that Council has two documents; a broad policy adopted by Council and a detailed procedure developed by the General Manager.

A copy of the revised policy is attached. The former policy will form the basis of the procedure.

With Council’s additional vote, attention has been focussed on eliminating trip points capable of being removed by a concrete grinding machine. This was seen as maximising the cost benefit of works to trip points. To date approximately 450 trip points have been removed. As the number of such trip points declines, the focus will shift to the replacement of segments of footpaths.

Related Issues:

Current Resolutions

In the past few months Council has passed two resolutions with respect to its footpath network; as detailed below –

Funding for Footpaths	
190/02	Formal notice having been given by Councillor Irwin it was RESOLVED that –
1.	Council support the notion that footpaths and cycleways are an integral part of roads, and that the current funding available is inadequate to address the needs of pedestrians in urban areas, particularly in the Lismore basin and Villages.
2.	Council staff develop a funding formula, linked to the budget for roads, and provide a report to Council on how existing footpaths can be made safe and new footpaths be constructed within a five-year time-frame.

Footpaths and Cycleways

250/02 Formal notice having been given by Councillor Irwin it was **RESOLVED** that –
The Council recognises that inadequate footpaths and cycleways are both essential for residents to participate fully in community life and to encourage alternatives to the use of cars which in itself has important environmental and social outcomes including reducing demands for carparking infrastructure.

The Council also recognises that the existing footpath and cycleways infrastructure is inadequate in many areas within the Lismore urban areas, including our Villages.

The Council requests the General Manager to provide a report to Council on options for addressing the inadequacy of funding for footpaths and cycleways within a reasonable time-frame, including the possibility of using the surplus of the amount collected each year in carparking fines and/or loan funds.

The report should also address how processes can be implemented to consult with the community on priorities, perhaps through a footpath and cycleways management plan.

This current policy review does not attempt to specifically address the issues raised in these resolutions. There are obvious strong linkages between Risk Management and Asset Management which will be developed in a future report in early 2003 to address the issues raised in the above resolutions. This policy review could be seen as a necessary “house cleaning” issue in preparation for further reports.

Government Initiatives

The State Government has introduced the second stage of its legislation with respect to public liability. This Bill entitled Civil Liability Amendment (Personal Responsibility) Bill 2002, deals with a broad range of issues, including limiting the liability of Councils with respect to footpath trips and falls. Whilst the detail has not been spelt out, it would appear that any limiting of liability will be dependent upon Council having in place an inspection regime as detailed within the current policy/procedure.

It is expected that this procedure will need to be modified once the Regulations to accompany the new legislation have been developed.

Recent Court Cases

Seemingly parallel with the efforts of the State Government, the Courts, or at least the Court of Appeal, have been handing down rulings which seem to be a bit more realistic. Recently Bogan Shire Council was able to win an Appeal on a “footpath trip” claim. The essence of its defence was that it had an inspection programme in place; had allocated a budget within its means, and had not yet got to the “trip point” in question.

This decision along with the proposed legislation, supports the current efforts of Council to address its Risk Management responsibilities.

Acting Manager - Finance & Administration Comments

I agree with the strategy undertaken by staff and Council in attempting to reduce the risk of personal injury and in turn Councils public liability insurance costs.

Public Consultations

Not requested.

Other Group Comments

Manager – Roads & Infrastructure:

City Works are in the process of strengthening our understanding of Asset Management and using these principles we will provide better advice to Council in the future.

Risk management has strong linkages with Asset Management and this concept will be discussed in detail in a future report to Council.

City Works supports the subject Policy.

Author's Response to Comments from Other Staff

Noted.

Conclusion

The proposed change to the policy reflects a change in appearance rather than a change in substance. However, this change is designed to increase the protection afforded to Council and to increase Management's flexibility to deal with the rapidly changing world of Risk Management.

Recommendation (COR33)

That Council adopt the revised policy, Footpath/Cycleway Risk Management No. 1.4.15.

LISMORE CITY COUNCIL - Meeting held November 12, 2002

Subject/File No: CONTAMINATED LANDS POLICY (S246)

Prepared By: Manager Environmental Health & Building – Tony Kohlenberg

Reason: To advise Council of the expiration of the exhibition period.

Objective: To gain Councils approval of the Policy for implementation.

Management Plan Activity: Environmental Health

Background:

At the Council meeting of September 10, 2002 Council resolved to exhibit the Draft Contaminated Lands Policy for public comment for a 30 day period. After the expiration of this period a further report was to be submitted to Council indicating comment received and seeking adoption or otherwise of the policy.

The draft policy was exhibited at Council's administration centre in Oliver Avenue Goonellabah and the City Library. It was also placed on exhibition on Council's website and publicly advertised in Councils Info Link in the Echo on September 19 & 26 and October 3 & 10 2002. The comment period closed on October 18,2002.

At the expiration of the 30 day exhibition period no submissions had been received.

History

The Contaminated Lands Policy was developed by Council to identify and record ongoing contaminated lands within the council area, establishment of a database of all contaminated or potentially contaminated properties and protocols for council to assess subdivisions and development applications.

The database identifies properties that may be potentially contaminated, based on information available to council.

Development and subdivision applications lodged with council will also be assessed for their potential to cause land contamination and if necessary placed on the database.

If council is not satisfied that land subject to an application cannot be remediated, or environmental or human health risks exist then it will refuse the application.

Need For a Policy

A Contaminated Lands Policy (attached) has been developed to meet the following needs.

- As a result of the introduction of the Contaminated Lands Guidelines and SEPP 55 there is a need for Council to have in place procedures by which to ensure that Council consistently and accurately assesses the potential for contamination on land, which is the subject of rezoning or development proposals, having regard to the information available to the Council.

LISMORE CITY COUNCIL - Meeting held November 12, 2002

Contaminated Lands Policy

- Furthermore, section 145B of the EP&A Act has the effect that Council will not incur any liability in respect of the exercise by the Council of its planning functions, if those functions are exercised in good faith, in relation to contaminated land or the nature or extent of contaminated land. Council will be taken to have acted in good faith if it has acted in accordance with the guidelines.

The adoption of a Contaminated Lands Policy is important for a number of reasons

- It will be easier for Council to establish that it has acted in good faith and in accordance with the Guidelines in order to avoid liability.
- It will be clearer for Council officers preparing section 149 certificates to provide accurate information regarding the existence of Council policies, which restrict development due to contamination. If inaccurate information is included in 149 certificates, or if there is an omission from the certificates then the applicant could have an action in damages against Council.
- Members of the public can expect that legitimate processes and procedures will be followed when applying for 149 certificates or lodgement of applications for rezoning or development. Applicants could have a cause of action against Council should processes not be followed.

Manager - Finance & Administration Comments

The previous comment from the Manager-Finance & Administration is as follows:

The legal and social costs associated with inappropriate development of contaminated land are well documented. Council needs to take all appropriate steps to protect itself and the public from such development. The suggested policy is a measured response to the requirements placed on Council and its adoption is supported.

Public Consultations

The Draft Policy was publicly advertised as stated previously. There were no submissions received by Council.

Other Group Comments

The previous comments from the Manager-Planning Services is as follows:

Manager Planning Services supports the introduction of the Policy, as it contains clear guidelines for the public and Council staff on the management of this important issue.

Conclusion

As there is no adverse Community comment to the establishment of a Contaminated Lands Policy and as there is a legislative need for the development of a policy it is recommended that Council endorse the attached Policy.

Recommendation (PLA39)

That Council adopt the Contaminated Lands Policy as exhibited.

Subject/File No: MANAGEMENT OF ROY WADDELL COMMUNITY CENTRE
(GW/LM: P18669)

Prepared By: Administrative Services Manager – Graeme Wilson

Reason: Concerns over public liability insurance.

Objective: To ensure the facility is run to the satisfaction of Council and to maximum benefit of the community.

Management Plan Activity: -

Background

Council is trustee of Reserve No. 91411, better known as the Roy Waddell Community Centre. The Reserve has been traditionally managed for Council by a management committee of the Roy Waddell Community Centre Association Inc. Council has appointed Councillor Crowther as its representative to the management committee.

Council has been advised that the Incorporation has been unable to obtain public liability insurance for its activities and as a result, five of the committee members have resigned, leaving it without a quorum and the Incorporation in a position where it cannot continue to manage the Centre.

Alternatives

The options for Council would appear to be:

- a) Staff to undertake the day to day management of the Reserve/Centre.
- b) Council to call for expressions of interest to manage the Reserve/Centre.
- c) Council to resign as Trustee of the Reserve.
- d) Council to form a Section 355 management committee to manage the Reserve/Centre.

Best Solution

The formation of a Section 355 management committee is the option supported by staff and by the RWCC Management Committee.

To facilitate this, Council has obtained a “Best Practice” 355 management committee manual from Camden Council which is recommended by our insurance brokers as a model which should be adopted by this Council. A copy has been provided to the RWCC Management Committee which supports the general thrust of the document but would like the opportunity to peruse the document at length and to perhaps negotiate various clauses. This is a realistic position to adopt.

The manual will provide a comprehensive guide on the management responsibilities of the Committee with respect to its operation and how it operates the Centre. Such a manual will give the Committee a framework to work within and give Council a degree of protection from the activities of the Committee.

Should Council agree with the above concept and considering that the negotiation process will take time, an interim solution is needed.

It is proposed that Council establish an interim Section 355 management committee with the broad brief to manage the Centre and to develop the management manual. Upon adoption of the management manual, applications will be called for the permanent management committee.

Manager - Finance & Administration Comments

The proposed course of action is supported and there should be no additional cost for Council.

Public Consultations

Not requested.

Other Group Comments

Not required.

Author's Response to Comments from Other Staff

Noted.

Conclusion

It is proposed that Council establish an interim Section 355 management committee with the broad brief to manage the Centre and to develop the management manual. Upon adoption of the management manual, applications will be called for the permanent management committee.

Recommendation (COR34)

- 1 That pursuant to Section 377 and Section 355 of the Local Government Act 1993 Council delegate the core control and management of the land on buildings known as the Roy Waddell Community Centre (Public Reserve No. 91411) to a committee of the Roy Waddell Community Centre Association Inc., comprised of the following persons:

Mr R Waddell	President
Mr P Martin	Secretary/Treasurer
Mr A Johns	
Mr L Johnstone	
Mrs M Petty	
Mrs L Rowlands	
Mr H Coles	

- 2 The General Manager be authorised to negotiate a management committee manual with the Roy Waddell Community Centre Management Committee for subsequent endorsement by Council.
- 3 That Council's appointment to the Management Committee continue to be Councillor Crowther.

LISMORE CITY COUNCIL - Meeting held November 12, 2002

Subject/File No:	SEPTEMBER 2002 QUARTERLY BUDGET REVIEW STATEMENT (GB: S802)
Prepared By:	Principal Accountant – Gary Boyd
Reason:	Clause 7, Local Government (Financial Management) Regulations 1993
Objective:	To gain Council's approval to amend the 2002/03 budget to reflect actual or anticipated results.
Management Plan Activity:	N/A

Background

The Local Government Act 1993 (LGA) requires the annual budget to be reviewed on a quarterly basis and any significant variances to be reported to Council. This report satisfies the LGA's requirements.

The purpose of the September review is to "fine tune" any budgets that may vary due to more accurate information being available now than during the estimates process. This includes the reinstatement of budgets for works carried forward from 2001/02.

General Fund

The 2002/03 Management Plan provided for a budget cash surplus of \$30,000. This review details an decrease of \$3,200 with the budgeted cash surplus now \$26,800.

For Councillors benefit, the detail of this movement is as follows.

Budget Balance Movements for Quarter	Amount \$
Opening Balance at July 1, 2002	30,000
Add – Increased allocation of Financial Assistance Grants (FAGs) general component from budget forecast	82,000
Add – Increase due to net rating income as a result of the removal of certain section allowances following a change in the Valuation of Land Act. This reduced the term of these allowances from 15 to 3 years. Previously subdivisions had a 15-year term for the allowance, which relates to work done by the developer either on or off the land which increased the value of the land. The receipt of new valuations following subdivisions that were not available prior to the calculation resulted in around 150 properties being affected by this change.	206,400
Add – Increase due to greater than expected health and building services income for the remainder of the year as a result of demand for services tied to the increased activity in the building industry.	45,000
Less – Council's share of funding for traffic flow works in relation to Woodlark St and the CBD in general. The RTA has provided \$50,000 towards this project, with Council providing the balance shown.	(103,000)
Less – transfer to reserves for public liability costs / risk management. *	(150,000)
Less – Allocation towards Councils presence at the North Coast National Show	(5,000)
Less – Funding for market research in partnership with Southern Cross University	(10,900)
Less – Increased estimate of fitting out current library building for Lismore Neighbourhood Centre occupation as per Council resolution.	(55,000)
Less – adjustment for special business rate use as per Council resolution	(12,700)
Closing Balance at 30 September, 2002	26,800

LISMORE CITY COUNCIL - Meeting held November 12, 2002

September 2002 Quarterly Budget Review Statement

* As Council is aware, a recent public liability case has been finalised. Council's insurers at this time were underwritten by HIH Limited and while the Federal government will provide up to 50% of the costs involved, the State Government is yet to confirm that it will fund the remaining balance. In addition, staff are unsure if this 'bail out' package covers all costs involved, for example legals.

Subject to the uncertainty surrounding these matters it is recommended that \$150,000 be transferred to reserves until a more definitive proposal is formalised by the Federal and State Governments. With the State election due in March 2003, this should occur during the current financial year.

For Council's information, listed below are the details of the activities with significant variances. Please refer to the attachment for individual programs for details of all budget movements.

Human Resources

Funding of \$31,700 held in reserves has been transferred for staff up-skilling in 2002/03. These funds were originally generated from a previous skills upgrading program that was funded by the Lismore Skills Centre and the Department of Education and Training, New Apprenticeships Centre.

Client Services Unit

A priority listing of essential building maintenance tasks has been identified with funding totalling \$86,600 coming from property reserves.

As mentioned earlier in this report in the items that contribute to the current budget balance, the costs relating to fitting out the library for the Lismore Neighbourhood Centre have increased by \$55,000, as per Council resolution.

Economic Development Unit

As recommended by Council earlier in the financial year, the sale of soil at the Riverside Park development has been recognised in the budget. \$156,000 in revenue has been recognised with \$20,000 going to reserves for use on the installation of a pump at the Lismore Lake. The balance is being used to fund the Riverside Park project costs.

Information Services

Budgets totalling \$46,000 originally included as capital items have been transferred to the operating expense area of the Information Services budget. These items relate to internet and intranet development and given the nature of these items it is believed that these expenses should not be capitalised. This has no impact on the budget balance.

Bushfire Services

The NSW Rural Fire Service and the NSW Fire Brigade have confirmed their budgets for 2002/03. There have been changes to capital and operating budgets, with no impact on the budget balance.

Enforcement

Unexpended grant monies of \$27,900 for the TV Blackspots program has been transferred to this year's capital budget. In addition \$14,500 in unexpended RTA funding has been transferred to this year's budget under the Road Safety expense allocation.

Urban Roads

The RTA has provided an additional \$65,000 for Council's cycleway program in 2002/03. Works relate to the section between Kadina Street and James Road, Goonellabah. As this cycleway runs parallel to a state road, matching funding from Council is not required.

LISMORE CITY COUNCIL - Meeting held November 12, 2002

September 2002 Quarterly Budget Review Statement

The budgets for the University Access Roads and Kellas Street have been formalised. Funding totalling \$1,400,000 for these works consists of a \$900,000 capital contribution from the University, \$200,000 carried over from 2001/02 for Kellas Street, \$100,000 from the Contractors reserve and the \$200,000 allocated in the general roads program for 2002/03.

RTA Works

Various changes have been made to revenue and expense budgets as the RTA provides information to Council on agreed projects. At this stage \$245,500 in additional projects has been recognised. Also, \$63,000 from developer levies has been used to fund Council's additional share of upgrading Cullen Street, which has been partly funded by the RTA under the Regional Roads Repair Program. The total job cost is estimated at \$264,000 occurring over the 2001/02 and 2002/03 financial years.

Water Fund

Capital works totalling \$100,000 and relating to reservoir renewal has been transferred from reserves for completion in 2002/03.

Sewerage Fund

The estimated \$2.5 million for the East Lismore Treatment Works Disinfection Unit has been reduced to \$ 1.62 million due to redesign. In addition it is anticipated that approximately \$ 300,000 will be spent this financial year as the project will span two financial years and most costs will be incurred in the first half of next financial year. Funding is based on 40% developer levies and 60% reserves. Council has also reapplied for DLWC funding.

Manager - Finance & Administration Comments

Included in the body of the report.

Public Consultations

Not required.

Other Group Comments

Not required.

Author's Response to Comments from Other Staff

Not applicable.

Conclusion

Change in Net Assets

The 2002/03 Management Plan showed a surplus in the "Change in Net Assets" of \$1,542,000. This review has increased the surplus by \$1,042,000 to \$2,584,000.

It should be noted that this amount reflects the estimated increase in net assets held under the Council's control for this year. It does not reflect in any way the Council's cash or liquidity position.

Recommendation (COR31)

- 1 Council adopt the September 2002 Budget Review Statement for General, Water and Sewerage Funds.
 - 2 This information be submitted to Council's Auditor.
-

Subject/File No: MANAGEMENT PLAN REVIEW 2002-2003
SEPTEMBER QUARTER 2002
(S4)

Prepared By: General Manager

Reason: Requirement of the Act

Objective: Information and Annotation of Councillors

Management Plan Activity:

Background:

Council is required under Clause 407 (1) of the Local Government Act, 1993 to periodically report on the performance targets outlined in the Management Plan.

This report includes information that relates to the performance of programmes and activities highlighted in the Plan for completion during the quarter ended September 2002.

Recommendation:

That the report be received and its contents noted.

GROUP: GENERAL MANAGERS'
Management Plan Review
Period ending September 2002

Review of exceptional items across each functional area of the General Managers' Group

Communications and Community Relations

- **Communications Strategy** – progressive implementation, including:-
 - Proactive media planning and discussion with staff in over fifty (50) issues, e.g Riverbank and Kellas St.
 - Published two editions of *Community Link*
- **Internet** – Published Spring iteration of website and oversaw continued development
- **Intranet** - Oversaw content issues ahead of launch of new (internal) Intranet to increase staff productivity.
- **Community Relations** –
 - Held Local Government Week promotions
 - Project management of Show involvement.
- **Issue management** –
 - Maintained daily pro-active media schedule, including maintenance of positive media profile on issues and exceptionally high media coverage of events (greater than 98%)
 - Liaison with external stakeholders re radiation oncology campaign
- **Statutory** - Annual Report production and Annual Report to Residents

Client Services

- Continue to assist with negotiations for sale of Council land to Lismore Square.
- Completed stage one of land/building register – input of data and currently reviewing reporting formats.
- Continue to manage Riverbank Redevelopment project and ensure liaison with Levee Committee.
- Contract awarded for redevelopment of Block B, works progressing.
- Continue to manage the LCC v Steltech case
- Prepare reports regarding scope of works required to continue to operate Lakeside pool.
- Continue to oversee Skyline Road proposals.

Human Resources

- HR Restructure implemented with field based Safety Officer and specialist HR Officers in Injury Management and Industrial Relations recruited
- Payroll transfer to Financial Services completed
- 2002 Skills Assessments being processed and training requirements collated
- Strategic alignment of the section's activities with the organisational goals addressed
- General Manager's introduction to the Council and its workforce completed
- High level of recruitment activity and consultation associated with formalising new and revised positions in various areas due to organisational review processes
- Guidelines & Process for Consultation on Workplace Change formalised
- Injury Management Policy compiled
- Drugs and Alcohol Policy revised
- Pre-employment Functional (Health) Assessments revised
- Discussions on Performance Management systems for Council pursued with GM
- Cultural Awareness Training Scheduled for November - All Staff and Councillors

Management Plan Review – General Manager’s Group: Period ending Sept 2002
Economic Development / Tourism

1. Expand and further develop the Herb Festival in conjunction with Lismore Unlimited.
 - Second Herb Festival undertaken with highly successful outcome
 - Increase in allocation from SBRVL towards herb Festival - Lismore Unlimited contribution has significantly increased
 - Market research has indicated an extremely positive attitude towards the event
 - Attendance increase is estimated at 20-30% (the event was rain effected)
 2. Undertake promotion and sponsorship development in preparation for the Masters Games for 2003, to ensure a successful event.
 - 24 sports recruited
 - Sponsorship: \$28k cash, \$18k in-kind has been raised; targeting another \$12k
 - Marketing plan has been developed and implemented: Love the Legend
 - Attended Gold Coast and Coffs Harbour Masters events for promotion purposes
 3. Finalise plans for all elements of the Wilson’s River Project.
 - Riviera plans about to go through public consultation
 - Work underway on Riverview Park
 4. Continue to participate in the Old Lismore High School Site project by raising funds (through grant applications) and advocating for commercial considerations in the project.
-

GROUP: CORPORATE & COMMUNITY SERVICES
Management Plan Review
Period ending September 2002.

Review of exceptional items across each functional area of the Corporate and Community Services Group

Finance & Administration

- *External Mail System* – a review was undertaken to determine if there was a cost advantage in installing bar-coding software for all out-going mail. For the Australia Post discount to apply daily mail must exceed 500 items and as this is only reached at most 4-5 times per month, it was not considered economic to proceed. It should be noted that the bulk mail-out of rates and water accounts will be bar-coded through our Mail-House, thus attracting the discount.
 - *Rates & Charges* – payment methods for ratepayers will be expanded to include all Australia Post agencies from February 2003. The agreement is in the process of being prepared, technological requirements have been identified and software changes have commenced, forms are to be amended and promotion of the service is planned. A review of the informal process of rates staff visiting certain ratepayers (such as pensioners etc) at home has resulted in a decision not to formalise the process. The current arrangements will remain within the existing workload of staff.
 - *Transfer of Payroll* – as a result of a review of the Human Resources section, the payroll section has been transferred to the Finance section. This was a relatively smooth integration, with staff housed (not ideally) in the Administration area of the building.
 - *Television Black Spots Program* - following the approval of the DA on 2/8/02, the 25-metre monopole and five transmitters were then installed, with the service going “live” on 3/9/02. This service has provided improved TV reception for up to 2,700 households in east, north, south and parts of the basin area in Lismore.
-

Management Plan Review – Corporate Community Services: Period ending Sept 2002

Information Services

- *Intranet* – development of this new Intranet site (Informer) is nearing completion, with the launch to take place on 5/11/02. This tool will enhance internal communication, and service delivery to internal customers as well as improve the efficiency of different processes internal to Council.
- *Computer Network* – the roll out of 62 new computers acquired under a 3 -year lease agreement is now complete. Disposal of the “old” computers to other parts of the organisation (eg. Internet café at the Tourism Centre etc) and to community groups, is under-way.
- *Enhancements to Systems* – development to CIVIL (core system) has been focused on implementing the following new modules a) Environment Protection Facility (software to manage septic licences) and b) integration to allow rate payments through Australia Post. The GIS system produced the following new layers a) Memorial Gardens and b) bush fire prone land.

Community Services

- *Goonellabah Recreation Centre* – consultation with Goonellabah residents to assess the needs of the community and the viability of the proposed new Centre has been completed. Data is currently being collated and analysed and will be reported at a later date.
- *Lismore Lake* – following ongoing community concerns, the Council in August resolved to amend the existing Plan of Management to ban motorised water -craft on the lake. Work on the new plan has commenced and will be prepared in consultation with key stakeholders and the community and should be completed by February, 2003. Staff have also met with representatives of NPWS and DLWC to develop strategies for management of the water level of the lake.
- *Art Gallery* – there have been a number of successful exhibitions during this quarter, including the very popular “Walk on the South Side” by Jacklyn Wagner. Attendance has increased from approx. 17,000 during the 2001 calendar year to over 15,000 in the first six months of 2002.
- *Art in the Heart* – *the redevelopment of the library remains on track for completion in December. The announcement of a \$200,000 grant from State Library will allow for completion of the ground floor that had originally been cut back due to funding restrictions.*

Various – a) the Wayiganna committee has overseen the design of the welcome signs that will be erected on the three major entrance/exit signs to Lismore, b) in conjunction with two Nimbin associations, successful in gaining funding through Attorney General’s for a Graffiti Traineeship Programme, c) successful in obtaining funding through Music NSW to conduct four youth (alcohol free) music events, d) Kadina Park stage 1 works are in progress with much of the work being undertaken by an EnviTE Work for the Dole Team – scheduled for completion in early 2003.

GROUP: PLANNING AND DEVELOPMENT
Management Plan Review
Period ending September 2002.

Review of exceptional items across each functional area - Planning and Development Group.

Planning Services

Koala Management Plan:-Steering Committee has resolved to split draft plan into urban and rural components with different provisions in each. Contents of rural component will be affected by provisions of Richmond Regional Vegetation Plan, but outcome of that plan not known to date. KMoP to be redrafted following completion of review of 6(a) zoned-land and S94 plan open space by Environmental Planner.

Urban Development Strategy Exhibition undertaken for 2-month period from end July. 19 Submissions received to date. Report to December 2002 Council meeting envisaged.

Implement Adopted Rural Housing Strategy: meetings held with applicants and consultants concerning apportionment of road costs.

Floodplain Management Plan: Council's November meeting will consider recommendation to initiate review of LEP and DCP 7.

Review & Update Planning Instruments

- New DCP for Rural Land Sharing Communities: adopted
- DCP 41 Advertising & Notification of Das: reviewed and adopted
- DCP 18 Off Street Car Parking: amendment adopted
- Prepare Heritage DCP: to be incorporated into amalgamated Lismore Urban DCP
- General amendment for 2002 (Amt 10): recommended to Minister for gazettal.
- 'Art in the Heart' rezoning (Amt 9): recommended to Minister for gazettal.
- DCP 26 Industrial Development Standards: minor amendment adopted at Council's October meeting.
- Villages Development Strategy: Mapping completed, requires final quality control check prior to exhibition. To be exhibited after gazettal of LEP Amt 10 which alters village zoning boundary at Nimbin.

Monitoring of Development Applications: Average Processing time/application 39.3 days for the quarter (standard-40 days)

Building

Swimming Pool Survey: Survey not currently meeting performance targets due to restructure in section. Some previous pool fencing inspection follow-ups have however, been undertaken. Survey will recommence upon finalisation of new staff appointment (due prior to end-2002).

Fire Safety Measure Program: 5 Fire Orders issued within quarter. Three other premises also inspected following complaints, which may lead to Orders being issued in November or December. City-wide fire safety program still to be developed.

Inspection of Boarding Houses, Common Places of Lodging, Places of Public Entertainment, Public Halls, Caravan parks: No inspections performed. Refer to comments above for likely start date of risk management strategy preparation.

Monitoring of Development Applications: Average Processing time/application 17.79 days for the quarter (standard-25 days)

Management Plan Review – Planning and Development Group: Period ending Sept 2002

Environmental Health

New Manager-Environmental Health and Building appointed (Tony Kohlenberg) and review of section roles, functions and resources commenced.

Implementation of Stormwater Management Program: Stormwater Projects Officer, Sharyn Hunnisset, undertook 99 audits of commercial and industrial premises during the quarter.

Vanessa Tallon has commenced strategic phase of works program for two stormwater designs in badly eroded locations in urban Lismore. Weedbusters program has also commenced with educational field days and community education

Sun Protection: Project for 2002/03 financial year will be construction of shade over seating at Riverview Park.

Conduct Waterways Monitoring in association SOE Reporting: with formalised water monitoring procedures (required by September 2002) have been completed in draft form.

Development of Contaminated Lands Policy: Draft Policy considered by Council at September meeting with resolution to publicly exhibit for one month

Implement Reviewed On-site Management Strategy: On-site sewage management Working Group concluded consultation phase and strategy has been redrafted. Draft copy has been finalised and distributed to all consultants for comments. Report to December - 2002 Council meeting

Conduct 'Clean Up Australia' Day Campaign : Revised strategy to increase participation due for completion by October 2002.

Environmental Strategies

Develop & Implement Council Procurement Policy: -Following MGM endorsement, LCC's internal purchasing policy Cors 2.13 has been amended to reflect commitment from organisation to purchase of goods containing recycled content. Media release was prepared and issued during August promoting LCC's recycling commitment and copy of amended purchasing procedure placed on LCC's intranet.

Award Nominations: LCC has been awarded LGA 'Excellence in the Environment' Award for waste management for our 'Do The Right Bin' campaign (launch of worm farm). Invitation accepted to attend award ceremony in November.

Recycling Review: Steering group has been formed to progress design of improved and enlarged recycling centre at Brewster St, prior to closure of Dawson St DOC. DA application has been received from Solo Waste for construction of transfer station at WRWF. Upon completion of transfer station new contract can be signed and new service commence. In meantime, increased level of servicing has resulted in tidier appearance for DOC's.

GROUP: BUSINESS AND ENTERPRISE
Management Plan Review
Period ending September 2002

Review of exceptional items across each functional area of the Business & Enterprise Group

Northern Rivers Waste

- As there are now four (4) Grease Trap Collection businesses in the area that Northern Rivers Waste will not peruse this business development opportunity at this stage.
- Richmond Valley Council has not yet called tenders for Waste Collection Services Contract
- This project is behind schedule as the focus has shifted to the means of addressing the contamination currently experienced. LCC is considering an application to Resource NSW to provide Research and Development funding for a project on this issue.
- An audit of the organic bins, both Domestic and Non Domestic showed an increase contamination from the last audit. What this also showed was high levels of contamination coming from few bins; for example, 3 out of 48 Non Domestic Bins contained 80% of the total contaminants.
- Council has received proposal to further investigate adjacent properties for potential expansion of the landfill to the west.
- The leachate collection trench and the sedimentation pond, two initiatives to reduce pollution of waterways were completed as required by the EPA site license in the September quarter.
- Performance Survey Draft questionnaire is being prepared by Mr Murray Cullen of Southern Cross University.

Lismore Memorial Gardens (LMG)

- The LMG open day was held in September and was widely reported in the local media.
- A media plan for the LMG is now complete.
- A quarterly newsletter to the industry promoting the Open Day - distributed in September.
- Promotion of Group Tour service was delayed following the bringing forward of Open Day.
- Structural repairs to the Chapel and the ash processing area were completed on time.
- Master plan for development of LMG was completed and put on display at LMG Open Day.
- OH&S Risk Assessment for the site completed.
- "Pre-need Service" implemented ahead of schedule and launched on the Open Day.

Northern Rivers Quarry & Asphalt (NRQ&A)

- The Safety Management Plan is 95% complete. A draft has been sent to the Department of Mineral Resources for comment.
- Risk Assessments carried out
- Site Safety Policy reviewed and signed off, Safe Work Procedures developed and implemented and Mine Safety Management Plan in place
- Existing road base mixtures changed and tried with considerable success with No 1 Roadbase now at RTA specifications. Two new products – 40 and 63 mm sub base selling well.
- New Staff Facilities designed and Development Application will be lodged October.
- Improved market presence through contact with relevant local Councils.
- Products developed to meet their requirements – 5 and 7 mm aggregates, 7 mm cold mix
- Quarterly shutdowns of one weeks duration implemented
- The staff structure is nearing completion with the appointment of the new manager from July 2002 and remaining position profiles being finalised.

Management Plan Review – Business and Enterprise: Period ending Sept 2002

Lismore Regional Airport

- Business Plan revised and adopted by Council.
 - Pavement assessments in the process of finalisation to prioritise restoration works.
 - Discussions with potential Coffs Harbour – Lismore – Brisbane link continuing. Awaiting issue of CASA approvals.
 - Commence marketing plan for the airport based upon existing media plan.
-

Property

- All elements of the property plan are underway however none are complete at this stage.

Lismore Water

- Nimbin Water Supply augmentation is delayed owing to the preparation of a "Yield Study" for this supply.
 - Tenders for the mains replacement were let out on schedule
 - Active participation in the water supply management process through the implementation of water restrictions and water education initiatives.
 - Wastewater mains replacement program is determined and will be advertised in December 2002.
 - The inflow /infiltration program is on schedule for the proposed completion date.
 - Compliance with EPA licenses is within 80% tolerance.
 - The Clunes wastewater project is on track with the fine-tuning of options underway.
 - Significant work has been undertaken on the UV dis-infection facility at East Lismore sewage treatment plant. Approaches have been made to DLWC for funding of the project and the design and construct document is currently underway.
-

GROUP: CITY WORKS
Management Plan Review
Period ending September 2002.

Review of exceptional items across each functional area of the City Works Group.

Parks & Recreation:

- Nimbin toilet block upgrading continuing.
- Commence repairs/maintenance programme to playgrounds in Council area.
- Grass cutting and path sweeping programmes on schedule.
- Garden maintenance programme remained slightly behind schedule.
- Commence construction of new playground in Oakeshott Street.
- Sporting field renovations at Hepburn Park, Crozier Oval, Nielson Park and Caniaba Street Reserve.
- Tree planting / minor landscaping at Elizabeth Gardens.
- Undertake seasonal change-over for sport.
- Painting of fence and pergola at Railway Park.
- Demolish/retrieve facilities from Heritage Park in preparation for flood levee.
- Assist with preparations for and provide logistical support for Herb Festival.

Exceptions:

- Engagement of Consultant to develop a draft Plan of Management for control of Camphor Laurel on Council's operational land – This project failed to attract funding at budget time.
- Planting of trees in the CBD – This project failed to attract funding at budget time.

Management Plan Review – City Works: Period ending Sept 2002

Emergency Services:

- Flood Levee construction on schedule.
 - Pump station at Hollingsworth Creek on schedule.
-

Bush Fire Services:

- Dry conditions continued to be of concern.
- Training Courses on schedule.
- Work progressing well on the extensions to the Control Centre.

Urban Roads:

- Slow point construction at Clunes – Country Energy to install power pole.
- Woodlark Street Bypass.
- Cycleway construction – Bruxner Highway (Kadina Street to James Road).
- Ongoing programme of footpath repairs.
- Kerb and gutter replacement – Hillcrest Avenue and Snow Street.
- Commencement of Reseal Programme.
- Wilson Street, between railway crossing and Casino Street, complete.
- Keen Street, between Junction and Bernstein Streets, complete.
- Junction Street, between Molesworth and Keen Streets, complete.
- Development of Asset Management System on schedule.
- Works undertaken in accordance with REF for University access roads and Ballina Street construction.

Bridges:

- Commenced deck replacement on Southwell Bridge, Blue Knob Road.
- Completed:- Olley Bridge girder replacement; Ewing Bridge railing; Retaining wall for Lismore Water; Reconstruction of McKinnon Bridge, Boatharbour Road.

Rural Roads:

- Completed Wyrallah Road construction, South of Wyrallah Village.
- Commenced Caniaba Road construction - Stage 2.
- Commenced SH16 (Ballina Road) Kerbside Lane Rehabilitation (from Rous Road to William Blair Avenue).
- Commenced Southern Cross University Access Roads 1 & 2.
- Completed gravel maintenance in the following areas: Tuntable Creek, The Channon, Dunoon, Rosebank, Corndale.
- Broadwater Road shoulder maintenance.
- Heavy Patching undertaken on Bagotville Road and Wyrallah Road.
- McKinnon Bridge Approaches.
- Work for RTA in accordance with contract.

Management Plan Review – City Works: Period ending Sept 2002

Workshop and Fleet Operations:

- Plant evaluations and recommendations for replacement of backhoes for City Works Group (Roads) and Lismore Water finalised and machines purchased.
- Council's newest backhoe (July 1997) used by Urban Roads was stolen during the early hours of Friday, August 9, 2002. The machine was seen being loaded and driven out of Lismore towards Bangalow by some people but not seen since. Police investigations have not found

either the thieves or the machine. Insurance will cover more than one-half of the replacement machine.

- The Roads Department replacement water tanker was delivered to the tank manufacturer in Brisbane during September.
- The Workshop and Fleet Management restructure was finalised by the incoming General Manager. Advertisement for the new position of 'Workshop Manager' will be advertised within the next week. The Fleet Manager is still caretaker of both Fleet and Workshop Manager positions until appointment complete.
- Workshop Staff assisted and scrutinised the "Mock Rescue" in the Brown's Creek Flood Pump Station exercise. Participants included representatives from the NSW Police Service, NSW Fire Brigades, NSW Ambulance and Lismore SES.

Traffic, Enforcement, Street Lighting and Road Safety:

- On-street parking patrols commenced on July 22, 2002.
- "Best Bets" campaign.
- Wade Park – Road Safety Park continuing.

Survey, Design and Subdivision Control:

- Corndale Road / Hunters Hill Road Intersection, Corndale - Realignment and reconstruction.
- Nimbin Road / Stony Chute Road Intersection, Nimbin - Realignment and reconstruction.
- Dunoon Road rehabilitation - Cowley Road to Fraser Road.
- New Ballina Road rehabilitation, Lismore Heights - Renwick to O'Flynn Streets.
- Junction Street reconstruction - Keen to Molesworth Streets.
- CBD Bypass and Woodlark Street Centre Parking - Dawson to Keen Streets.
- Design work has kept ahead of construction programme.

Development Control:

Design Plans Assessed:

- Residential Subdivision – Kookaburra Terrace, Goonellabah; Palmvale Drive, Goonellabah; Greenwood Drive, Goonellabah; Karissa Drive, Goonellabah.
- Rural Residential Subdivision – Richmond Hill Road, Richmond Hill; Ridgeland Close, Richmond Hill.
- Commercial Development – Childcare Centre, Keen Street, Lismore; Church, Union Street, South Lismore.

Jobs Under Construction:

- Residential Subdivision – Cecil Street, Nimbin; Joy Street, Goonellabah; Waratah Way, Goonellabah; Karissa Drive, Goonellabah; Dymock Drive, Goonellabah.
- Rural Residential Subdivision – Cowlong Road, McLeans Ridges.
- Commercial Development – Childcare Centre, Keen Street, Lismore.

LISMORE CITY COUNCIL - Meeting held November 12, 2002

Subject/File No: FINANCIAL REPORTS – 2001/02
(S755)

Prepared By: Management Accountant, Guy Bezrouchko

Reason: Statutory Requirement

Objective: To present the 2001/02 Financial Reports

Management Plan Activity: Financial Services

Background:

Council resolved at the October 12, 2002 meeting to, in part,

254/02 b) present the 2001/02 Financial Reports to the public at the November 12, 2002 Council meeting.

In accordance with the Local Government Act, 1993 (LGA), this was advertised and submissions from the public invited. At the time of preparing this report, there had not been any submissions received. Any submissions received will be faxed to Councillors and comments provided, if required. The public has to November 20, 2002 to make a submission. This is part of the reporting anomaly within the LGA mentioned in the previous Council business paper concerning the Financial Reports.

As the detailed 2001/2002 Financial Reports were considered by Council at the previous meeting, the following summary of results is now presented.

Item	2001/02 (\$,000)	2000/01 (\$,000)
Statement of Financial Performance		
Total Revenues from Ordinary Activities	41,103	41,482
Total Expenses from Ordinary Activities	41,818	39,178
Surplus/(Deficit) from Ordinary Activities	(715)	2,304
Grants and Contributions provided for Capital Purposes	5,396	7,113
Outside Equity Interests/Corrections	0	0
Surplus/(Deficit) from All Activities	4,681	9,417
Financial Position		
Current Assets	28,287	27,148
Current Liabilities	6,826	7,558
Non Current Assets	396,935	394,275
Non Current Liabilities	8,942	9,092
Total Equity	409,454	404,773
Other Financial Information		
Current Ratio (expressed as a ratio)	4.14	3.59
Unrestricted Current Ratio (expressed as a ratio)	2.97	2.60
Debt Service Percentage (%)	5.04	6.21
Rate Coverage Percentage (%)	47.52	43.27
Rates and Annual Charges Outstanding Percentage (%)	8.81	9.06

Manager - Finance & Administration Comments

Included in the body of the report.

Public Consultations

None received to date.

Other Group Comments

Not required.

Author's Response to Comments from Other Staff

Not applicable.

Recommendation (COR35)

That Council present to the public the 2001/02 Financial Statements.

LISMORE CITY COUNCIL - Meeting held November 12, 2002

Subject/File No: COUNCIL MEETINGS AND PUBLIC CONTACT FORUMS FOR 2003
(GM:VLC:S4)

Prepared By: Administrative Services Manager – Graeme Wilson

Reason: Council policy.

Objective: Determine schedule and meeting locations.

Management Plan Activity: Corporate Management

1. Council Meeting Schedule

Council has resolved that Ordinary meetings will be held on the second Tuesday of each month. The first meeting of the year will be held on February 11, 2003.

2. Rural Meetings and Public Contact Forums

Council's Policy No. 1.2.7 of open government states that Council will meet two times per year at Village locations and will also conduct three Public Contact Forums at rural locations. Over the past 12 years Council has visited almost every Public Hall at least once; visits which are well received by local residents.

In the current year, two rural Council meeting locations have been Dunoon and South Gundurimba.

All three Public Contact Forums – Whian Whian, Numulgi and Nimbin– have been conducted, all with good attendance from local residents.

It is proposed that Council continue both practices in 2003. In this regard the following schedule of venues is suggested -

a) Council Meetings:	March 11	Caniaba
	November 11	Tregeagle
b) Public Contact Forums:	March 17	Rosebank
	June 16	Rock Valley
	September 15	Dungarubba

3. City Contact Forums

Council has introduced the concept of City Contact Forums. Two are scheduled each year, with this year's being held at the Lismore City Hall and Lismore Heights Bowling Club.

Meeting dates and locations are detailed below -

April 21	Roy Waddell Community Centre, Richmond Hill
July 21	South Lismore Bowling Club

Manager - Finance & Administration Comments Not requested

Public Consultations Not required

LISMORE CITY COUNCIL - Meeting held November 12, 2002

Council Meetings and Public Contact Forums for 2002

Other Group Comments

Not required

Author's Response to Comments from Other Staff

Not applicable

Recommendation (COR32)

That the schedule of venues as outlined below be adopted -

- | | | |
|---------------------------|-------------------------------------|--|
| a) Council Meetings: | March 11
November 11 | Caniaba
Tregeagle |
| b) Public Contact Forums: | March 17
June 16
September 15 | Rosebank
Rock Valley
Dungarubba |
| c) City Contact Forums: | April 21
July 21 | Roy Waddell Community Centre,
Richmond Hill
South Lismore Bowling Club |

LISMORE CITY COUNCIL - Meeting held November 12, 2002

MINUTES OF THE TRAFFIC ADVISORY COMMITTEE MEETING HELD OCTOBER 16, 2002

AT 10.00 AM.

(GW:VLC:S352)

Present: Mr Bill Moorhouse (*Chairperson*), Councillors Ken Gallen, John Chant, John Hampton and Mervyn King, Ms Karen Wilson (*on behalf of Thomas George, MP*), Messrs Mike Baldwin (*Roads and Traffic Authority*), Snr Const Jodie Hamilton (*Lismore Police*), together with Mrs Wendy Johnson (*Road Safety Officer*) and Messrs Paul O'Sullivan (*General Manager*) and Graeme Wilson (*Administrative Services Manager*).

In Attendance: Mr Richard Forbes (*Kadina High School P & C Association*) for Item No. 4.

Apologies: Apologies for non-attendance on behalf of Mr Thomas George, MP, and John Daly (*Lismore Unlimited*) were received and accepted and leave of absence granted.

Minutes of Traffic Advisory Committee Meeting – September 18, 2002

Members were advised that the Minutes of the meeting held on September 18, 2002 were adopted by Council at its meeting of October 8, 2002, excluding Item Nos. 5, 14 and 18.

The Committee noted Council's resolutions.

Disclosure of Interest: Nil

Business Arising:

1. **Wyrallah Ferry Road – 'Stop' Sign** (*Refer Item No. 17 of Minutes of 18/9/02*)
Mr Baldwin advised that due to the excellent sight distance, the intersection did not meet the warrant for a 'Stop' sign. It was suggested that in lieu of a "Stop" sign, a "Give Way" sign be erected.

TAC161/02 **RECOMMENDED** that a "Give Way" sign (with white line) and T-intersection warning sign be erected on Wyrallah Ferry Road at its intersection with Coraki Road. (R4836,R5001)

Correspondence:

2. **Ms J Davies;** requesting the erection of appropriate signage on the downhill lane of Arthur Road, Corndale (in the vicinity of No. 138), to warn motorists of concealed driveways.

It was considered that the removal of vegetation on the road reserve would be a more appropriate solution.

TAC162/02 **RECOMMENDED** that the writer be advised in accordance with the above. (02-10514:R3801)

3. **NSW Roads & Traffic Authority;** forwarding a letter from Our Lady Help of Christians School seeking the erection of a "Disabled Parking" sign outside the School at Rhodes Street, South Lismore.

A site inspection revealed a possible alternative disembarkment point off Barnes Avenue.

TAC163/02 **RECOMMENDED** that staff discuss with the School the use of the Barnes Avenue site as a disabled parking area. (02-10642:S346)

LISMORE CITY COUNCIL - Meeting held November 12, 2002

MINUTES OF TRAFFIC ADVISORY COMMITTEE MEETING HELD OCTOBER 16, 2002 *(Cont'd)*

4. **Kadina High School P & C Association;** reiterating its concern for traffic and pedestrian conditions in the vicinity of the School.
Mr Richard Forbes addressed the Committee on behalf of the Kadina High School P & C Association. The issue concerned the need to allow vehicles to turn right into the School from Kadina Street but to prevent right-turn exit movements from the School.
- TAC164/02** **RECOMMENDED** that Council's Design Services Section develop a design concept for discussion with the School. (02-10871:S352,R6469)
5. **Dunoon Pre-School Staff & Parents Committee;** seeking an extension of the 40 kph School Zone on James Street, Dunoon, to include the Pre-School. It was noted that School Zones did not apply to Pre-Schools and that an extension of the existing zone by some 250m would not be justified. The Committee also noted the real ongoing concern of traffic speeding in the Village.
- TAC165/02** **RECOMMENDED** that Council install two (2) traffic calming devices on James Street to reduce the speed of traffic. (02-10889:S352,P16915)
6. **Richmond Hill Ratepayers' Association;** advising of the continuing problem being experienced by local residents due to the excessive speed of vehicles on Richmond Hill Road.
- TAC166/02** **RECOMMENDED** that –
- a) the speed monitoring sign be placed on Richmond Hill Road as soon as possible
 - b) Council install traffic classifiers on Richmond Hill Road to determine traffic speeds and periods of excessive speed to allow the Police Service to target problem times
 - c) following the trial of the traffic calming devices in Dunoon, similar facilities be developed for Richmond Hill Road. (02-11031:R1012)
7. **Tony Stewart, MP, Parliamentary Secretary for Roads;** advising in connection with Council's request for pelican lights at the Woodlark Street crossing. It was agreed that this matter would be further considered following the current trial.
- TAC167/02** **RECOMMENDED** that the advice be noted. (02-11094:S342,R7329)
8. **Ms B Williams;** drawing attention to various road safety and parking issues within the Nimbin Village and requesting the problems, as highlighted, be resolved. A site inspection of these issues could not be carried out prior to the meeting and it will be listed for the next meeting. In the interim, the concerns of Ms Williams will be brought to the attention of the Police Service and bus companies.
- TAC168/02** **RECOMMENDED** that the above advice be noted. (02-11141,02-11142:S353,R1701)
-

General Business

9. **Stocks Street, East Lismore – Parking Facilities**
Cr Swientek had made representations on behalf of a resident of Stocks Street seeking a solution to the problem of crowded on-street parking, mainly caused by St Vincent's Hospital staff who are not allowed to park in the Hospital carpark.
TAC169/02 **RECOMMENDED** that St Vincent's Hospital be approached to determine its policy on staff parking with a view to a formal request being made to St Vincent's Hospital to provide more staff parking. (R7479,P2759)
10. **Intersection of Conway / Carrington Streets, Lismore**
A request had been received for the Committee to review the traffic conditions at this location.
TAC170/02 **RECOMMENDED** that –
a) work be carried out to prevent right-turn movements from Carrington Street into Conway Street and to prevent traffic on Carrington Street travelling through the intersection
b) the issue of pedestrians crossing Conway Street, between Carrington and Molesworth Streets, be listed as an issue for the forthcoming workshop on Woodlark Street/CBD traffic flows. (R7307,R7303)
11. **Main Street, Clunes – Kerb Blisters**
The Committee considered the current kerb blisters ineffective in slowing traffic.
TAC171/02 **RECOMMENDED** that at the request of the RTA, Council design and cost an alternative traffic facility to reduce traffic speeds and to prevent use by pedestrians of the calming device. (R4101,R1301)
12. **Main Street, Clunes – Suicide Lanes**
Concern was raised at the inadequacy of the lanes to facilitate right-turn movements into Walker Street and Booyong Road.
The preferred solution was seen as a roundabout.
TAC172/02 **RECOMMENDED** that Council approach the RTA to seek support for the construction of a roundabout. (R4101,R1301,R3901,R1302)
13. **Woodlark Street / CBD Traffic Flows**
A brief outline of the work being undertaken was given to the Committee. The possible need for a roundabout at the intersection of Zadoc and Dawson Streets was flagged.
TAC173/02 **RECOMMENDED** that the advice be noted. (R6017,R7330)

This concluded the business and the meeting terminated at 11.25 am.

CHAIRPERSON

**ADMINISTRATIVE SERVICES
MANAGER**

DOCUMENTS FOR SIGNING AND SEALING

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

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

Recommendation:

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

Subdivision Plan – Taccori to Council

The plan relates to a transfer of land at the Nimbin Caravan Park between Council and Mr Joseph Taccori. The agreement provides for an exchange of land only. This will provide council with additional useable camping area within the caravan park.

(D02/423)

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE CITY OF LISMORE HELD IN THE COUNCIL CHAMBER, GOONELLABAH ON TUESDAY, OCTOBER 8, 2002 AT 6.00PM.

- Present:** Acting Mayor, Councillor King; Councillors Baxter, Chant, Crowther, Hampton, Irwin, Roberts, Suffolk, Swientek and Tomlinson, together with the General Manager; Group Managers- Corporate & Community Services, City Works, Planning & Development, Acting Manager-Business & Enterprise (A Atukorala); Manager-Client Services, Acting Manager-Finance & Administration (G Boyd), Strategic Planner (B Blackford) Administrative Services Manager and Team Leader-Administrative Support.
- 246/02 **Apologies/Leave of Absence:** An apology for non-attendance on behalf of Councillor Gallen was received and accepted and leave of absence granted. (Councillors Baxter/Swientek)
- Leave of absence was granted to Councillor Gates on August 13, 2002.
- 247/02 **Minutes:** The Minutes of the Ordinary Meeting held on September 10, 2002, were confirmed. (Councillors Swientek/Irwin)

PUBLIC ACCESS SESSION:

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

Mr Darran Singh re Report – Financial Reports 2001/02

(See Minute No. 254/02)

Mr Singh gave a presentation and spoke to the 2001/02 Financial Reports presented before Council.

(S779)

Mr Richard Kidby re Report - Oral Communication Improvement Strategies

(See Minute No. 255/02)

Mr Kidby spoke in support of the launch of the National Speech/Communications Day. He outlined the broad support for this proposal and the benefits it would bring. He asked for Council's support.

(02-5765,10767: S43)

Mr Paul Recher re Report – Subdivision and Sale of Council Land in Centenary Drive, Goonellabah and Lismore Flood Levee Scheme

(See Minute No. 256-257/02)

Mr Recher claimed that Council had not collected levies from development in Goonellabah in the 70's and 80's and requested that funds generated from the sale of land in Goonellabah be retained and spent on community facilities in Goonellabah.

Mr Recher also raised questions about the level of expenditure on the current levee construction works.

(P26674)

- 248/02 **ELECTION OF DEPUTY MAYOR:**
RESOLVED that voting be by open voting.
(Councillors Swientek/Irwin)

Nomination

Two nominations for the position of Deputy Mayor were received, being for Councillors Irwin and King.

Election

Councillor Irwin	3	(Councillors Irwin, Roberts and Tomlinson)
Councillor King	7	(Councillors King, Chant, Hampton, Suffolk, Baxter, Crowther and Swientek)

The Returning Officer (General Manager) declared Councillor King elected as Deputy Mayor for the ensuing 12 months.
(S44)

MAYORAL MINUTE:

General Manager's Contract – Confirmation and Signing

249/02 **RESOLVED** that the minute be received and noted and the common seal be affixed to the Contract of Employment.
(Councillors King/Crowther) (J2002/01, E/OSU-100)

RESCISSION MOTION:

Signs at Lismore Lake

Formal notice having been given by Councillors Irwin, Swientek and Tomlinson it was **MOVED** that Council's decision to defer installation of signs at Lismore Lake until the Management Plan is completed, be rescinded.
(Councillors Irwin/Tomlinson)

On submission to the meeting the MOTION was DEFEATED.

Voting Against: Councillors King, Suffolk, Baxter, Chant, Hampton and Crowther.
(02-10394: P27012)

NOTICE OF MOTIONS:

Footpaths and Cycleways

250/02 Formal notice having been given by Councillor Irwin it was **RESOLVED** that –

- 1 The Council recognises that adequate footpaths and cycleways are both essential for residents to participate fully in community life and to encourage alternatives to the use of cars, which in itself has important environmental and social outcomes including reducing demands for car-parking infrastructure.
- 2 The Council also recognises that the existing footpath and cycleways infrastructure is inadequate in many areas within the Lismore urban areas, including our villages.
- 3 The Council requests the General Manager to provide a report to Council on options for addressing the inadequacy of funding for footpaths and cycleways within a reasonable timeframe, including the possibility of using the surplus of the amount collected each year in car parking fines and/or loan funds.
- 4 The report should also address how processes can be implemented to consult with the community on priorities, perhaps through a footpath and cycleways management plan.

(Councillors Irwin/Hampton)

Voting Against: Councillors Suffolk and Crowther.
(02-10464: S342)

Park Benches

- 251/02 Formal notice having been given by Councillor Irwin it was **RESOLVED** that –
- 1 That Council consider the park bench recently installed in Elizabeth Gardens, constructed from recycled milk bottles, as the model for use in future locations in the Council area, and that these benches be used wherever practicable.
 - 2 That the staff in our Parks and Gardens section be congratulated for locating and installing this bench.
- (Councillors Irwin/Roberts)
(02-10465: P21409)

Queen Victoria Fountain

- 252/02 Formal notice having been given by Councillor Irwin it was **RESOLVED** that Council request Richmond River County Council to include restoration of the Queen Victoria fountain in Spinks Park as part of the flood levee implementation plan.
- (Councillors Irwin/Roberts)
(02-10466: S106)

SUSPENSION OF STANDING ORDERS:

- 253/02 **RESOLVED** that standing orders be suspended and Council now deal with the undermentioned matters:-
- **Financial Reports 2001/02**
 - **Oral Communication Improvement Strategies**
 - **Subdivision and Sale of Council Land in Centenary Drive, Goonellabah**
 - **Lismore Flood Levee Scheme**
- (Councillors Swientek/Roberts)

Financial Reports 2001/02

- 254/02 **RESOLVED** that the report be received and Council -
- 1 Adopt the 2001/02 Financial Reports and 'Councils Statement' for both the General Purpose Financial Reports and Special Purpose Financial Reports,
 - 2 Present the Financial Reports to the public at the November 12, 2002 Council meeting.
 - 3 Advertise the presentation of the Financial Reports to the public from November 2, 2002 and invite inspection of the reports.
 - 4 A report be brought to Council on the state of Council's infrastructure and what options are available to remedy a declining situation.
- (Councillors Hampton/Chant) (S779)

Oral Communication Improvement Strategies

- 255/02 **RESOLVED** that the report be received and Council –
- 1 Publicly acknowledge and support the overall aims of the strategy of raising the importance of oral communication within the youth of the Council area.
 - 2 Encourage local schools to participate in an activity during November and award certificates to participating students/schools.
 - 3 Convey a vote of recognition and commendation to Mr Kidby for his efforts.
- (Councillors Irwin/Baxter) (02-5765,02-10767: S43)

Subdivision and Sale of Council Land in Centenary Drive, Goonellabah

- A MOTION WAS MOVED that the report be received and Council –
- 1 Subdivide Lot 70 in DP 876840 as shown in the accompanying sketch.
 - 2 Sell each of the three lots.
 - 3 Accept the offer of \$82,500 for the subdivided Lot 2.

- 4 The General Manager be authorised to execute and apply the Common Seal of the Council to the Contract of Sale, Memorandum of Transfer for the subdivided Lot 2, Plan of Survey, Section 88B or other instrument necessary for the transfer of the property.
 - 5 Proceeds from the sale go towards the reserve for Goonellabah Recreation Centre.
- (Councillors Swientek/Irwin)

AN AMENDMENT WAS MOVED that the report be received and Council –

- 1 Subdivide Lot 70 in DP 876840 as shown in the accompanying sketch.
- 2 Sell each of the three lots.
- 3 Accept the offer of \$82,500 for the subdivided Lot 2.
- 4 The General Manager be authorised to execute and apply the Common Seal of the Council to the Contract of Sale, Memorandum of Transfer for the subdivided Lot 2, Plan of Survey, Section 88B or other instrument necessary for the transfer of the property.

(Councillors Suffolk/Crowther)

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

Voting Against: Councillors Irwin, Roberts, Tomlinson and Swientek.

- 256/02 **RESOLVED** that the report be received and Council –
- 1 Subdivide Lot 70 in DP 876840 as shown in the accompanying sketch.
 - 2 Sell each of the three lots.
 - 3 Accept the offer of \$82,500 for the subdivided Lot 2.
 - 4 The General Manager be authorised to execute and apply the Common Seal of the Council to the Contract of Sale, Memorandum of Transfer for the subdivided Lot 2, Plan of Survey, Section 88B or other instrument necessary for the transfer of the property.
- (Councillors Suffolk/Crowther)
- Voting Against:** Councillors Irwin and Tomlinson.
(P26674)

Lismore Flood Levee Scheme

- 257/02 **RESOLVED** that the report be received and –
- 1 That to address issues of community equity in the context of the Lismore Flood Levee Scheme, Council endorse the concept of providing financial assistance to businesses located in North Lismore which have all or part of their floor levels below the predicted 1-in-10 year flood level.
 - 2 That based on reports of the investigation and consultation undertaken in North Lismore, Council concur with the eligibility criteria and \$13,600 per property title limit of assistance recommended by Richmond River County Council (RRCC).
 - 3 That, to ensure sustainable floodplain management outcomes are achieved in North Lismore, Council support the option of negotiating for subsidised voluntary acquisition in lieu of house raising, where appropriate.
 - 4 That Council support the initiative to accelerate those aspects of the Wilson's River Development which can be incorporated into the landscaping, restoration and remediation program for the Lismore Flood Levee Scheme.
 - 5 RRCC look at means by which increased owner contributions may qualify for higher matching levels of subsidy from State and Federal Governments.
 - 6 RRCC be asked to ensure that all legitimate North Lismore businesses are able to participate in the assistance scheme.
- (Councillors Swientek/Hampton) (S801)

258/02 **RESUMPTION OF STANDING ORDERS:**
RESOLVED that standing orders be resumed.
(Councillors Irwin/Hampton)

REPORTS:

Financial Reports 2001/02
(See Minute No. 254/02)

Oral Communication Improvement Strategies
(See Minute No. 255/02)

259/02 **Lismore Floodplain Management Plan**
RESOLVED that the report be received and Council adopt the Lismore Floodplain Management Plan with such amendments as are recommended in this report, with the inclusion under 6.2 of a notwithstanding clause whereby the flood hazard designation for certain lots in Ostrom Street South Lismore would change from "High Flood Risk" area to "Flood Fringe" if and when Ostrom Street is reconstructed to a minimum level of 10.0m AHD.
(Councillors Crowther/Hampton) (S106)

260/02 **Draft DCP 44 - Rural Landsharing Communities**
RESOLVED that the report be received and Council -
1 Adopt Development Control Plan No. 44 for Rural Landsharing Communities with such amendments as are recommended in this report; and
2 Notify its adoption in accordance with the requirements of the Environmental Planning and Assessment Regulation 2000 with the DCP to come into effect as of the date of gazettal of LEP Amendment No. 8.
(Councillors Irwin/Hampton) (S798)

261/02 **Draft Amendment No. 5 to DCP 26 – Industrial Development Standards**
RESOLVED that the report be received and Council adopt Amendment No.5 to DCP No. 26 and notify its decision in accordance with the requirements of the Environmental Planning and Assessment Regulations 2000.
(Councillors Roberts/Chant) (S545)

262/02 **Provision of Security Services at Various Council Assets**
RESOLVED that the report be received and –
1 The contract for the provision of security services for the period to June 30, 2005 be awarded to Summerland Security for the amount of \$77,829.90 per annum excluding the City Safe Program.
2 The Mayor and General Manager are authorised to execute the Contract on Council's behalf and attach the Common Seal of the Council.
(Councillors Swientek/Baxter) (T22024)

Subdivision and Sale of Council Land in Centenary Drive, Goonellabah
(See Minute No. 256/02)

Review of DCP 41 - Notification & Advertising of Development Applications
A MOTION WAS MOVED that the report be received and –
1 Council endorse the alterations made to the DCP following exhibition and adopt the reviewed DCP 41 Notification and Advertising of Development Applications.
2 Applications for single storey dwellings and additions that have a likely impact on adjoining neighbours, then adjoining landowners be notified.
(Councillors Roberts/Irwin)

AN AMENDMENT WAS MOVED that the report be received and Council endorse the alterations made to the DCP following exhibition and adopt the reviewed DCP 41 Notification and Advertising of Development Applications.
(Councillors Hampton/Baxter)

The voting being tied the Mayor declared the amendment APPROVED on his casting vote.

Voting Against: Councillors Irwin, Roberts, Tomlinson, Swientek and King.

263/02 **RESOLVED** that the report be received and Council endorse the alterations made to the DCP following exhibition and adopt the reviewed DCP 41 Notification and Advertising of Development Applications.

(Councillors Hampton/Baxter)

Voting Against: Councillors Irwin, Roberts, Tomlinson and Swientek.

(S739)

Lismore Masters Games 2003 – Sponsorship/Financial Update & Other Matters

264/02 **RESOLVED** that the report be received and –

1 Council authorise the General Manager to proceed with the organisation of the 2003 Masters Games.

2 The vacant NSW Sport and Recreation Committee position not be pursued and be removed from the 2003 Masters Games Committee structure.

(Councillors Chant/Baxter) (S805)

Lismore Flood Levee Scheme

(See Minute No. 257/02)

DA01/223 – Upgrading/Refurbishment of Coleman’s Bridge – S96 Modification Application

265/02 **RESOLVED** that the report be received and –

1 The General Manager be granted Delegated Authority to determine the modification application for adjusted times of closure of the Coleman’s Bridge Development Application No. 2001/223, following completion of the required notification period.

2 Appropriate signage be placed at strategic locations notifying of the bridge closure.

(Councillors Irwin/Roberts)

Voting Against: Councillor Crowther.

(D01/223)

2001/02 Financial Reserves

266/02 **RESOLVED** that the report be received and noted.

(Councillors Swientek/Irwin) (S779)

Disclosure of Pecuniary Interest Returns 2001/2002

267/02 **RESOLVED** that the report be received and noted.

(Councillors Irwin/Roberts) (S44)

COMMITTEE RECOMMENDATIONS:

Traffic Advisory Committee 18/9/02

268/02 **RESOLVED** that the minutes be received and the recommendations contained therein be adopted, excluding Items 1, 5, 13, 14, 15 and 18.

(Councillors Irwin/Roberts)

269/02 **Item 1 – Skyline Road Upgrade**
RESOLVED that the recommendation be adopted.
(Councillors Crowther/Baxter) (S642,R5102)

270/02 **Item 5 – BJ & Mrs NA Tarlinton**
RESOLVED that Council write to the RTA enquiring why it no longer supports this type of sign.
(Councillors Tomlinson/Swientek) (02-10176: S342,S346)

271/02 **Item 13 – Sibley Street, Nimbin – Parking Facilities**
RESOLVED that the recommendation be adopted.
(Councillors Swientek/Hampton) (R1703)

272/02 **Item 14 – Workshop on Woodlark Street/CBD Traffic Flows**
RESOLVED that a workshop be held on either November 19 or 26 and the letter from Northern Marketing Management Pty Ltd be circulated to all Councillors.
(Councillors Roberts/Irwin) (R7329)

Item 15 – Woodlark Street/CBD Bypass
A MOTION WAS MOVED that the recommendation be adopted.
(Councillors Irwin/Hampton)

AN AMENDMENT WAS MOVED that the recommendation be adopted, excluding dot point 3 *“introduction of parallel kerbside parking and centre parking on Woodlark Street, between Keen and Dawson Streets”*.

(Councillors Swientek/Suffolk)

On submission to the meeting the AMENDMENT was DEFEATED.

Voting Against: Councillors Irwin, Roberts, Tomlinson, King, Chant, Baxter, Hampton and Crowther.

273/02 **RESOLVED** that the recommendation be adopted.
(Councillors Irwin/Hampton)
Voting Against: Councillors Roberts, Swientek and Suffolk.
(Councillors Irwin/Hampton) (R7329)

PROCEDURAL MOTION:

274/02 **Item 18 – Crowther Carpark**
RESOLVED that the three issues be dealt with separately.
(Councillors Roberts/Irwin)
The voting being tied the Mayor declared the motion APPROVED on his casting vote.
Voting Against: Councillors Swientek, Suffolk, Hampton, Chant and Crowther.

275/02 **1ST Dot Point**
RESOLVED that Council advise the bus operators who currently park their buses in the Crowther Carpark that this area would be converted to all-day carparking and would not be available as from the start of the new school year in 2003.
(Councillors Roberts/Irwin)

2nd Dot Point

A MOTION WAS MOVED that Council relocate the recycling facility out of the carpark at the earliest opportunity and that the drop-off centre be re-established upon appropriate design and landscaping after the work requested of Richmond River County Council is completed.
(Councillors Crowther/Chant)

AN AMENDMENT WAS MOVED that Council investigate alternative options and undertake appropriate community consultation prior to any decision to close the facility.
(Councillors Roberts/Tomlinson)

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

Voting Against: Councillors King, Chant, Hampton and Crowther.

276/02 **RESOLVED** that Council investigate alternative options and undertake appropriate community consultation prior to any decision to close the facility.
(Councillors Roberts/Tomlinson)

Voting Against: Councillors King, Chant, Hampton and Crowther.

3rd Dot Point

A MOTION WAS MOVED that Council write to Richmond River County Council requesting that the open section of Browns Creek adjacent to the carpark be piped at the earliest opportunity.

(Councillors Crowther/Baxter)

AN AMENDMENT WAS MOVED that a report be provided to Council by staff on the recommendation of the Traffic Advisory Committee to pipe the open section of Browns Creek adjacent to the carpark.

(Councillors Roberts/Irwin)

On submission to the meeting the AMENDMENT was DEFEATED.

Voting Against: Councillors King, Chant, Baxter, Hampton, Suffolk and Crowther.

277/02 **RESOLVED** that Council write to Richmond River County Council requesting that the open section of Browns Creek adjacent to the carpark be piped at the earliest opportunity.

(Councillors Crowther/Baxter)

Voting Against: Councillors Irwin, Roberts, Tomlinson and Swientek.

(P9988) (352)

DOCUMENTS FOR SIGNING AND SEALING:

278/02 **RESOLVED** that the following documents be executed under the Common Seal of Council:-

Deed of Variation – Tryton Waste Services Pty Ltd

Amendment to organic waste agreement pursuant to Council resolution 178/02, to reflect that the five year payment period will end on 27/11/06 and on 1/7/04, 1/7/05 and 1/7/06 the applicable service fee that will be increased in accordance with the Local Government rate pegging limit will be the service fee applying immediately prior to commencement of the relevant period.

(02-11277: P25041)

(Councillors Irwin/Hampton)

This concluded the business and the meeting terminated at 10.45 pm.

CONFIRMED this 12TH day of NOVEMBER 2002 at which meeting the signature herein was subscribed.

MAYOR

