



## Ordinary Meeting

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An ORDINARY MEETING of LISMORE CITY COUNCIL will be held at  
the BEXHILL HALL, Clunes Street, BEXHILL on  
**14 November 2006** at 6.30pm.  
and members of Council are requested to attend.

***Residents are invited to attend at 6.00pm to meet informally with  
Councillors.***

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

November , 2006

# Agenda

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## **Opening of Meeting and Prayer (Mayor)**

## **Apologies and Leave of Absence**

## **Confirmation of Minutes**

Ordinary meeting October 10, 2006

## **Disclosure of Interest**

## **Public Access Session**

## **Public Question Time**

## **Condolences**

## **Mayoral Minutes**

## **Notice of Rescission Motions**

## **Notice of Motions**

## **Altering Order of Business**

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

## **Altering Order of Business**

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Section 339 Report

# Strategic Plan Summary

## Lismore regional city

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

# Report

<b>Subject</b>	Development Application No. 2006/404 – Demolition of former residence known as the Eltham Railway Cottage
<b>File No</b>	DA06/404
<b>Prepared by</b>	Environmental Health Officer & Building Surveyor
<b>Reason</b>	Due to the significance of public submissions received in this application
<b>Objective</b>	To determine the Development Application
<b>Strategic Plan Link</b>	Natural Environment
<b>Management Plan Activity</b>	Not Applicable

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## Overview of Report

This report provides a detailed assessment of a Development Application for the demolition of the former Eltham railway cottage on the corner of Eltham Road and Johnston Road, Eltham.

## Background

Council was contacted in April 2006 by the Department of Public Works in relation to the dilapidated state of the former Eltham Railway cottage. Upon inspection by Council's Building Surveyor, it was confirmed the structure was in a dilapidated state and on May 4, 2006, Council issued an Order No 2 under Section 121H of the Environmental Planning and Assessment Act 1979 to demolish and remove the former Eltham Railway cottage from the site.

Prior to demolition works commencing on May 12, 2006, Council received representations from the local community and Councillors in relation to retaining the former Eltham Railway cottage. Upon receipt of these representations Council revoked the demolition order, and requested the manager of the land, the Australian Rail Track Corporation (ARTC), engage in community consultation to explore options for retaining the former Eltham Railway cottage. In the event that the community consultation was not successful for retention of the Cottage, ARTC were advised that Council would require a development application to demolish the former Eltham Railway Cottage.

On June 23, 2006 the ARTC lodged a development application, on behalf of the State Rail Authority to demolish the former Eltham Railway cottage.

## Proposal

The proposal that is currently before Council is for the demolition of the former Eltham Railway cottage and the securing of the site as part of the management of the rail corridor. The demolition process will involve a licensed contractor demolishing and removing all improvements on the land, termination of all services at the property boundary, the decontamination of the site and the establishment of vegetative ground covers.

## Applicant

Australian Rail Track Corporation (ARTC)

## Location

Adjacent to DP 1042417 Lot 1, Known as 2 Johnston Road, Eltham

## Owner

State Rail Authority of NSW

## Zoning

The proposal is located on land zoned 5 Special Uses Zone as identified within the Lismore Local Environmental Plan 2000.

## Key Issues

1. Site contamination.
2. The dilapidation of the cottage.
3. The heritage significance of the former Eltham Railway cottage.

## Recommendation

The development consent be issued for the demolition of the former Eltham Railway cottage, subject to the imposition of appropriate conditions of consent. Conditions that are recommended to be placed on the consent will be to require the applicant to carry out remediation works of the site to address the soil contamination identified in the site contamination assessment report prepared by GHD Pty Ltd. Council will also impose a condition requiring an archival recording of the building and the immediate environs. This recording must be prepared by a suitably qualified consultant and made available to Council for its records.

### 1. Surrounding Properties and Environs

The surrounding properties consist of rural holdings and village lots within the Eltham Village boundaries. The former Eltham Railway cottage is adjacent to the Eltham railway bridge (heritage listed) and on the north eastern side of Johnston Road, across the road from the Eltham public tennis courts.

### 2. Proposed Development

The proposal is for the demolition and removal of the former Eltham Railway cottage.

### 3. Planning Issues

The Eltham Railway cottage is located on land owned by State Rail Authority NSW. The applicant, being ARTC, has lodged this development application on behalf of the State Rail Authority and as such, concurrence from the Crown must be obtained prior to the issue of a notice of determination. If Council resolves to refuse the development application and the Crown does not concur with Council's recommendation, then Council must make representations to the Minister for Planning to support Council's refusal.

Council has written to the applicant requesting comment in regard to the heritage significance of the Eltham Railway cottage. Their response is as follows:

*"It is of note that the cottage was not selected for listing on the former State Rail Authority s.170 Heritage and Conservation Register as part of a State-wide review undertaken in 1994...the cottage is of*

*relatively low significance and does not meet the criteria for listing on the s 170 Register or preservation as part of the NSW rail heritage portfolio”.*

The ARTC also states that if the local community has a desire for the premises to be retained, they should clearly indicate how any future use of the premises, will be self sufficient and economically viable and how it is proposed to fund the contamination remediation, restoration and future maintenance obligations.

### **3.1 Comments from Manager, Planning Services:**

The 1994 City Wide Heritage Study concentrated on quantity of items identified, rather than on quality of information contained. Therefore it notes a large number of buildings and sites supported by very little information. From this wide-ranging study a Heritage Study Steering Committee identified buildings and sites of State, regional and high local significance for inclusion in schedules to the Lismore Local Environmental Plan as heritage items. In the planning context, the term ‘heritage item’ applies only to the buildings and sites listed in Schedules 1 and 2 of the Lismore LEP. The subject property is noted in the Heritage Study but is not included in Schedule 1 or 2 and therefore is not a ‘heritage item’ under the Environmental Planning and Assessment Act.

The City Wide Heritage Study Reference Sheet 22238 provides limited information on the former railway cottage but is included in the attachments to the Business Paper for the information of Councillors.

The Statement of Significance states:

*Fine example of a vernacular railway cottage. Now mainly of social and historical interest. Recorded only (subject to further investigation of history and fabric).*

‘Recorded only’ means photographed and described, and no recommendation was made by the Study consultants for its inclusion in the LEP as a heritage item. There is no readily available information to explain why the cottage would have been considered differently to the Eltham Railway Bridge, which is only metres away and is included in Schedule 1 of the LEP as a heritage item.

Because of the paucity of information in the City Wide Heritage Study, Council has little information with which to refute the statement of the applicant that the cottage is of ‘...*relatively low significance and does not meet the criteria for listing on the S170 Register or preservation as part of the NSW rail heritage portfolio.*’ The fact that neither the authors of the Heritage Study nor the former Heritage Study Steering Committee identified the cottage as having sufficiently high local significance as to warrant being included in the LEP, would tend to support this view despite the proximity of the railway cottage to the railway bridge.

## **3.2 Assessment under Section 79C of the EP&A Act –**

### **3.2.0 Any Environmental Planning Instruments**

#### **3.2.1 State Environmental Planning Policies (SEPPS)**

Nil

#### **3.2.2 Regional Environmental Plan (REP)**

The site is not listed as a heritage item of state or regional significance within the REP.

#### **3.2.3 Lismore Local Environmental Plan (LEP)**

Land on which the Eltham Railway cottage is situated is zoned 5 (Special Uses Zone) under Lismore LEP 2000. This zone does not prohibit the demolition of structures with the consent of the Council.

The Eltham Railway cottage is within the curtilage of the Eltham Railway Bridge (heritage listed item under LEP 2000), and hence clause 17A of LEP 2000, must be considered. Clause 17A relates to the impact of a proposed development on a heritage item. Due to the

close proximity of the cottage to the Eltham Railway Bridge, it is considered the removal of the cottage may have an impact on the setting of the listed heritage item. The railway bridge has been assessed and listed as a heritage item for its archaeological significance to the transport rail line in this regard, the removal of a building which supports the former use of the bridge and positively contributes to the setting of the item, may have an impact on its overall significance.

### **3.3 Any Draft EPI that is or has been placed on Exhibition**

Nil

### **3.4 Any Development Control Plan**

DCP 50 Heritage Conservation:

The Eltham Railway Cottage is not listed under schedule 1 or 2 of Lismore LEP 2000, therefore consideration of DCP 50 Heritage Conservation is not required. Whilst it is accepted the cottage may have some heritage value the current dilapidated state of the cottage and the unwillingness of the owner to reinstate the cottage to a usable level means the best solution is for the applicant to undertake a photographic record of the cottage and its environs and make a copy available to Council for its records prior to demolition of the structure.

### **3.5 Any Matters Prescribed By The Regulations**

Nil

### **3.6 The Likely Impacts of that Development, including Environmental Impacts on both the Natural and Built Environments, and Social and Economic Impacts in the Locality**

The removal of the dilapidated structure and remediation of the contaminated site will be a positive impact on the natural environment and will assist in returning unusable land back to a state that is safe for human contact. The removal of the cottage will relieve the State Government of a structure that is considered a public and economic liability due to its state of dilapidation, land contamination and on going maintenance. The Eltham community has stated in their submissions to Council that the demolition of the cottage will have a negative social impact on the community and would be a loss to the village of Eltham.

The removal of the cottage may impact on the overall significance of the Eltham Railway Bridge (heritage item) due to the reduced association the heritage item has with the Eltham community. However against this must be balanced the public health and safety issues associated with the building.

Council staff have assessed the positive and negative impacts of the development and support the applicants desire to demolish the Eltham Railway cottage.

### **3.7 The Suitability of the Site for the Development**

The applicant has not indicated a future use of the land and intends to manage the site as part of the existing rail corridor. This is a suitable use for the site.

### **3.8 Any Submissions made in Accordance with this Act or the Regulations**

The application was exhibited and adjoining owners were notified in accordance with Council's Policy. At the close of the exhibition period Council had received seventeen (17) submissions raising objection to the demolition of the Eltham Railway cottage.

The objections related the following issues:

1. The heritage value of the Eltham Railway cottage.
2. The structural adequacy of the original cottage.
3. The community's willingness to undertake the repair and restoration of the structure and operate the building as a community use building.
4. The site contamination.

The public submissions were forwarded to the applicant for their consideration. The ARTC response was to advise that the Eltham Railway cottage is of relatively low significance and does not meet the criteria for listing on the s170 of the Heritage and Conservation Register as part of the NSW rail heritage portfolio.

Council's response in regards to the public submissions is detailed below:

## Heritage

The former Eltham Railway cottage was identified in the Lismore Heritage study undertaken in 1994, however the Eltham Railway cottage was not included as a heritage item under Lismore LEP 2000. The implications of further investigation by Council into the heritage significance has previously been detailed by the Manager of Planning Services.

### Structural adequacy of the original cottage

The original portion of the Eltham Railway cottage is affected by vandalism, termites and wet rot which would require replacement. The costing for the restoration and repair of the whole structure has been considered by the ARTC. Their estimates exceed \$100 000 for the refurbishment of the structure. If repairs and restoration works were undertaken by the Eltham community on the original portion of the cottage this figure may be reduced, however the time taken for the Eltham community to raise funds and volunteer man hours to bring the structure up to a satisfactory level may take a substantial amount of time. This may lead to further dilapidation and vandalism of the remaining structure which could see Council reissuing the demolition order on the ARTC in the future.

### The community's willingness to undertake the repair and restoration of the structure and operate the building as a community use building.

On August 31, 2006 Council received a copy of correspondence from the Eltham Community addressed to the ARTC, regarding the submission of a preliminary proposal to retain and maintain the original portion of the Eltham Railway cottage as a community use building. Given the above, Council deferred determination of the development application for a period of twenty one (21) days to allow for the community and the applicant to come to a suitable arrangement in regards to the Eltham Railway cottage. To date no correspondence been received by the applicant requesting the development application be deferred or withdrawn.

The ARTC concern with the cottage remaining has been the potential financial burden of remediation of site soils to a safe residential level and the restoration and (maintenance of any future land use). To date the Eltham Community has not been able to satisfy the ARTC concerns of finding an economically viable alternative for the use of the premises, as such the ARTC still seeks Council approval for the demolition of the Eltham Railway cottage.

### Contamination of the site

The site contamination assessment prepared by GHD Pty Ltd, revealed lead concentrations in the site soil are considerably above the relevant health based investigations levels for residential land use. Furthermore, Arsenic and Benzo(a)pyrene is present at concentrations above the relevant health based investigation level in several areas. Based on the results of the current study, the site is not considered suitable (with respect to environment and human risk) for its continued residential use as potential exposure pathways may exist.

Council has considered the site contamination assessment report and does not dispute its conclusions. Council Environmental Health Services Section are of the opinion that for the site to be used for a community use as detailed in the public notification submissions, remediation of the site to a residential level would be necessary. Estimates by the ARTC for remediation would be up to \$200 000.

As part of the demolition works Council will request, as a condition of development consent that the site soils be remediated to a level safe for commercial and industrial use. If Council was to refuse the development application for the demolition of the Eltham cottage, remediation of the site to a commercial or industrial use would be difficult to achieve as the trigger for the site remediation is the approval of the demolition application.

### **3.9 The Public Interest**

There is a public interest insofar as the retaining the structure because of its age and position in the Eltham community. The public interest must also consider:-

1. The contamination level of the site that are well above safe residential (community) levels.
2. The current state of the structure being partially collapsed and suffering the affects of dilapidation and vandalism.
3. The difficulty to control unauthorised access despite security fencing being installed by the applicant.

The above points create a hazardous site to persons in the vicinity of the cottage.

## **4. Comments**

### **4.1 Financial Services**

Not Required

## **5. Other staff comments**

### **5.1 Development Engineer**

Not Required.

### **5.2 Environmental Health Officers**

After assessment of the site contamination report prepared by GHD Pty Ltd, it is recommended that the demolition works incorporate the remediation of the soil environment of the site and conditions of consent have been nominated for this purpose.

### **5.3 Building Surveyors**

Upon site inspection of the structure, it was found the rear 'lean to' addition is suffering the effects of extensive termite damage and has partially collapsed. The front portion of the Eltham Railway cottage (original structure) has suffered from vandalism and unauthorised residential occupation (squatting). The structure shows the effects of wet rot and termite damage, particularly to the internal and external cladding. Whilst the frame of the original portion of the cottage is considered to be in a condition that may permit restoration of the cottage, the cottage in its current state is considered dilapidated and if left in its current state while the Eltham community raises funds to restore the structure, it may suffer further dilapidation and vandalism such as arson. Due to the close proximity of the structure to Johnston Road, and the ease of unauthorised access to the site, Building Services raises concerns regarding the prejudicial state of the structure in regards to its occupants, persons or property in the neighbourhood.

Building Services has no objections to the demolition of the building subject to the imposition of a number of conditions of consent.

## **6. Conclusion**

All planning matters have been considered in the assessment of the subject application. Submissions by the local community in relation to the identified contamination of the land, the current state of dilapidation of the residence and the heritage significance of the former Eltham Railway cottage have been taken into consideration and do not warrant refusal of this application. As the structure is on Crown land the responsibility for remediation of the site, repair and restoration of the structure and the ongoing maintenance rests with State Rail (ARTC). The Eltham community's submission to take responsibility

and manage the cottage has not satisfied the ARTC concerns in providing a viable alternative use for the Eltham Railway cottage.

## **Recommendation (PLA1)**

- A. That Council grant delegated authority to the General Manager to approve Development Application No. 2006/404 for demolition of the former Eltham Railway cottage, subject to the concurrence of the applicant being Australian Rail Track Corporation (ARTC) in relation to attached conditions of consent.

- 1 In granting this development consent, Council requires:
- All proposed works be carried out in accordance with any amendment or modification outlined in these conditions
  - Any proposed use of land be in accordance with any amendment or modification outlined in these conditions

and be substantially in accordance with the stamped approved plan(s) Plan No. Site Layout and Sampling Locations Figure 3 prepared by GHD dated December 10, 2004 and/or supporting documents submitted with the application. A copy/copies of the approved plan is/are attached to this consent.

**Reason:** *To correctly describe what has been approved. (EPA Act Sec 79C)*

- 2 Prior to demolition of the former Eltham Railway cottage an archival recording of the building and its immediate environs shall be prepared by a suitably qualified consultant, in accordance with the NSW Heritage Office guidelines. A copy of the archival recording must be made available to Council for its records.

**Reason:** *To document the history of the site.*

## **BUILDING**

- 3 Burning of site refuse and materials is not permitted and all such materials must be disposed of at Council's garbage depot, or in an approved manner.

**Reason:** *To comply with the Clean Air (Control of Refuse Burning) Regulation.*

- 4 The excavated and filled areas are to be graded, drained and retained.

**Reason:** *To ensure stability of the site.*

- 5 Prior to commencement of demolition works security fencing must be provided to the common boundaries, in accordance with Council's Hoarding Guidelines, where the site adjoins a public thoroughfare.

**Reason:** *To provide protection to the public.*

- 6 Prior to commencement of demolition works notices displaying the words "Danger ! Demolition in Progress", in appropriate places to the fencing or hoarding.

**Reason:** *To warn the public of site dangers.*

- 7 The effects of vibration, dust, noise and concussion on adjoining buildings and their occupants must be minimised, by selecting appropriate demolition methods and equipment.

**Reason:** *Required by the Environmental Planning and Assessment Act 1979.*

- 8 Any asbestos cement products to be removed and disposed of to an approved tipping station in accordance with Worksafe Australia - Code of Practice for the safe removal of asbestos.

**Reason:** *To prevent any exposure to a hazardous material.*

- 9 Prior to commencement of demolition works all services provided to site must be disconnected in accordance with relevant authorities guidelines.

**Reason:** *To comply with relevant authority's requirements.*

- 10 All hard surface areas, building and waste materials being removed from the site.

**Reason:** *To ensure the site is left in a clean and tidy condition.*

- 11 That the proposed demolition works shall incorporate the remediation of the soil environment of the development site. Prior to the commencement of any site works, other than site security, the applicant shall submit to Council for consideration and approval a site Remediation Action Plan (RAP).

The RAP shall clearly identify:

- the remediation objectives (proposed clean-up criteria appropriate for the future use of the site).
- the feasible remediation options for the site and intended works associated with the preferred remedial strategy.
- necessary approvals that need to be obtained prior to the commencement of remedial works.

Upon completion of remedial works, a validation report prepared by a qualified person acceptable to Council shall be submitted for Council approval. This report shall certify that remediation works have been completed in accordance with the approved remediation action plan and relevant guidelines made or approved by NSW Environment Protection Authority in accordance with the Contaminated Land Management Act.

**Reason:** *To protect the environment. (EPA Act Sec 79C(b))*

- 12 The hours of work for any noise generating construction activity of the proposed development are to be limited to the following time restrictions:

Monday to Friday - 7.00am to 6.00pm  
Saturday - 8.00am to 1.00pm

No noise generating activities are to take place on Sundays or public holidays.

**Reason:** *To preserve the environment and existing or likely future amenity of the neighbourhood. (EPA Act Sec 79C(b))*

- 13 Measures shall be put in place to control stormwater runoff. These control measures shall be in place prior to the commencement of works and shall prevent soil erosion and the transport of sediment from the development site into either:

- adjoining land
- natural drainage courses
- constructed drainage systems, or
- waterways.

All disturbed areas shall be stabilised and revegetated. Turfing or another approved seeding method shall be undertaken in each part of the development within 14 days of completion of earthworks. Topsoil shall be preserved for site revegetation. Appropriate signage shall be erected on-site identifying the requirement for the maintenance of these measures. Details of sediment control measures, revegetation works and signage shall be incorporated into the sites Remediation Action Plan.

**Reason:** *To protect the environment. (EPA Act Sec 79C(b))*

## Report

<b>Subject</b>	Renaming and renumbering proposal for Ballina Street, Ballina Road and part of New Ballina Road
<b>File No</b>	R6408
<b>Prepared by</b>	Executive Director – Development and Governance
<b>Reason</b>	Report back to Council with recommendations resulting from public consultation
<b>Objective</b>	To seek Council's endorsement of renaming and renumbering proposal
<b>Strategic Plan Link</b>	Quality of Life
<b>Management Plan Activity</b>	Roads

### Overview of Report

At the ordinary meeting of 13 June 2006 Council resolved to undertake public consultation with regard to a renaming and renumbering proposal for Ballina Street, Ballina Road and part of New Ballina Road. Following considerable consultation and the strength of positive responses received, it is recommended that Council proceed with the implementation of the proposal.

### Background

It has long been recognised that the discontinuity in street numbering and the variations in nomenclature that occur on the Bruxner Highway between Ballina Street bridge and the eastern Local Government boundary cause confusion and difficulty. This confusion is experienced on all levels, from emergency vehicle response to the service delivery sector.

To address this, Council resolved, at its ordinary meeting of June 2006;

1. That Council undertake consultation with the residents of the affected streets and roads together with public bodies to determine acceptance of the proposal with the preferred road name option of Ballina Road.
2. That a further report be brought back to Council with recommendations for the removal of the confusion surrounding numbers and address for the subject section of the Bruxner Highway.

To give effect to this Council resolution an information brochure, a coloured road map of the specific section of the Bruxner Highway, a specific "feedback form" and pre-paid return envelope was sent out to each and every affected resident. Similar information was also sent to the relevant Government Departments. In addition to this, advertisements were placed in local newspaper, press releases were sent out and interviews provided to local radio stations. A public display was also put in place at the Lismore Heights Post Office.

### Current situation

The Bruxner Highway has three names between the Wilsons River and the eastern Local Government boundary. These are:

- Ballina Street
- New Ballina Road
- Ballina Road

In addition to this, there are three separate numbering systems over this section of the Highway, being;

- One system starting with 1 at Wilsons River and extending to Lismore Heights.
- Another system again starting with 1 at Goonellabah.
- A further system east of Richmond Hill Road following the rural road numbering system and assuming a starting point of Lismore Heights Post Office.

To further complicate the numbering discontinuities the second system starts at differing points on the road, dependant upon whether or not the numbers are odd or even.

### Proposal

The proposal which was placed on public exhibition;

- renamed all of the road as "Ballina Road" between Wilsons River and Pineapple Road / Oliver Avenue
- renamed the road as "Bruxner Highway" easterly of Pineapple Road / Oliver Avenue to Marom Creek.
- residential numbering along the "Ballina Road" section would commence with 1 at Wilsons River and ascend sequentially to Pineapple Road / Oliver Avenue.
- Numbering easterly of Pineapple Road / Oliver Avenue would be by the normal rural road numbering system, with the origin being Wilsons River.

The effect on the various parts of the Highway is summarised in the table below:

Existing Name	Proposal	Outcome
Ballina Street	To replace street name.	<b><i>Street renamed to Ballina Road.</i></b>
New Ballina Road	To renumber properties and change street name for that part of New Ballina Road now included within the main road (Bruxner Highway).	<b><i>Residential address would be renumbered and street renamed to Ballina Road.</i></b>
Ballina Road (west of Pineapple Road)	To renumber to remove anomalies within the existing numbering system and present a consistent numbering system from west to east.	<b><i>Residential address would be renumbered with the street name remaining Ballina Road.</i></b>
Ballina Road (east of Pineapple Road)	To renumber all properties on Ballina Road from the junction of Oliver Avenue / Pineapple Road east to the Council boundary at Marom Creek and rename the road Bruxner Highway.	<b><i>Residential address would be renamed and renumbered to Bruxner Highway.</i></b>

### Council support

It is proposed that Council will arrange for or provide the following assistance for affected residents.

- A5 standard 'change of address' notebook
- An Australia Post Mover's Kit – a complimentary one month redirection service will be available to residents
- Street Numbers
- Locality signage
- A reflective number plaque (50mmx100mm).
- Locality education
- Advise property letting agents
- Provide change of address stickers in cases of specific hardship
- Arrange appropriate media publicity

## Implementation

Nov 2006	Notification of council resolution and effect on individual residents sent – end Nov 06
Dec 2006	Government Agencies notified
Dec 2006	Renaming pack available for residents
Jan 2007	Education campaign commences
Feb 2007	Signage erected
March 2007	Full implementation

## Comments

### Financial Services

No comment required.

### Other staff comments

#### Infrastructure Services

Infrastructure Services supports the recommendation.

#### Planning Services

Planning Services raises no concerns.

#### Community Services

Community Services raises no concerns.

## Public consultation

### Resident survey

Approximately 800 public information kits and feedback forms were sent out to all affected residences. In addition to this, letters were sent to all relevant Public Authorities.

Following a public information program in the papers and on radio, 241 feedback forms were received. These returns were very evenly distributed over the entire length of the road. Overall 70% of submissions received supported the proposal.

On a section by section basis, the following responses were received and the two views can be categorised by the following comments:

- **Ballina Street**

- 77 responses received (54 Yes / 23 No)

Comment

**Yes** - *Visitors to the town knock on our door seeking help – they are confused by the numbering and have no knowledge of Ballina Road.*

**No** - *Should be Ballina Street with numbers from West to East. The bridge is Ballina Street. If you number us 201 Ballina Road, we will get someone else's mail.*

- **Ballina Road (east of Pineapple Rd)**

- 16 responses received (12 Yes / 4 No)

Comment

**Yes** - *We got a PO Box because of all the problems with the addresses - this was back in the seventies. 30 years ago - it has taken the council a long time to see there was and still is a problem!*

**No** - *We haven't chosen to move so why should we go through the hassle and cost of changing*

our address? Does the Council plan to compensate us for this?

- **Ballina Road** (west of Pineapple Rd)
  - 123 responses received (82 Yes / 41 No)

Comment

**Yes** - I fully endorse this proposal. I have had wrong mail delivered here on many occasions because of the confusion of Ballina St/Ballina Rd. I also have had the police come here when they had been called to attend a domestic dispute for Ballina St - Waste of valuable time .

**No** - Have lived at same residence without any trouble for 50 yrs. Better signs indicating streets and area would educate residents of their address, who is to pay for changes to individuals and organisations? Estate Agents should provide the correct address to tenants.

- **New Ballina Road**
  - 25 responses received (22 Yes / 3 No)

Comment

**Yes** - I have had many mix ups with mail and tradesman etc finding my place. I'm sure things will become worse during the transition but should be good long term.

**No** - I strongly object to the proposal as I envisage an address change for my business would incur substantial costs in reprinting existing stationery, for sale signs plus other promotional materials.

### **Emergency services, government departments and agencies**

**Lismore Police Station** – There is no Police objection to the proposal of renaming Ballina Street and New Ballina Road to a single name of Ballina Road.

**Lismore Ambulance (Station Manager)** – To look at this proposal objectively from my professional opinion there should not be any objection. This proposal would enable a clear flow of house numbers and make identifying the required house quickly and more effectively. The current numbering is difficult and confusing to local and relief staff while signs can be effective for indicating changes in street names, they are of little use if they are removed or damaged. This proposal would make our job a lot easier.

**Lismore Fire Brigade Service** – The local Fire Brigades have considered this proposal, and in doing so fully support it on the basis of improving public safety.

**Lismore Mail Delivery Centre** – The introduction of a single name is desirable and the flow on effect of intruding consecutive numbering is the optimal outcome. Such a change would significantly improve on time delivery to residents in the affected area in addition to minimising confusion on correct addressing requirements. This change will spell the end of many incorrectly addressed letters.

**Australia Post, Sydney** - Australia Post support the adherence to the AS/NZ4819:2003 Geographic Information - Rural and Urban addressing standards to ensure that addresses within an address locality are unique and unambiguous. Council's road renaming and renumbering proposals conform to the standard and will provide for unique and unambiguous urban and rural addresses. Council's request for Australia Post to consider the waiving of the "change of address" fee for the residents affected for a period of time has had a favorable determination negotiated at the local level. I understand that a one month period and information/redirection package has been agreed.

**Department of Lands** – The concept of rationalising road names in this fashion is fully supported and with the introduction of a consecutive numbering system will greatly contribute to the accurate identification and location of properties and the prompt and efficient delivery of emergency services.

**Roads and Traffic Authority** – The Roads and Traffic Authority supports Council's proposal to adopt a single name (Ballina Road) and the adoption of a consecutive numbering system. It is noted that all

*Highway related signposting will remain unchanged as the current reference convention is the Bruxner Highway.*

**Telstra** – *Due to the confusion of three similar sounding road names, these proposed name changes would benefit the residents in the misfortune of an emergency due to their being no duplication of street numbers with similar sounding road names. It would make my task at Telstra (Telstra are responsible for the addressing database that flows through to the 000 Emergency Services) somewhat clearer. It would also help the Telstra technician locate customers much easier.*

**Country Energy** – *Country Energy can see no adverse issues in the proposal but would appreciate being kept informed if it proceeds, to enable us to upgrade our customer records and schematic maps in the areas involved.*

The public consultation brought forward two alternative proposals which were considered during the preparation of this report.

- a. To avoid potential confusion created by existing Ballina Road, Goonellabah numbers becoming similar to future Ballina Road, Lismore numbers (formerly Ballina Street, Lismore) a prefix of 1000 be added to all numbers.

Comment: It was considered that this “confusion” was being overstated as it is no different to the current problems and will only exist for a short time during the transition to the new system. In addition, clear suburb signage should limit the opportunity for this problem to be created.

- b. That only the subject part of “New Ballina Road” be renamed and renumbered.

Comment: While this proposal would minimise the number of residents who would be affected it would not lead to one uniform sequential numbering system and would retain two street names.

Although these proposals were considered they do not fully address the problem.

## Conclusion

The proposal to rename and renumber Ballina Street, New Ballina Road and Ballina Road has been generated by a recognition of the fact that the current street naming and numbering system continues to lead to confusion. It is acknowledged that any change will create some initial inconvenience however the long term benefits and clarity within the entire community outweigh the short term difficulties.

## Recommendation

That Council:

1. Endorse the proposal as outlined below, with the implementation of consecutive numbering:
  - a. Ballina Street  
To rename Ballina Street to Ballina Road, and retain existing numbers.
  - b. New Ballina Road  
To renumber properties and change street name for that part of New Ballina Road now included within the main road (Bruxner Highway) and continue the consecutive numbering system.
  - c. Ballina Road (west of Pineapple Road)  
To renumber properties along the section of road identified, to remove anomalies within the existing numbering system and present a numbering system consistent with the other western parts of the road.

- d. Ballina Road - (east of Pineapple Road)  
To rename Ballina Road (east of Pineapple Road) to Bruxner Highway and renumber all properties from the junction of Oliver Avenue / Pineapple Road east to the Council boundary at Marom Creek.
2. Provide advice to all affected residents and government agencies/departments.
3. Generate and issue databases / mapping to all appropriate government agencies/departments etc.
4. Provide resident support as outlined in this report.
5. Provide public notice of this change.
6. Provide appropriate street and suburb signage.

# Report

<b>Subject</b>	<b>Council Meetings and Public Contact Forums for 2007</b>
<b>File No</b>	S43
<b>Prepared by</b>	Administrative Services Manager
<b>Reason</b>	Council policy
<b>Objective</b>	Determine schedule and meeting locations
<b>Strategic Plan Link</b>	Leadership by Innovation
<b>Management Plan Activity</b>	Corporate Management

## Overview of Report

Schedule of meetings and public contact forums for 2007 as required under Policy 1.2.7.

## Background

### 1. Council Meeting Schedule

Council has resolved that ordinary meetings will be held on the second Tuesday of each month. The first ordinary meeting of the year will be held on February 13, 2007.

### 2. Rural Meetings and Public Contact Forums

Council's Policy No 1.2.7 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 13 years Council has visited almost every public hall at least once; visits which are well received by local residents.

This year the two meetings in rural villages were held at Koonorigan in March and this meeting at Bexhill.

All three public contact forums for 2006 – Repentance Creek, Tuntable Creek and South Gundurimba – have been conducted, all with good attendance from local residents.

## General Manager's Comments

The purpose of Council going to the rural community via Council meetings, rather than vice versa, is entirely appropriate however experience shows that the practice is accompanied by a tendency to compromise on the composition of the agenda. This can be to the detriment of adherence to external reporting deadlines and timely decision making.

In addition there has indeed been negative feedback on more than one occasion whereby some members of the local community have felt aggrieved by their inability to interact more freely in the Council's meeting. Council does recognise this constraint and convenes both rural and city contact forums on a regular basis which allows a less formal debate to proceed.

The disadvantages to Council's meeting process compared to the regular mode of operation in the Goonellabah Council Chambers include:-

- Public accommodation space, comfort and facilities

- Poor acoustics and lighting
- Very inadequate visual presentation facilities
- Limited audio recording
- IT constraints
- Difficulty in dealing with confidential reports.

Because there is great community value attached to these gatherings it is not proposed to abandon the concept but rather to modify it so as to achieve better outcomes. It is proposed that two rural Council meetings be convened in addition to the 11 meetings scheduled for 2<sup>nd</sup> Tuesday of each month at the Goonellabah Council Chambers.

These extraordinary meetings would be scheduled for the 4<sup>th</sup> Tuesday in the months of March and October and would be intentionally limited to two hours, and immediately followed by an open forum for up to 90 minutes to allow for a facilitated discussion session where community members can interact with the Council. In the context of this report, the 2007 rural Council Meetings under the suggested revisited format would be:-

Nimbin	March 27, 2007
Numulgi	October 23, 2007

In addition the rural public contact forums are suggested for:-

McLeans Ridges	March 19, 2007
Dungarubba	June 18, 2007
Goolmangar	September 17, 2007

### 3. City Contact Forums

Council has also introduced the concept of city contact forums. Two are scheduled each year, with this year's being held at the Italo Australia Club and the Roy Waddell Community Centre.

Notably attendance at the City Forums has not been at the same level as those held in rural locations.

Suggested meeting dates and locations are:

East Lismore Bowling Club	April 16, 2007
Goonellabah Senior Citizens Club	July 16, 2007

## Comments

### Financial Services

Not requested

### Other staff comments

### Public consultation

Council's policy of rural Council meetings and public contact forums is designed to increase opportunities for public consultation.

## Recommendation

1. That Council adopt the concept of two combined Extraordinary Meetings/open forums in rural locations for 2007.
2. That the schedule of venues as outlined below be adopted.
 

(i) Extraordinary meetings:	Nimbin Numulgi	March 27 October, 23
(ii) Rural contact forums:	Mcleans Ridges Dungarubba Goolmangar	March 19 June 18 September 17
(iii) City Contact forums:	East Lismore Bowling Club Goonellabah Senior Citizens Club	April 16 July 16

## Report

<b>Subject</b>	Freedom of the City – 41 <sup>st</sup> Battalion The Royal NSW Regiment
<b>File No</b>	S22, S73
<b>Prepared by</b>	Corporate Compliance Coordinator
<b>Reason</b>	Request from 41 <sup>st</sup> Battalion
<b>Objective</b>	To determine Council's response to request
<b>Strategic Plan Link</b>	Leadership by Innovation
<b>Management Plan Activity</b>	Councillors

### Overview of Report

Request from the 41<sup>st</sup> Battalion the Royal NSW Regiment to be granted Freedom of the City.

### Background

Council has received a request from the 41<sup>st</sup> Battalion The Royal NSW Regiment to exercise the Freedom of Entry to Lismore City on Saturday November 17, 2007.

The Freedom of Entry to the City of Lismore was first granted to the Battalion on August 14, 1972 and was last exercised in 1993. The activity would involve a mid-afternoon march by around 150 soldiers down Molesworth Street, a challenge by the Police Superintendent and an inspection of the troops by the Mayor.

Following the parade light refreshment will be provided and a scroll presented to the Battalion proclaiming the conditions of entry and the date of exercising.

As can be seen the "Freedom of the City" is a symbolic exercise, one which dates back to the 17<sup>th</sup> Century in England. It is designed to strengthen the bonds between the City and its armed forces.

The 41<sup>st</sup> Battalion had its origins in the area during the First World War and has an ongoing connection with the City through its work with cadets and its operations from its Military Road depot.

It is considered that Council should again recognise the linkages of the City and the 41<sup>st</sup> Battalion in this manner.

### Comments

#### Financial Services

Funds will come from current budget allocations

#### Other staff comments

Not requested

#### Lismore City Council

Meeting held November 14, 2006 – Freedom of the City – 41<sup>st</sup> Battalion The Royal NSW Regiment

## Public consultation

Not requested

## Recommendation

1. That Council grant the Freedom of the City to the 41<sup>st</sup> Battalion The Royal New South Wales Regiment on Saturday, November 17, 2007.
2. That the Common Seal of the Council be affixed to the official document commemorating the granting of the Freedom of the City.

## Report

<b>Subject</b>	<b>Richmond River County Council Responsibilities</b>
<b>File No</b>	S409
<b>Prepared by</b>	General Manager
<b>Reason</b>	To fine tune Council's attitude to proposed delegation of responsibility.
<b>Objective</b>	To establish the level of Council support for changes to County Council functions and membership.
<b>Strategic Plan Link</b>	Leadership by Innovation
<b>Management Plan Activity</b>	Environmental Health Management

### Overview of Report

Critical analysis of Richmond River County Council's four point plan to update its charter to incorporate contemporary natural resource management functions across the three constituent Council areas of Lismore, Richmond Valley and Ballina. The report also challenges the proposal to vary the number of Councillors elected to the County Council. The recommendations support the intent of the proposal but call for further definition about the new functions, the number of Councillors and the effective commencement date of the changes.

### Background

In March 2006 Council resolved in the following terms:-

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

This decision arose following an appraisal of a 2003 County Council evaluation of options for enhancing the role of Richmond River County Council in natural resource management.

Five options were considered:

#### **Scenario 1 – Status Quo**

- RRCC continues with current services and activities
- Nil increase in responsibilities or NRM role

#### **Scenario 2 – Review Proclamation to incorporate limited NRM Role**

- Acknowledges RRCC's current duty of care, environmental responsibilities, & current range of actions and initiatives
- Brings proclamation in line with current activities and community expectations

**Scenario 3 – Revise Proclamation to include all Lower Richmond Local Government Area (LGA's)**

- Increase area of RRCC's authority to cover all of Lismore, Richmond Valley and Ballina Councils
- Maintain current role and activities

**Scenario 4 – Revise Proclamation to include the whole Richmond River Catchment**

- Increase area of RRCC's authority to take in all of Richmond River catchment. This would cover Lismore, Ballina, Richmond Valley and part of Kyogle Councils

**Scenario 5 – Revise Proclamation to include whole of catchment and deliver additional NRM roles and responsibilities**

It was concluded that Scenarios 2, 3 and 4 were worthy of support and this Council's resolution allowed Richmond River County Council the flexibility to identify a preferred model after taking into account the feedback from its three constituent Councils.

The County Council has now advised that it proposes to seek Ministerial approval to alter the Council's charter to achieve outcomes broadly in keeping with Scenarios 2 and 3, as follows:-

1. *Varying the County Council's area of operation by taking all the land described in the constituent council areas of Lismore, Ballina and Richmond Valley and adding it to the Richmond River County Council so that the boundaries of the Richmond River County Council shall be as described for the constituent council's whole areas.*

**This concept is supported.**

This merely means that all lands within the three constituent Council areas shall be subject to the delegation of powers outlined in the County Council charter. This is different to the status quo whereby only the Lismore Council's urban area, plus the generally southern rural areas towards Coraki and Tuckean, that part of Richmond Valley downstream of Tatham and the Ballina Shire, excluding Ballina urban area are within the County Council's jurisdiction.

From a floodplain management perspective the old boundaries are somewhat limiting more relevantly in the Richmond Valley and Ballina Council areas, however, in terms of broader catchment wide management practice and policy development, there is a case to endorse the boundary extension. This is consistent with Scenario 3.

2. *Varying the number of persons that comprise the county council's governing body from four (4) to five (5) so that the constituent councils shall each have representation to the County Council as follows:*
  - *Ballina 2*
  - *Lismore 2*
  - *Richmond Valley 1*

**This concept is not supported and should be varied.**

Councillor membership on the County Council has been a source of disagreement for some time and a change in numbers was not canvassed in the 2003 review. The current make-up of Lismore 2, Ballina 1 and Richmond Valley 1 was established in 1987 following a rationalisation of RRCC's budget and scale of activities. Indeed the basis for 2 Lismore Councillors was uniquely associated with the then imminent commencement of the Lismore Levee Scheme. The membership was not based on the assessed distribution of County Council expenditure, rather the level of involvement by the Councillors in the County Council's projects. A separate Steering Committee with Lismore Councillor involvement was formed to monitor progress with the Lismore Levee Scheme.

Since that time, the larger Richmond Valley Council has been created and indeed the current proposal provides for the County Council to assume a wider brief which may result in a variation to the distribution of expenditure. Whilst there is no formal constraint on expenditure the income collected from the three

Council members for recurrent expenses is currently locked in by agreement at:-

- Lismore 40%
- Ballina 40%
- Richmond Valley 20%

A cursory analysis of where the County Council deploys its resources would reveal that this historical arrangement bears review and indeed, in 2004 Ballina Council resolved that its support for a change to the County Council's Charter was conditional upon the process including a review of the representation and corresponding financial contributions of the constituent councils.

This issue of Councillor representation has been debated many times and it would now seem that the case for equal representation from the three Council areas has merit; however the extreme case for a Council comprising just three Councillors is weak. It is true that in the past decade the workload of the four Councillor representatives has been manageable however, under the new proposal, the workload is likely to increase. Add to this the limited range of views able to be discussed via a Council of three and this configuration would appear to suffer from an undesirable and at times impractical constraint.

Increasing the membership by one to meet Ballina's needs may satisfy their frustration however it may generate some disquiet from Richmond Valley Council, if not now, at some time in the future. A better outcome would be equality of membership and thus a Council of six. Whilst this will add around \$16,000 per annum to the recurrent cost budget of the County Council, this is not prohibitive when the result should be a quality governance outcome.

Determination of the annual Council contributions is not a matter to be incorporated in the charter or Proclamation – these are matters to be determined by the Council and, where appropriate, by negotiation with the constituent Councils.

3. *Declaring that the change is to be effective from the date of approval of the Proclamation.*

**This concept should be varied to clearly identify the changeover date.**

As the most significant short-term practical change arising from this proposal will be a potential change to the membership of the County Council, the most appropriate time to effect the changes would be as and from the date of the 2008 local government elections.

If this timeline is adopted, it is possible for the County Council to continue to carry out works outside its currently defined area, excepting regulatory functions (Section 357). This is essentially what is happening now.

4. *Varying the County Council's functions by authorising for catchment projects, natural resource management, which is to have the same meaning as defined in Section 5 of the Natural Resources Commission Act 2003, in addition to flood prevention, protection and mitigation services and facilities (the prevention or mitigation of menace to the safety of life or property from floods).*

**This concept is supported, subject to reviewing the detailed terms of the draft Proclamation.**

This aspect is in keeping with the terms of Scenario 2 however it must be understood that once the County Council is delegated a function under the Governor's Proclamation such functions are relinquished by the constituent Councils. Even so, a constituent Council is not prevented from exercising a function delegated to it by a County Council (Section 394). The words to be included in the proposed Proclamation will bear close scrutiny to ensure there is no conflict over responsibilities between this Council and the County Council.

## Comments

### Financial Services

Council contributes 40% of the recurrent net operating costs for Richmond River County Council. For 2006/07, this equates to \$179,900. In addition, Council contributes 100% towards projects which are specific to Lismore such as the Lismore Levee and drainage union maintenance.

As indicated in the report, both the method and annual contribution amount is determined by Richmond River County Council in consultation and negotiation with constituent council's, where appropriate, however given the support for increased Councillor representation and the broadened responsibilities, it is likely that Council's contribution will increase.

### Other staff comments

#### Environmental Health

Environmental Health's comments in regard to altering the County Councils Charter are as follows;

- *Varying the Council's area of operation:* In this regard there is support for Councils previous decision of March 2006, whereby Council agreed to the proposal that RRCC operate across the whole Lismore Council area.
- *Varying the number of Councillors:* Agree that with the expanded County Council area there is the likelihood of greater workload. The cost to the County Council of expanding the Councillor membership is not prohibitive and represents equality across the constituent Councils.
- *Effective date of declaration:* Agree with the recommendation of the report.
- *Varying the County Councils functions:* The extent to which the County Council is to vary its catchment and natural resource management is unclear. While it is likely that this is in keeping with scenario 2, i.e. "acknowledges RRCC's current duty of care, environmental responsibilities and current range of actions" this may not be the case and therefore further clarification is required. It is agreed that council needs to review the terms of the new draft proclamation prior to advertising for public comment and submission to the Department.

### Public consultation

No public input has been sought however when a proposal acceptable to the County Council is submitted for Ministerial consideration, a public information campaign will be a mandatory part of the consultation process. This will be the responsibility of the County Council.

### Conclusion

The proposal submitted by Richmond River County Council is based on a need to formalise structured co-ordinated catchment management functions which acknowledge the County Council's current activities undertaken in the lower Richmond River particularly. Such activities include acid sulphate soil management, environmental repair of floodgated swamps, creeks and drains, best practice floodgate management, estuary water quality monitoring and environmental weed management. Some of these functions were not envisaged in the 1959 Proclamation under which the Richmond River County Council was originally established.

Accordingly, it is appropriate that the Proclamation be refreshed to recognise the most appropriate range of functions relevant to the County Council, now and in the foreseeable future.

## Recommendation

1. That Council confirm that it supports a revision of the County Council's Proclamation whereby responsibility for co-ordination of improved catchment management as well as floodplain management is achieved across the whole of the Lismore, Ballina and Richmond Valley Council areas.
2. That the preferred membership of the County Council is two members from each of the three constituent Councils.
3. That the preferred date for implementation of the revised Proclamation is, as and from the commencement of the new Council term in 2008.
4. That Council requests the opportunity to review the terms of the draft new Proclamation prior to it being submitted to the Department of Local Government or being advertised for public comment.

## Report

<b>Subject</b>	State of the Environment Report 2006
<b>File No</b>	S900
<b>Prepared by</b>	Manager Environmental Health & Building Services
<b>Reason</b>	Presentation of Council's 2006 Supplementary State of the Environment Report
<b>Objective</b>	Presentation of the 2006 Supplementary State of the Environment Report to satisfy Council's reporting requirements.
<b>Strategic Plan Link</b>	Natural environment
<b>Management Plan Activity</b>	Environmental Protection & Enhancement: Complete Supplementary State of the Environment Report

### Overview of Report

The Local Government Act 1993, requires Council to prepare a Comprehensive State of the Environment report (SoE) every four years and a Supplementary report every other year.

The SoE meets legislative requirements if the Council: considers relevant guidelines and directions issued by the Director General, consults the community (including environmental groups), and produces a report readily understandable by the community. These requirements have been met and the 2006 Supplementary SoE is presented to Council.

### Background

In line with annual reporting requirements under *The Local Government Act* (1993), Council has produced annual State of the Environment Reports since 1996. Council's last comprehensive report was in 2004; this report is therefore supplementary in nature.

The *Local Government Act*, 1993 highlights environmental responsibilities of Councils, including a requirement to properly manage, develop, protect, restore and enhance and conserve the environment. These provisions are closely linked to the requirements under the Act for Councils to prepare State of the Environment Reports (SoE) in relation to the following environmental sectors:-

- Land
- Atmosphere
- Water
- Biodiversity
- Waste
- Heritage

SoE Reporting is intended to enable the public (and Council) to assess changes in the condition (or state) of the natural environment over time, the human pressures placed upon it and our response to those pressures by enacting Council's legislative responsibilities and implementing various projects and initiatives with the community and other partners.

In addition, it emphasises the need to analyse and review data already collected, and the trends these data show. The compilation of data can assist Councils in making informed environmental decisions. Where environmental data gaps or current environmental practices are identified as requiring review, it is anticipated that Councils will consider these issues and prioritise them through the management plan process.

## Comments

### Financial Services

Not required

### Other staff comments

Not required

## Public consultation

Consultation for the 2006 Supplementary SoE was undertaken through the Sustainable Environment Policy Advisory Group (SEPAG). The SEPAG consists of representatives from the agricultural industry, horticultural industry, Centre for Ecotechnology, Richmond River Landcare Services, Big Scrub Environment Centre, development industry and Councilors. The scope of the SEPAG is to assist Council with the prioritisation and promotion of environmental issues identified in the State of the Environment (SoE) Report. The 2006 SoE was circulated to the SEPAG on September 27, and appropriate comments and amendments to the document have been made where possible.

## Conclusion

Pursuant to Section 223 of the Local Government Act, Councils has met the requirements if it

- a) identifies any new environmental impacts and
- b) it updates trends in environmental indicator and updates data.
- c) consults the community (including environmental groups).

Council, in this regard, has met its statutory obligations and as such the report is submitted to Council for adoption.

## Recommendation (PLA5)

- 1 That Council's Supplementary State of the Environment Report 2006, be noted and accepted as satisfying the reporting requirements of the *Local Government Act*.

# Report

<b>Subject</b>	Cities for Climate Protection
<b>File No</b>	S232
<b>Prepared by</b>	Environmental Health Officer
<b>Reason</b>	To complete Milestone 3 of the Cities for Climate Protection Program
<b>Objective</b>	To obtain Council endorsement of the LCC <i>Local Action Plan</i> to complete Milestone 3 of the Cities for Climate Protection program.
<b>Strategic Plan Link</b>	Natural Environment
<b>Management Plan Activity</b>	Environmental Health

## Overview of Report

In 2005 Council completed Milestone 1 and 2 of the Cities for Climate Protection (CCP) program.

The completion of Milestone 3 of the CCP program is identified as a project in Council's Environmental Health Services Management Plan for the 2006/2007 financial year. Milestone 3 involves development and adoption of a '*Local Greenhouse Action Plan*' to achieve our Emissions Reduction Goal of a 20% reduction in emissions by 2012.

This report seeks Council's consideration and endorsement of the proposed **Lismore City Council Local Action Plan** to complete Milestone 3 and progress to Milestone 4.

## Background

In 2004 Council resolved to participate in the Cities for Climate Protection (CCP) Program and endorsed the Programs **5 formal Milestones**, (minute 12/04 of Council meeting July 13, 2004). Lismore City Council joins over 200 local councils who are a member of the Program. The CCP program was developed by the ICLEI A/NZ (International Council for Local Environmental Initiatives), in close relationship with the Australian Greenhouse Office, to assist local Councils to deal with greenhouse gas issues within their locality.

Milestone 1: Establish an Inventory and Forecast for key sources of greenhouse emissions for Council operations and the Community.

Milestone 2: Set an Emissions Reduction Goal.

Milestone 3: Develop and adopt a Local Greenhouse Action Plan to achieve those reductions.

Milestone 4: Implement the Local Greenhouse Action Plan.

Milestone 5: Monitor and report on greenhouse gas emissions and the implementation of actions and measures.

### Milestone 1

Council completed Milestone 1 of the CCP Program in June 2005 utilising a \$4,000 grant from the Australian Greenhouse Office to employ an assistant. Milestone 1 involved conducting an extensive inventory and forecast to evaluate current and future Greenhouse Gas Emissions of the Lismore Local Government Area (Council corporate operations and the community). Council received an award at an ICLEI recognition ceremony in Sydney in recognition of achieving Milestone 1 of the Program.

**Milestone 2**

Council Completed Milestone 2 of the CCP Program in November 2005 (minute 248/05 of Council meeting 8 November 2005) by endorsing an Emissions Reduction Goal of:

- reducing corporate greenhouse gas emissions to 20% below 2001-2002 levels by 2012.
- reducing community greenhouse gas emissions per capita to 20% below 2001-2002 levels by 2012.

The reduction goal is a quantitative objective for the development of the Milestone 3 Local Action Plan.

**Milestone 3**

The *Lismore City Council Local Action Plan (LAP)* forms Milestone 3 of the CCP program. The objective of the LAP is to provide a detailed list of steps (actions) that council and the community can undertake to reduce their Greenhouse gas emissions with the aim to achieve the reduction goal of 20% by 2012. The actions that are described have been specifically designed for the Lismore Local Government Area and have been tailored to address all sectors of both the council's operations and the communities' activities. The LAP is a dynamic document which has the ability to change and adapt to emerging technologies and new opportunities as they become relevant to achieving our Greenhouse Gas Reduction Goal.

Identified actions have been recommended based on input from representatives of all Council directorates, through in-house CCP workshops involving Council staff and Councillors, and through consideration of case studies and information available from CCP Australia.

The actions have not been developed to a point where it is possible to accurately estimate the resources required, the financial costs, and time frames of implementation. Rather the aim is for this document to remain a dynamic guide to be used to trigger continual consideration, prioritisation and implementation of greenhouse gas emission reduction actions. This allows for continuous improvement of the Plan and ensures the Plan is consistent with and responsive to Councils corporate management programs, State of the Environment Reporting, and other relevant plans/programs.

The objectives from Councils Strategic Plan and State of the Environment Reporting have been incorporated into the LAP through a coded table which links these initiatives to identified actions.

To convey confidence and certainty that emission reduction actions are achievable, existing corporate and community actions have been identified and listed in the LAP. This provides practical evidence that greenhouse gas reductions are already in place at Lismore City Council and have been for some years. The development and adoption of the LAP will accomplish the requirements of Milestone 3 and progress council to Milestone 4.

Milestone 4 requires Council to implement the Local Action Plan. Effective implementation of the Action Plan requires participation, cooperation and commitment from all Council staff, particularly management. The establishment of an inter-departmental Energy Group with representatives from throughout Council is a priority to enable development of a detailed implementation strategy of prioritising actions, identifying grant funding opportunities, coordinating the implementation of actions, and streamlining of energy use records to facilitate monitoring of councils energy consumption and ongoing evaluation of greenhouse gas reduction.

Identification of funding opportunities will considerably advance the implementation of many actions. Significant amounts of grant funding are currently available from a range of agencies for greenhouse gas related initiatives. For example, the NSW Government's Energy Savings Fund will provide \$200 million over five years for implementation of energy savings actions projects. The funding is available to Local government for projects which will save energy and increase public awareness in energy savings. previously funded projects include – upgrade of air-conditioning systems, office lighting retrofits, streetlighting retrofits, residential education programs, installing variable speed drives to machinery, and aquatic centre co-generation plant. In addition, a Public Facilities Program has been introduced as part of the NSW Energy Savings Fund to support energy savings in public and educational facilities.

## Comments

### Financial Services

As indicated in the report, the action plan has not been developed to a point where it is possible to accurately estimate the resources required, the financial costs and time frames of implementation. As such, if requirements to implement are beyond existing budgets, submissions will be made to Council through either the management plan process or the quarterly budget reviews.

### Other staff comments

A consultation process has been undertaken with the General Manager, Executive Directors, Program Managers and relevant staff prior to finalisation of the LAP and this Council report. The following departments of Council provided comment - Infrastructure Services, Development and Governance, Information Services, Planning Services, Human Resources, Quarries, Waste and Crematorium, Finance, Assets and Support Services, Roads and Parks, Environmental Health and Building Services, Community Services, Communications and Community Relations, and Lismore Water. Program Managers provided positive feedback and many identified additional actions that are already in progress, or will soon be, that have since been incorporated into the LAP. Program Managers overall expressed their support of integrating the LAP into future strategic planning objectives.

### Public consultation

Not required

## Conclusion

The development and adoption of the CCP Local Action Plan (LAP) will demonstrate a strong commitment from Council, and will raise community awareness about greenhouse gas issues. The actions that are described have been specifically designed for the Lismore Local Government Area and have been tailored to address all sectors of both the council's operations and the communities' activities.

It is proposed that an inter-departmental Energy Group with representatives from throughout Council be established as a priority. The Group will contribute to the implementation strategy of prioritising actions, identifying grant funding opportunities, coordinating the implementation of actions, and streamlining of energy use records to facilitate monitoring of councils energy consumption and ongoing evaluation of greenhouse gas reduction.

With the Local Action Plan complete the Lismore local government area will have a positive direction to lead the way forward in reducing greenhouse gas emissions. Lismore Council's participation in the CCP program further supports Council's continuing commitment to sustainability. The whole of Council approach and practical actions of the CCP program give a positive commitment to key elements of our Management Plan, Strategic Plan and Councils Mission Statement to strive to achieve an equitable and sustainable environment for future generations. In addition, there are proven long term economic benefits for Council beyond the initial financial impact during the implementation stages actions through ensuring efficient energy management of its operations.

The development and adoption of the LAP will accomplish the requirements of Milestone 3.

(Attachment - Lismore City Council Milestone 3 Local Action Plan)

**Recommendation (PLA2)**

- 1 That Council endorse the proposed LCC Local Action Plan and complete Milestone 3 of the Cities for Climate Protection program.
- 2 That Council note the formation of an inter-departmental Energy Group to monitor the implementation of the Local Action Plan.

# Report

<b>Subject</b>	<b>Water Conservation Strategy</b>
<b>File No</b>	S301
<b>Prepared by</b>	General Manager
<b>Reason</b>	To introduce permanent water conservation measures.
<b>Objective</b>	To conserve town water supplies and provide ongoing community education and support.
<b>Strategic Plan Link</b>	Water and waste cycle, natural environment.
<b>Management Plan Activity</b>	Water Management

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## Overview of Report

A proposal to introduce permanent, sustainable water conservation measures through an “odds and evens” regime for outdoor water use by residential property owners. The proposal does not apply to businesses, is simple to understand and is not overly intrusive into local lifestyle and behaviour, in the context of the severe implications being witnessed in other parts of Australia where water resources are under severe pressure.

Lismore City Council has the unfettered ability and arguably the responsibility, to be proactive in managing the natural resources of this area by supporting an effective water conservation strategy starting with an “odds and evens” outdoor water use regime.

## Background

The Australian community is acutely aware of the ongoing seriousness of the nation’s depleted water resources, particularly when the impacts are being felt in our most highly populated urban areas. It is this collision of climatic reality and community expectations which have elevated water management to a newly prominent, albeit deserving, position on the agenda of government generally.

This has been a creeping agenda and it would seem that the water shortage now confronting Sydney, Brisbane, Goulburn and Toowoomba, four very high profile media examples, coupled with recent announcements of Federal Government support for drought stricken agricultural enterprises has raised public awareness about the value of water to an all time high. Surely there is a warning in this for those communities which are not currently experiencing the same extreme lifestyle pressures. That warning should be heeded locally through Council addressing the question “what measures are we taking to protect our water resources?”

The Lismore community will well remember the 18 month period from November 2001 to April 2003 when the town water supply was put to its toughest test ever, culminating in Level 5 water restrictions being introduced in February 2003. This was the first period that Lismore had been placed on water restrictions since the commissioning of Rocky Creek Dam in 1953.

This report is not about recriminations over the past, rather it is focussed on a meaningful community behavioural change which has potential for enhancing existing and ongoing water conservation measures. The focus is exclusively on residents connected to town water. It is a simple, tested strategy which is usually referred to as an “odds and evens system”. The target is outdoor water use, as this is

reliably estimated to account for around 50% of all residential household water use during the Spring and Summer months. This is the water regularly used on gardens, lawns, washing vehicles, cleaning paths and filling swimming pools. There is plenty of quality advice which says that daily watering of plants and lawns is unnecessary and indeed undesirable. Additionally, hosing of paths as a regular cleaning method is also unnecessary.

Currently there are no water restrictions in place for this area however Rous Water's policy **RECOMMENDS** the following ongoing water conservation measures:-

### **Outdoor Watering**

- *Applies to all residential, commercial and industrial watering of lawn, sports grounds and gardens.*
- *Does not apply to commercial nurseries.*
- *Outdoor watering is only allowed from 3.00pm to 7.00pm and 6.00am to 10.00am.*

### **Use of Hoses**

- *All hoses are to be fitted with an on/off nozzle.*

### **Cleaning and Construction**

- *Applies to all private building, renovation, construction and cleaning.*
- *Does not apply to commercial or industrial work.*
- *Cleaning of driveways, paths, paved areas, windows, external walls and other surfaces with a hose is only allowed if necessary as a result of an accident, fire, hazard to health or the environment or other emergency.*
- *High pressure water cleaners using less than 10 litres for minute may be used.*

The reason for bringing this proposal forward now is primarily because the community is so well acquainted with the problems which accompany water shortage that the opportunity to elicit community support for permanent conservation measures, which come at no cost to the individual, is timely. If there is a disadvantage, it is limited to a lifestyle issue and this is likely to be about the need to alter existing habits – given the extreme situation in other regions, surely our local community can recognise the value in this small step, whereby all of the community is affected to a similar degree. It is an opportunity for the Lismore community to act collectively for the common good – albeit with long term benefits.

There certainly are opinions that the odds and evens water conservation system isn't effective but with the public sentiment currently about, moderate climatic conditions locally and lasting memories of how dry it can be, a permanent regime of odds and evens has real merit – water conservation is largely about behaviour change aided and encouraged by effective education. The odds and evens system is simple and also has the added advantage of attracting neighbourly peer pressure. This is not intended to be promoted as water restrictions, rather it is a permanent measure aimed at sustainable water management and it is just as relevant through the autumn and winter. Lismore City Council has established credentials in natural resource management so we should be outspoken on this related matter.

It might be argued that this type of proposal should be introduced on a co-ordinated basis across the region however it must be remembered that following the 2001/03 drought there was an investigation into water conservation measures which might apply across the region but the consensus outcome was one which had very little value. Amazingly, just 6 months after the drought broke some fairly obvious water saving proposals were rejected by a majority of the local Councils–

- Odds and evens outside watering - not supported
- Mandatory trigger nozzles - not supported
- Banning water to hose driveways – not supported

Given that experience and notwithstanding the desirability of all local councils working to the same plan, there is no reason why LCC cannot lead this agenda, and from the community's viewpoint, it is very topical. Once established, odds and evens should not result in an increase in overall consumption because if the starting point is 50% of households not watering gardens/outside on day one, then the system has gained. Even if some consumers decide that they will extend their outside watering every second day, it is most unlikely that every single household would take that approach. The probability is that such a response is more than likely to be short-term. These rules are not intended to apply to business activities – it is about garden watering and path washing.

The time is right to test the merit of this proposal now. Public awareness about the value of a well managed water supply is very high, there is no form of mandatory water restriction in place, nor likely in the next 6 months, and it would be possible to readily measure the efficacy of an odds and evens water conservation program compared to other similar rainfall years. If in 6 month's time Lismore Water customers have held or reduced their consumption compared to the same period in 2003/04 or 2005/06, the exercise is a success on the basis that there is no downside. The theory has not been tested in this area previously so we are ignorant of facts which can so easily be obtained in a period of time when the community is not under any special pressure to conserve water. This approach virtually tests the system and gives its results in a most unobtrusive way.

It is very relevant to note that our recent Customer Satisfaction Survey showed that 52% of the community was satisfied with how Council delivers Water Conservation Education. In 2003, just 4 months after the worst local drought, 63% thought we were doing that well. This can be interpreted as meaning, that they are comfortable with the message about water conservation and that they relate to the importance of that issue. It also says that the community doesn't clearly distinguish between the roles of Lismore City Council and Rous Water in this area of community education.

There is also some relevance to be noted from the community feedback obtained during the development of Council's Strategic Plan. Two community focus groups identified water conservation as a very high priority issue - they wanted Lismore City Council to do something about their perception that we have inadequate public drinking water resources. That was something of a surprise outcome given the multitude of services for which the Council is directly responsible. Of course, it is acknowledged that since that time Rous Water has commenced building its Lismore Source infrastructure but it is also true that this is not branded as the total solution to the region's water needs.

If the odds and evens system is to be implemented it does need to be kept simple in its first iteration whereas, while when circumstances change and there is a scaled program of water restrictions called for, the odds and evens system can be tailored to suit the needs of the time.

For current purposes it is proposed to introduce the odds and evens outdoor water use principles as a permanent water conservation strategy. The target is household outdoor water consumption and this strategy does not apply to businesses, institutions such as bowling greens, schools and hospitals nor public facilities, such as public parks, gardens and recreation areas. There is no intention to regulate water use for swimming pools, time of day use, external cleaning of buildings, cleaning of vehicles or boats.

The primary driver is to increase community awareness and to encourage environmentally beneficial water conserving behaviour among the residents of Lismore who are reliant on the town water supply.

## Comments

### Financial Services

From a short term perspective, a successful 'odds and evens' campaign would result in reduced income from the sale of water and increased education/promotion expenses for Council. Beyond the short term, if successful this negative financial impact may be offset by Lismore's percentage share of Rous Water's total billing for water consumption to its constituent council's being reduced.

Clearly this initiative is not driven by a positive financial outcome but rather the potential long term sustainability benefits that can be derived from a community which is well aware of the value of its natural resources, who treasure it accordingly and are given the tools to manage it appropriately.

## Other staff comments

### Communications Coordinator

Global warming, environmental concerns, drought conditions and water scarcity are current media and current affairs topics across the nation.

There appears to be a wide acceptance of the fact that individuals should do more to reduce water consumption.

The Lismore community has demonstrated its willingness to support Council's initiatives for the environment through the recent roll-out of kerb-side recycling.

In this current climate a media strategy for the odds/evens proposal which included practical and easily applied methodology, could be effectively communicated to the Lismore households.

### Support Officer – Lismore Water

After the water restrictions in February 2003, my understanding from residents was that they expected that some form of permanent conservation measures should apply and I think were supportive of on/off nozzles on hoses, no hosing of paved areas, etc and were surprised when the local councils voted against them and mandated for them to be voluntary only.

I support a permanent odds/evens water conservation measure for all outdoor use for residential properties and an initiative to take full advantage of the awakening public awareness because of the continual media coverage about water restrictions, water conservation and protecting water resources in other areas would greatly contribute to any measures that we wished to introduce.

## Public consultation

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## Conclusion

That in the long term interests of preserving Lismore's town water supply, Council should introduce an odds and evens system of outdoor garden water use as a strategy to increase the awareness of our local community about the finite value of this essential commodity.

It would be appropriate to introduce this scheme at the earliest opportunity – say 1<sup>st</sup> December, preceded, and then followed up by a prominent publicity campaign. A review of the impacts and effectiveness of its introduction should be undertaken by mid 2007 to enable judgements to be made about the use of the odds and evens system in Council's water conservation strategy.

The odds and evens system means that odd numbered houses can water outdoor on odd dates of the month and even numbered houses can water outdoor on even numbered dates. Any house without a house number will be considered an "even" numbered house. Units and flats will use the street number of the building, not the residence number.

**Recommendation**

1. That Council acknowledge that it has a responsibility to effectively manage the water resources under its control.
2. That as one means of conserving water is to reduce average household consumption Council introduce an odds and evens outdoor water use regime this summer to commence on 1<sup>st</sup> December.
3. That Council precede the introduction of the odds and evens system with an appropriate publicity campaign and follow that up with ongoing educational and information strategies.
4. That an analysis of the results of this water conservation program be undertaken in July 2007.
5. That the odds and evens system be evaluated against historical actual water consumption values and trends to enable the strategies to be adjusted, as required, for better effect in coming years.

# Report

<b>Subject</b>	<b>Resource Sharing with Rous Water</b>
<b>File No.</b>	GJH:VLC:S949
<b>Prepared by</b>	Executive Director – Infrastructure Services
<b>Reason</b>	Respond to a resolution by Rous Water on October 18, 2006.
<b>Objective</b>	Obtain Council endorsement to hold discussions with Rous Water to explore resource sharing options.
<b>Strategic Plan Link</b>	Water and Waste Cycle
<b>Management Plan Activity</b>	Lismore Water – Water Supply Services & Wastewater Services

## Overview of Report

Rous Water has resolved to advise Lismore City Council of its 'in principle' support of resource sharing options between the two Councils. This report provides staff's initial reaction to the proposal. It recommends further discussions take place with Rous Water to explore resource sharing options.

## Background

Council has received a letter from Rous Water advising that at its meeting of October 18, 2006, Rous Water resolved the following -

- “1. *Lismore City Council be advised of Rous Water's 'in principle' support of resource sharing options between the two Councils.*
2. *Resource sharing options be discussed with Lismore City Council and the results of those discussions be reported to Council.*”

The report proposes an Owner / Provider Model, whereby Lismore City Council remains the owner of the assets and Rous Water becomes the Service Provider. In effect Rous Water would be a contractor to Lismore City Council, providing services under a service agreement.

## Introduction

Large parts of Australia are in the grip of one of the worst droughts on record. Water management is becoming one of the biggest challenges facing government and the community. Better utilisation of this scarce resource is a challenge facing everyone. There are definite advantages for one organisation to control the full water cycle so the best utilisation of water can be achieved.

Any discussions between Rous Water and Lismore City Council to explore increased utilisation and efficiency gains should be supported. The proposal put forward by Rous Water deals with one small element of water management.

It should be recognised that the proposal from Rous Water is having an adverse affect on Lismore Water staff as their long-term employment with Lismore City Council maybe in question. It also has a negative effect on recruitment as applicants are reluctant to apply for jobs with an uncertain future. It is recommended that discussions be structured such that issues which impact on the ongoing employment of operational staff be undertaken promptly and a decision made which clears up this uncertainty as soon as possible.

## Staff Feedback

A meeting was held on October 24, 2006 with Lismore Water staff, General Manager and Executive Director–Infrastructure Services to discuss the proposal from Rous Water.

Generally staff felt more detail was required before the proposal could be fully considered. Some of the issues covered included -

- Availability of skilled staff – Rous Water will need staff just like LCC.
- It is over six years since Rous Water staff worked for LCC and many things have changed.
- Extra capacity from Rous Water can be utilised by LCC.
- Opportunities exist with new proposal.
- Ownership of plant and equipment: Lismore Water or LCC?
- How long is the contract (agreement) with Rous Water?
- Response times and service to customers must be maintained.
- Amalgamation of workforces – entitlement transfer problems, incentives may be required, redundancy option.
- More complications coordinating works between Water and Roads Sections.
- Development Application conditions and Section 64 charges – who is responsible for determination?
- Other opportunities to resource share – billing, customer service, safety management.
- Computer systems: CIVICA, existing systems – coordination with Rous Water.
- Loss of expertise due to redundancies.
- Will LCC ratepayers be better off?

Operational staff held a follow-up meeting to discuss the Rous Water proposal further. The issues discussed included -

- Concern regarding the loss of staff and experience as six staff have indicated they would be interested in redundancy.
- Rous Water does not have the supervising engineers to effectively run both organisations. The engineers with experience are not far from retirement and a lot has changed in six years when they last worked for LCC.
- The current vacancies in Lismore Water make it easy for management to accept Rous Water's proposal.
- Staff are concerned about the possible loss of conditions and entitlements. Sick Leave is of particular concern as several staff have responsibly accumulated significant leave.
- Staff are concerned about 'on-call' as a larger area needs to be covered.
- What is the future of the Lismore Water depot and stores?
- Replacement of vehicles and plant: concern replacements will not happen.
- Compatibility of computer systems.

## Comments

### Financial Services

The recommendation to explore resource sharing options with Rous Water is supported to flesh out what service management and/or delivery elements really are opportunities where both parties can financially benefit.

It is important to note that for all service elements, Lismore Water will pay approximately \$1.32 Million to the General Fund for corporate support services, governance costs and dividend during 2006/07.

## Other staff comments

### Manager – Human Resources

There have been projects identified amongst the regional authorities, which have been aimed at achieving cost savings and reducing duplication. The focus areas of these projects have been in Human Resources Systems and Information Technology, recognising that councils provide a similar set of services across a range of operational areas, and that considerable efficiencies and economies of scale should be possible.

The proposal under consideration goes to the next level of real resource-sharing, with transfer of staff between two organisations being a key part of the strategy to achieve similar aims to the above resource-sharing projects. The critical and broader aim of achieving more effective water management alluded to in the report's introduction underpins this proposal.

In terms of the staff response to the proposal, the uncertainty and concerns are acknowledged and it is to be expected that staff will feel uneasy about such a large-scale change to their employment. Both Lismore City Council and Rous Water have Human Resources (HR) teams as well as external employee support services in place that may assist staff in dealing with concerns and feelings that arise.

In relation to the issues raised around the amalgamation of workforces, both organisations have staff expertise available in the respective HR Departments to effectively manage the issues around transfer of entitlements, and to negotiate future employment conditions.

The proposal is seen to have positive benefits, however, the staff concerns are real for those individuals impacted. The HR team would be supportive of further discussions and consultation, and highlight the importance of Lismore Water staff being given a reasonable timeframe for gaining certainty over their future employment arrangements.

## Public consultation

### Conclusion

As can be seen from the staff feedback, the Rous Water proposal is having a negative impact on Lismore Water staff. It is, however, healthy from time to time to look at how we are delivering services and explore alternatives. Council should look at the bigger picture of long term water arrangement. Therefore, further discussion with Rous Water is supported.

Discussions should be structured so issues affecting existing staff can be concluded quickly.

Other possible resource sharing options should also be discussed, other than the model proposed by Rous Water. These can include but not be limited to; Nimbin Water and Wastewater plant operation, sharing of specialised skills, management of water services at Perradenya Estate, water sampling and testing, demand management, water billing, integrated water cycle management, safety management, succession planning and training.

**Recommendation (IS51)**

That Council endorse further discussions with Rous Water to explore resource sharing options.

# Report

<b>Subject</b>	<b>Purchase of Mobile Crushing Plant</b>
<b>File No.</b>	PJK:VLC:T27001
<b>Prepared by</b>	Manager - Waste, Quarries and Crematorium
<b>Reason</b>	To inform Council of purchases of major plant items.
<b>Objective</b>	To seek Council's approval for the purchase of mobile crushing equipment for the Blakebrook Quarry.
<b>Strategic Plan Link</b>	Infrastructure Services
<b>Management Plan Activity</b>	Quarry

## Overview of Report

This report details the reasoning for the purchase of a mobile crushing plant suitable for production activities at Lismore City Council's Northern Rivers Quarry operation.

## Background

The current operation at the Blakebrook Quarry utilises a fixed crushing circuit consisting of –

- a primary jaw crusher, a secondary fixed impact crusher and a smaller tertiary impact crusher
- three fixed screen decks.

The current best output for the fixed plant is 90 tph of aggregates and 110 tph of roadbase. The total fixed screen area available is 140 sq feet.

During the past four years demand for quarry products has increased dramatically from both internal and external customers, as the following table shows -

Year	Tonnes
2002	144,793
2003	214,973
2004	218,455
2005	301,284

Current trends for 2006 indicate that this level of growth is due to continue. Socio economic factors and known infrastructure works scheduled for the next two to eight years are also strong indicators that quarry sales have the capacity to continue to expand. It must be noted that the high demand for product is being generated entirely by external factors as the quarry has not actively conducted sales activities in the market place.

In this regard Council staff are currently developing a Development Application for the quarry to expand its total extraction allowances. This will further enhance the need to increase production outputs in order to meet the growing market demands.

Initial thoughts on how to increase the crushing plant capacity revolved around a fixed plant upgrade to increase production. However, investigations revealed that a complete rebuild would have been required in order to meet the technical requirements of new crushing equipment. For example, the apron feeder is too small, there is no scalping capacity and conveyor sizes are no longer standard or of adequate size.

The assessment also indicated that the transport distances from the raw material source to the fixed plant was increasing, slowly adding to the overall load and haul costs.

Because of these issues quarry management and staff chose to investigate the viability of mobile plant with a focus on the following items –

- Placing the plant closer to the source of raw feed and being able to follow the raw feed source, with subsequent savings on load and haul costs.
- Being able to focus on product runs without stopping the current fixed plant.
- Using mobile equipment at other Council quarries in order to meet particular internal customer requirements closer to the job sites.
- Using the mobile equipment for outside contract crushing tenders, particularly within other local government quarries.

The key points to come out of the review were as follows –

1. Load and haul savings are anticipated to be as much as \$1.00 per tonne. At 300,000 tonnes per annum this equates to \$300,000 per annum savings.
2. Shorter working days should be possible as a consequence of a 140% increase in output, creating an estimated saving in overtime costs of \$45,000 per annum.
3. Shorter hours and more controlled throughput for the existing plant should also generate a further \$40,000 saving in repairs and maintenance.
4. Greater capacity will allow the quarry to meet increasing demand levels.
5. Introduction of the capacity to market additional products not presently being manufactured.
6. Introduction of the capacity to crush on other Lismore City Council sites to meet adhoc work demands.
7. The capacity to crush concrete and rubble waste at Lismore's (and other Councils') waste facilities.
8. The capacity to tender for outside crushing projects.
9. The capacity to crush for other local councils, who are presently utilising external contractors.
10. The capacity to split the equipment allowing for the processing of materials on two sites simultaneously.

As a result of this review, it was decided to proceed to tender for mobile crushing equipment comprising primary and secondary crushers, and multiple screens allowing for a minimum of six products to be manufactured in one, run through a closed circuit. Tenders closed on September 12, 2006.

The fate of the existing fixed plant is yet to be decided but initially it is proposed that it will continue to operate until stock volumes are returned to desired levels, which will take several months. After that it is planned to mothball the fixed plant but to keep it in reserve in case of periods of exceptionally high demand and for use if necessary while the mobile plant is off-site.

## Results of Tender

There are a limited number of well established suppliers of mobile crushing equipment in Australia, with a number of smaller players yet to be fully tested in the market place.

Conforming tenders were received from the following companies by closing date –

- Screen Master Australia
- Extec Australia
- Synergy Mining Systems
- Lincom Pacific
- Recycling Technology.

Of the five Tenderers, only one met all of Lismore City Council's requirements in the areas of experience; parts availability; service and back-up; production capacity and number of products simultaneously produced. The result of the evaluations is shown in Attachment A enclosed separately.

The evaluation considered all the criteria as set out in the tender documents, comprising the key elements of –

- best capability in terms of multiple products in a single run and total tonnes per hour capacity
- proven back-up, support and experience in providing equipment to similar operations
- rapid spare parts availability and stock on hand
- running costs per hour versus tonnes per hour
- safety standards being met regarding Mines Department "Fit for Purpose" criteria
- meeting all relevant Australian Design Standards
- reliability and performance based on referee reports.

Lincom Pacific was deemed to have the most appropriate equipment for our specific requirements. The evaluation team was able to view the plant on various sites in and around Brisbane over a number of weeks, and spoke directly to end-user purchasers. Lincom was also deemed to have the best stock of spare parts and a large number of service technicians and vans for warranty and support work. The company meets all safety requirements, and has the best capability offering the largest total screen deck area of all the Tenderers.

By way of comparison to the existing fixed plant, the mobile circuit as proposed offers 210 tph aggregates to 300 tph for roadbase, with a total screen area of 560 sq feet (compared to 140 sq feet in the existing plant).

Lincom performed best in running cost analysis, wear rates, and cost of spare parts. Ease of operation was also considered to be a factor and again Lincom proved to have the most operator-friendly equipment. Their proposal also included the training of operators "*...until they are deemed competent*".

The Lincom tender price was within Council's estimated budget range. As already mentioned operational costs were lower for the Lincom machinery considering throughput, which present savings in fuel and labour for a fixed amount of tonnes.

The lifespan of these machines is also considered to be better in most instances. A study of second-hand plant also shows that Lincom equipment has a higher resale value in most instances when approaching the end of their serviceable life.

Consultation with the existing users of Lincom machines was conducted as part of the review process. Karraman's Quarry in Brisbane, Coast to Country Crushing and Screening, and Hanson Australia have all had recent experience with the purchase and use of Lincom equipment. All reported very satisfactory performance of the equipment and support provided by the company.

## Comments

### Financial Services

The purchase price for the mobile crushing plant is \$2.427 million. It is to be funded by a combination of loans (\$2.0 million) and Northern Rivers Quarry & Asphalt (NRQ&A) reserves.

The report lists the financial benefits to be realised in cost savings and the potential opportunities linked to this purchase. From a financial perspective, while the estimated loan repayment costs (\$281,500 per annum) being more than offset by the estimated cost savings (\$385,000 per annum) alone warrants support, it is made far more attractive by the plant's increased output capacity and mobility. Clearly, this investment will strengthen and enhance NRQ&A ability to maximise returns from existing and new markets.

It also results in sustainability of the annual dividend from NRQ&A to General Fund with potential for it to be increased.

## Other Staff Comments

### Administrator – Fleet Services

The engines used in the recommended unit use both Caterpillar and Deutz, and David Brown with Danfoss hydraulic motors and pumps.

The Caterpillar engine is well supported in Lismore for both service and spares as there is a Westrac and Gough & Gilmore agency in Grafton with a resident mechanic located in Lismore. The Deutz engine is also well supported in Lismore by Lismore Diesel Service. The hydraulic components (David Brown & Danfoss) are common and proven items in the hydraulic industry and are fitted to many of the existing Lismore City Council fleet items.

## Conclusion

The Northern Rivers Quarry operations of Lismore City Council have had an important function with supply of materials internally for roadworks and external retail sales for many years. The demands for increased productivity have been noted by quarry management for some time and the purchase of this mobile crushing equipment will increase the production capability of the quarry, plus allow for the generation of increased sales against a lower cost base.

## Recommendation (IS48)

- 1) That Council approve the purchase of a mobile crushing plant from Lincom Pacific for \$2,427,000 (\$2,669,700 including GST), and
- 2) The 2006/07 Budget for the purchase of the mobile crushing plant be increased by \$427,000 with the additional funding to come from the Northern Rivers Quarry & Asphalt reserve.

## Report

<b>Subject</b>	Contract for Winning, Transport, Spreading, Compacting and Levelling of Clay and Selected Fill at the Airport Industrial Estate
<b>File No.</b>	CA:VLC:T26023
<b>Prepared by</b>	Contracts Officer
<b>Reason</b>	To inform Council of tenders received for the winning, transport, spreading, compacting and levelling of clay and selected fill on various lots of the Airport Industrial Estate at No. 57 Bruxner Highway, South Lismore.
<b>Objective</b>	To obtain Council approval to award the contract.
<b>Strategic Plan Link</b>	Leadership by Innovation, Economic Development
<b>Management Plan Activity</b>	Infrastructure Services

### Overview of Report

This report outlines a recommendation to award a contract for the winning, transport, spreading, compacting and levelling of clay and selected fill on various lots of the Airport Industrial Estate at No. 57 Bruxner Highway, South Lismore.

### Background

Council has previously agreed to undertake the development and sale of various lots of land in the Lismore Airport Industrial Estate. Under DCP No. 51 there are requirements for Council to undertake the construction of building pads out of the floodway. Lots 7 and 8 are currently under contract and in order to finalise these sales, Council is required to complete the construction of the building pads. Negotiations are also in progress for the purchase of Lots 4 and 5. The sale of these lots is still in negotiation and filling operations may be included as part of the negotiations. A price for these works, should they be required, was therefore requested as part of the tender process.

### Report

The works will include:

- the removal and stockpile of vegetative material and topsoil from the borrow pit site,
- removal and disposal of vegetative material and topsoil from the industrial estate lots,
- winning of fill material from the borrow pit site and transportation to the industrial estate lots,
- spreading, levelling and compaction of the fill material on the industrial estate lots, and
- replacement of stockpiled topsoil and vegetative material at the borrow pit site,
- spreading, levelling and compaction of select fill (from Blakebrook Quarry) to cap above earthworks.

Tenders were advertised through "Tenders Live" on Council's website and in the "Sydney Morning Herald", and the "Northern Star". Tender documents were issued to 18 companies, with six tenders being received by the close of tender at 2.00pm, Tuesday, August 8, 2006.

Tenders were received from the following companies:

- Coster Constructions
- Turner Civil Works
- Camglade Pty Limited
- Limestar Pty Limited
- Towns Contracting
- Peachey Constructions.

The tender documentation (Clause B7) defined four areas by which each tender would be assessed; being Total Price, Capability, Relevant Experience, and Quality and Safety with 50% of the total evaluation attributed to the price. The Tenderers were required to address each of these criteria in their tender.

A tender evaluation was undertaken by the Contracts and Compliance Officer and the Urban Works Engineer in accordance with the above criteria. The results of the assessment are attached as Appendix 1 enclosed separately.

## **Comments**

### **Financial Services**

The recommended Tenderer's amounts will be recovered by Council as part of the sale price for each lot and a separate charge for the specific requirements of the purchaser.

## **Other staff comments**

### **Manager – Roads & Parks**

The Roads & Parks Section agrees with the tender evaluation and that Turner Civil Works Pty Limited will provide Council with the overall best value.

Project management and supervision will be provided by Council to ensure the contractor complies with Council specifications and requirements.

## **Public consultation**

Not applicable

## **Conclusion**

Turner Civil Works Pty Limited is an experienced earthworks contractor and has undertaken works in the Northern Rivers region for a number of years. The company has the necessary plant and equipment to complete the works and staff are experienced in the relevant soil conditions on the site. Turner Civil Works Pty Limited has provided the lowest priced tender and has ranked first in the evaluation criteria.

**Recommendation (IS49)**

1. The contract for the winning, transport, spreading, compacting and levelling of clay and selected fill on Lots 7 and 8 of the Airport Industrial Estate be awarded to Turner Civil Works Pty Limited for the amount of \$570,495.00 + GST.
2. In the event of filling of Lots 4 and 5 being required as part of the sale of those lots, the contract for the winning, transport, spreading, compacting and levelling of clay and selected fill be awarded to Turner Civil Works Pty Limited for the amount of \$429,410.00 + GST.
3. The Mayor and General Manager be authorised to execute the Contracts on Council's behalf and attach the common seal.

## Report

<b>Subject</b>	<b>NSW Rural Fire Service – Mobile Fire Assets</b>
<b>File No.</b>	ST:VLC:S104,S47
<b>Prepared by</b>	Manager - Assets and Support Services
<b>Reason</b>	To consider a request from the Local Government & Shires Associations of NSW for feedback on a proposal to transfer ownership of mobile fire assets (not buildings), from Councils to the NSW Rural Fire Service.
<b>Objective</b>	To gain endorsement from Council for a formal position to be advised to the Local Government & Shires Associations of NSW.
<b>Strategic Plan Link</b>	Infrastructure, Quality of Life
<b>Management Plan Activity</b>	Emergency Services

### Overview of Report

Section 119(2) of the Rural Fires Act requires mobile fire assets to be vested in councils. Council effectively owns only 13.3% of these assets as that is the level of financial contribution made to the overall budget for Rural Fire Service (RFS) activities. This section of the Act is also inconsistent with service level agreements with the RFS, which require that vehicles meet RFS requirements; they remain in the custody of the RFS and be housed at RFS premises at all times. It is considered that any proposal to transfer ownership of these assets potentially has benefits for Council and makes sense from an operational point of view.

### Background

A letter has been received under the joint signatures of the Presidents of the Local Government Association of NSW and the Shires Association of NSW requesting Council to indicate its position on a proposal to transfer ownership of mobile fire assets (not buildings), from Council to the NSW Rural Fire Service (RFS). A position paper has been prepared by the Associations, which outlines the key issues and is attached as Appendix A to the business paper.

The proposal would require legislative changes to be effected and the Commissioner of the RFS has indicated that he would not pursue these changes unless there was majority support from local government.

Motions have been presented and passed at the annual conferences of both the Local Government Association of NSW and the Shires Association of NSW over recent years in support of transferring ownership of these assets.

### Report

The position paper outlines the key issues and essentially does not need any further explanation. The key consideration for Council is the potential for the level of contribution required to increase from its current levels. The Commissioner has already indicated that this would be a likely consequence for the transfer of these assets.

The proposal would potentially have some positive and negative effects for Council in regard to current maintenance practices and the funding of these activities. Currently the RFS calculates an annual amount for maintenance of each vehicle in its fleet. This is included in its annual budget as a fixed amount. The Manager-Finance advises that the calculation of these vehicle maintenance and running costs does not reflect actual costs (eg, rising fuel costs). Similarly, because it is a fixed cost that must be agreed to at the beginning of the financial year, there is no flexibility should actual costs vary from this amount. Council undertakes the servicing and maintenance of the vehicles and meets the cost of same throughout the year. The RFS then reimburses Council the agreed fixed amount for each vehicle at the end of the year.

Council therefore meets 100% of any cost increase over and above the fixed amount nominated by the RFS in its annual budget process. For example, in the 2005/06 financial year the budgeted amounts for fuel and oil and vehicle maintenance were \$14,000.00 and \$31,500.00 respectively. The actual costs to Council were \$19,742.98 and \$53,712.19 respectively. The combined over-expenditure of \$27,685.17 was met by Council.

By agreeing to the proposal, Council would potentially reduce its contribution to 13.3% of these additional costs under the current formula. However, this must be balanced with the comments of the Commissioner that councils' overall contributions to the RFS are likely to increase.

## Comments

### Financial Services

It is important to consider what the current financial arrangements are in regards to mobile RFS equipment.

- a) In October each year, the RFS prepares a draft budget for the following financial year.
- b) Based on historical costs, the draft budget for all operating elements including vehicle maintenance, fuels and oils is assessed and where necessary, the amount requested increased. Capital requirements are also assessed at this time.
- c) The requested amounts are not always approved as it depends on the funding made available in the State Budget and RFS priorities.
- d) Of the approved budget, Council's pays its contribution of 13.3%.
- d) For operational costs, if Council incurs costs above the approved budget, these are fully funded by Council. This has occurred in the past with the cost in 2005/06 being \$27,000.
- e) When an RFS asset is sold, all sale proceeds minus any sale costs are fully repaid to the RFS.

Consequently, from a financial perspective, there is no disadvantage associated with supporting the proposal to transfer ownership of mobile fire assets to the RFS. This is based on Council's contribution rate remaining at 13.3% and an acknowledgment that there may be a reasonable increase in administration costs as a result incurred by the RFS.

In regards to Council requesting the opportunity to continue to maintain the vehicles, this is supported on a full cost recovery basis otherwise Council will be subsidising the RFS (State Government).

## Other staff comments

The Administrator-Fleet Services advises that maintenance of RFS vehicles represents a reasonable volume of work for Council's Workshop. If ownership of mobile fire assets transfers to the RFS, there is a chance the RFS may choose to use private mechanical workshops to undertake maintenance of its vehicles. This would lead to reduced workloads in Council's Workshop. Further, Council provides a call-out service to the RFS in the event of vehicle break-downs, especially in emergencies, and is more flexible in its ability to schedule regular maintenance when required.

The matter has been discussed with the Team Manager, Lismore Rural Fire District. He has advised that he supports the proposal in principle but has raised some issues that would need to be addressed as part of any decision to transfer the assets as suggested. The Team Manager advised that in his view the RFS does not have resources within its current operations to coordinate the purchasing, administration and maintenance of vehicles. Additional resources would be required and this is perhaps the reason for the Commissioner notifying Councils up-front that the level of contribution is likely to increase. In addition, the Team Manager has also advised that in his view the servicing of RFS vehicles should remain with local councils as:

- The RFS currently receives good service from Council and is happy with the arrangement.
- Council staff have the knowledge and history of RFS vehicles.
- Council has the ability to respond quickly to RFS needs in an emergency.
- In country areas private companies may not have the necessary expertise or facilities to service and maintain RFS vehicles in a timely manner; in particular the extensive annual pre-fire season maintenance.

## Public consultation

Not applicable

## Conclusion

The proposal to transfer ownership of mobile fire assets (not buildings), from councils to the RFS potentially has benefits for Lismore City Council and is considered worth supporting. Based on the comments from the local RFS Team Manager and Council's own experience of working closely with the RFS, it is recommended that Council include in its submission a request that should the proposal proceed, the opportunity to service RFS vehicles remain with Council as it is in a position to best meet the maintenance and emergency service response needs of the local RFS.

## Recommendation (IS50)

That Council advise the Local Government & Shires Associations of NSW that it supports the transfer of ownership of mobile fire assets (not buildings), from Council to the NSW Rural Fire Service, subject to Council being given the opportunity to continue to maintain the vehicles as it can provide a better service than private companies, as outlined in the report and supported by the Team Manager of the local Rural Fire District.

# Report

<b>Subject</b>	2005/06 Financial Reports
<b>File No</b>	S880
<b>Prepared by</b>	Principal Accountant
<b>Reason</b>	Legislative requirement - s416, Local Government Act 1993
<b>Objective</b>	To present the 2005/06 Financial Reports publicly for review
<b>Strategic Plan Link</b>	Leadership by Innovation
<b>Management Plan Activity</b>	Financial Services

## Overview of Report

At Council's Ordinary meeting of October 11, 2006 the 2005/06 Financial Reports were adopted and referred to Council's Auditors. The audit has been completed and some minor changes made in accordance with reporting standards with no variation to the Net Operating Result as reported. This report provides Council with a summary of changes.

In accordance with the Local Government Act, 1993 and Local Government (General) Regulations 2006, the 2005/06 Financial Reports were advertised and submissions from the public invited.

Whilst it seems illogical, the Act requires that submissions continue to be received after the Council meeting. On this occasion, the closing date is November 21, 2006.

## Background

Council resolved at the October 10, 2006 meeting to, in part,

- 207/06            "...  
                   *b) Refer the 2005/06 Financial Reports to the Council's Auditors.*
- d) Present the 2005/06 Financial Reports to the public at the November 14, 2006 Council meeting.*  
                   ..."

In accordance with the Local Government Act, 1993 and the Local Government (General) Regulations 2005, the 2005/06 Financial Reports were advertised and submissions from the public invited. At the time of preparing this report, there had not been any submissions received.

It is important to note that the public has until November 21, 2006 to make a submission and Council is to ensure that copies of all submissions received by it are referred to the auditor and also take such action as it considers appropriate with respect to any such submission. If submissions are received after this meeting, a further report will be prepared for Council's December meeting.

The Independent Audit Report has been received and a full copy of Financial Reports for the year ending 30 June 2006 is provided separately to the business paper.

## Summary of Key Financial Data

Item	2005/06 (\$,000)	2004/05 (\$,000)
<b>Statement of Financial Performance</b>		
Total income from continuing operations	68,849	57,614
Total expenses from continuing operations	55,602	48,417
Operating result from continuing operations	13,247	9,197
Net operating result from continuing operations	13,247	9,197
Net operating result before grants and contributions provided for capital purposes	3,287	2,935
<b>Financial Position</b>		
Total current assets	31,301	29,202
Total current liabilities	12,345	10,340
Total non-current assets	458,440	437,590
Total non-current liabilities	27,921	20,224
Total equity	449,475	436,228
<b>Other Financial Information</b>		
Current Ratio (expressed as a ratio)	4.00	4.25
Unrestricted Current Ratio (expressed as a ratio)	3.20	3.31
Debt Service Percentage	4.73%	5.14%
Rate Coverage Percentage	40.42%	46.25%
Rates and Annual Charges Outstanding Percentage	9.75%	8.45%

During the audit process a number of changes were identified, a summary of the major changes have been prepared for Council's consideration, the net operating result for 2005/06 has not changed.

**a) Income Statement**

- The financial reports are prepared on a consolidated basis with internal transactions required to be eliminated. Internal sales of \$1,872,000 were reversed with an offsetting reduction in the Materials and Contracts of \$1,872,000. The sales relate to Quarry operations. These transactions were not previously identified.
- Interest revenue from movements in fair value of financial instruments was reclassified from Interest Revenues to Other Revenues - \$269,000.

**b) Balance Sheet**

- The adoption of IFRS has required the restatement of some assets and liabilities between current and non-current. The adjustments are a reporting requirement and have no impact on the operating result of Council.

**c) Notes to Accounts**

- A new reporting package was implemented for the 2005/06 Financial Reports, and during the review process programming errors have been identified which resulted in some information on the notes to the accounts being incorrectly displayed. These have been corrected and have no impact on the reported result.

**d) Reserves**

- After all external restrictions on available cash are met such as water, sewerage, domestic waste collection, developer contributions, unexpended loans and unexpended grants, the balance is applied to reserves. In conjunction with the audit, a review found that the amount of available cash allocated for developer contributions was understated requiring reserves to be decreased by \$159,000. This change results in the following sequence; the surplus operating cash used to fund the development of the airport industrial estate being reduced, the internal loan from plant operations to fund the airport industrial development being increased; and the Infrastructure – Plant Operations reserve being decreased.

## e) 2004/05 Comparatives

- Comparatives for 2004/05 have been restated in accordance with the adoption of IFRS. These changes are detailed in Note 22.

## Other staff comments

Not required

## Public consultation

The financial reports in the prescribed format are advertised in the Northern Rivers Echo for the editions dated November 2 and 9, 2006 seeking public comment.

## Conclusion

In accordance with the Local Government Act, 1993 and Local Government (General) Regulations 2005, the 2005/06 Financial Reports were advertised and submissions from the public invited.

At the time of preparing this report, no submission had been received.

## Recommendation

That Council formally present to the public the audited 2005/06 Financial Reports.

## Report

<b>Subject</b>	September 2006 Quarterly Budget Review Statement
<b>File No</b>	S929
<b>Prepared by</b>	Principal Accountant
<b>Reason</b>	Clause 7, Local Government (Financial Management) Regulations 1993
<b>Objective</b>	To gain Council's approval to amend the 2006/07 Budget to reflect actual or anticipated results
<b>Strategic Plan Link</b>	Leadership by Innovation
<b>Management Plan Activity</b>	Various

### Overview of Report

Council's 2006/07 Budget has moved from a balanced position to a surplus of \$28,800.

This review has been used to "fine tune" any budgets that may vary due to more accurate information being available and to reinstate budgets for works carried forward from the previous financial year. Some additional revenues and expenses have been identified which have impacted on the operating surplus.

Revenues – overall remain in line with estimates, the major changes impacting the surplus are increased Financial Assistance Grant \$24,600 and additional rates revenue \$28,700.

Expenses – additional expenses were incurred for the refurbishment of the Spinks Park rotunda \$15,500.

### 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.

This review has been used to "fine tune" any budgets that may vary due to more accurate information being available and to reinstate budgets for works carried forward from the previous financial year. Some additional revenues and expenses have been identified which have impacted on the operating surplus.

### General Fund

The 2006/7-09 Management Plan provided for a balanced budget. This review details an accumulated surplus of \$28,800 for the September quarter.

A summary of this movement follows:

Budget Movements for Quarter	Amount \$
Opening Surplus Balance at July 1, 2006	Nil
Plus – Additional rates revenue from increased number of rateable properties.	28,700

Plus – Additional revenue from Financial Assistance Grant.	24,600
Less – Increase costs to refurbish the Spinks Park rotunda.	(15,500)
Less – Provision of a working expenses budget for the Planning and Governance directorate.	(5,000)
Less – Employ casual labour to undertake private swimming pool inspections while permanent staff on leave.	(3,000)
Less – Increase costs for other non audit professional services.	(1,000)
<b>Closing Surplus Balance at September 30, 2006</b>	<b>28,800</b>

For Council's information, details of programs with significant variances other than those reported as impacting on the cash result are listed below. Please refer to the attachment for individual programs for a summary of all budget movements.

#### Financial Services - general revenue

An amount of \$783,400 was budgeted in 2006/07 for a 'one off' Roads to Recovery grant; this was received in June 2006 and carried forward to 2006/07 as an unexpended grant. This adjustment is required to correctly recognise the source of funding as an unexpended grant and not a new grant. There is no impact on the operational surplus.

#### Waste Water

Additional building works at the water depot \$10,000 are required and these will be sourced from reserves which will have no impact on the operational result. A review is being undertaken of capital projects within Waste Water with any changes being reported to Council in the December 2006 review.

#### Water Services

Capital projects were undertaken not previously identified within the 2006/07 Management Plan, together with a transfer of vote between existing capital projects. This is a transfer between projects and reserves and has no impact on the operating surplus. A review is being undertaken of capital projects within Water Services with any changes being reported to Council in the December 2006 review.

#### Waste

Additional revenue has been recognised \$17,400, and this has been reserved. Recycling bins \$700,000 were included within the 2006/07 Management Plan, funded from loans funds. This programme was undertaken in 2005/06 and the adjustment reported recognises the fact.

#### Bridges

Funds have been transferred from bridges reserves - \$202,000 to undertake capital works in relation to the Tatham Bridge. There is no impact on the operational surplus.

#### Parks and Recreation

P&R undertake mowing of roadsides for the Roads - \$40,000, revenue has been recognised with a corresponding increase in the maintenance vote. Additional grant funding has been recognised in relation to the Experience Walk - \$80,000 and this is fully allocated to the capital works account. Funds have been transferred from reserves for the Wilson River Project - \$122,800, these funds were carried forward from 2005/06.

There has been a transfer of \$10,000 from under expended grants 2005/06 in relation to the Elders Park cycleway. Section 94 funds have been used in relation bushland regeneration works - \$10,000. In addition there has been some transfer between existing maintenance votes to more accurately reflect the expected expenditure patterns.

#### Roads

In accordance with the works programme adopted by Council a number of capital projects have been

identified for 2006/07, these projects have been funded from reserves, section 94 and reallocation of existing funding. Additional expenditure has been allocated towards the CBD laneway upgrade originally - \$200,000, these funds have been sourced from within the existing roads program. In addition revenue has been included that previously was not in the management plan from contributions by external parties towards roads upgrades - \$339,000, these funds have been reserved. There has been no impact on the operational surplus.

### Lismore Regional Airport

Capital upgrades in relation to the extension of the carpark and the airport security have been included. The carpark has been funded from a transfer of reserves - \$24,000, with the security upgrade being fully funded from grant funds received. There is no impact to the operating surplus.

### Lismore Art Gallery

Unexpended grants have been recognised for Sense of Place - \$21,000, travelling exhibitions - \$6,100 and Art Curator - \$20,000.

### Economic Development

Funds have been included for the external review of the EDU - \$20,000 and the publication of the Lismore Brochure – \$70,000. These funds have been sourced from reserves with no impact on operating surplus.

### **Change in Net Assets**

The 2006/07 Management Plan showed a surplus in the “Change in Net Assets” of \$5,044,700. The September review increased this by \$44,700 to \$5,089,400.

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.

## **Other staff comments**

Not required

## **Public consultation**

Not required

## **Conclusion**

Council’s budget has moved from a balanced position to a surplus of \$28,800.

This review has been used to “fine tune” any budgets that may vary due to more accurate information being available and to reinstate budgets for works carried forward from the previous financial year. Some additional revenues and expenses have been identified which have impacted on the operating surplus

Excluding the variance identified within this report the actual result for expenditures and revenues are in line with expectations.

## **Recommendation**

- 1 Council adopt the September 2006 Budget Review Statement for General, Water and Sewerage Funds.
- 2 This information is submitted to Council’s Auditor.

# Report

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

## Overview of Report

Council investments as at 31st October 2006 is estimated to be \$37,319,582 subject to the final value of funds held under Managed Funds being advised shortly.

The interest rate reported over the period of October 2006 is estimated to be 6.69% in comparison to 6.27% for October 2005.

Council has transferred some investments held as at September into an Individually Managed Portfolio through Grange Securities. This portfolio is managed to attain the maximum returns and the basket of investments may change over the course of the reporting period. Reporting for this investment has been made on consolidated basis with all other investments.

A short term investment horizon of 30-90 days has been adopted for new investments until an investment review is undertaken by Council's investment advisors.

## Background

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

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

## Report on Investments

- |  |              |
|--|--------------|
| • <i>Confirmation of Investments – 30 September 2006</i> | \$39,203,738 |
| • <i>Estimate of Investments – 31 October 2006</i>       | \$37,319,582 |

Some variation is expected on the final balance of Managed Funds. The final valuation of these funds is not made until after the end of the month. The current rate of return on investments for October 2006 is

estimated to be 6.69% compared to 6.27% for the same period last year.

Council has transferred some investments held as at September into an Individually Managed Portfolio through Grange Securities. This portfolio is managed to attain the maximum returns and the basket of investments may change over the course of the reporting period. Reporting for this investment has been made on consolidated basis with all other investments.

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

## **Comments**

### **Other staff comments**

N/A

### **Public consultation**

N/A

## **Conclusion**

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

## **Recommendation**

The report be received and noted

## Report

<b>Subject</b>	<b>Councillors Expenses &amp; Provision of Facilities Policy</b>
<b>File No</b>	S45
<b>Prepared by</b>	Corporate Compliance Coordinator
<b>Reason</b>	Legislative Requirement
<b>Objective</b>	To adopt a policy
<b>Strategic Plan Link</b>	Leadership by Innovation
<b>Management Plan Activity</b>	Councillors

### Overview of Report

Council has reviewed its current policy and placed it on public exhibition for comment. No comments were received. It is being recommended that the policy as enclosed be adopted.

### Background

Council at its meeting held on September 2, 2006 conducted a review of its current Expenses and Provision of Facilities Policy. This review was prompted by a legislative requirement to review once a year, coinciding with the issue of new Guidelines issued by the Department of Local Government.

Council made some relatively minor amendments to its current policy and placed it on public exhibition for comment. A copy of this document is separately enclosed with the business paper.

No submissions were received.

### Comments

#### Financial Services

Appropriate allowance have been made within the current budget.

#### Public consultation

The revised policy was advertised in the Northern Rivers Echo and on Council's Web Site. No submissions were received.

### Recommendation

That Council adopt its revised policy Councillors Expenses and Provision of Facilities as exhibited.

## Financial Assistance - Section 356

### a) Banners – Policy 1.4.14 (GL2033.8)

Budget: \$700 To date: \$400.00

Nimbin Garden Club Inc – Advertising Banner Nimbin Garden Club Open Gardens 2007

*In accordance with policy.*

\$150.00

### b) Council Contributions to Charitable Organisations

#### Waste Facility – Policy 5.6.1 (GL2033.15)

Budget: \$6,000 To date: \$2,6733.72

Animal Right and Rescue \$ 23.18

Challenge Foundation \$152.45

Five Loaves \$153.82

Friends of the Koala \$ 21.82

Lismore Soup Kitchen Inc \$ 49.73

LifeLine \$170.00

Salvation Army \$ 88.09

Shared Vision Aboriginal Corporation \$ 10.91

*In accordance with policy.*

\$670.00

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

*Budget: \$12,200 To date: Nil*

LK Lipscombe, 23 Oliver Street, Goonellabah \$333.00

*In accordance with policy.*

\$333.00

**These applications were processed prior to termination of Policy 6.1.6**

### d) Development & Other Application Fees – Policy 1.4.7 (GL2033.7)

Budget: \$300 To date: \$709.01

**RSL City of Lismore Sub-Branch** –reimbursement of 50% of Development Application fees in accordance with policy for installation of an airconditioning unit at the Memorial Baths. The application sort 100% reimbursement/

*In accordance with policy.*

\$61.00

### e) Mayor's Discretionary Fund (GL2033.26)

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

**Richmond River High School** sponsorship of Year 12, 2006 academic award.

*In accordance with policy*

\$50.00

**Recommendation**

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

**MINUTES OF THE TRAFFIC ADVISORY COMMITTEE MEETING  
HELD ON OCTOBER 18, 2006, AT 10.00 AM.**

	<b>Present</b>	Councillor Merv King ( <i>Chairperson</i> ), Ms Bronwyn Mitchell ( <i>on behalf of Thomas George, MP</i> ), Snr Const Dave Connelly ( <i>Lismore Police</i> ) and Michael Baldwin ( <i>RTA</i> ).
	<b>In Attendance</b>	Councillors Jenny Dowell and John Hampton, John Daley ( <i>LUO</i> ), Scott Turner ( <i>Manager-Assets &amp; Support Services</i> ) and Bill MacDonald ( <i>Traffic &amp; Emergency Services Coordinator</i> ). Mr John Minns for Item No. B-06:10-4.
TAC68/06	<b>Apologies</b>	An apology for non-attendance on behalf of Thomas George, MP, was received and accepted.
TAC69/06	<b>Minutes</b>	The Committee was advised that the minutes of the Traffic Advisory Committee Meeting held on September 20, 2006, were confirmed by Council on October 10, 2006.

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**Disclosure of Interest**

Nil

**Part 'A' – Committee Recommendations**

**Dr R Drewitt-Smith; requesting that consideration be given for a disabled parking space in front of the Lismore Medical Clinic at No. 185 Molesworth Street and also requesting a traffic island be erected in the middle of the street for the safety of elderly people crossing the road.**

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The Committee agreed that a pedestrian refuge would be of benefit in the vicinity of the medical centre. It was noted that there was already a disabled parking bay in front of the Memorial Baths and an additional bay had recently been installed on the opposite side of Molesworth Street in front of the Veteran Affairs Office. Another bay onstreet was not considered warranted and it was suggested that the medical centre be requested to examine the possibility of painting a disabled parking bay on its existing internal driveway/parking area.

TAC70/06 **RECOMMENDED** that a pedestrian refuge be installed on Molesworth Street in the vicinity of the medical centre at No. 185 Molesworth Street. (06-8750:R7322:P6770)

**Standard Hotel; requesting that the first parking space outside the hotel on Keen Street adjacent to Larkin Lane be allocated 'Bus Only' parking from 6.00pm to 5.00am, Tuesday to Saturday, to enable the hotel courtesy bus close access to the hotel.**

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It was noted that the hotel operates a free courtesy bus service on Tuesday to Saturday evenings and it now transported over 600 patrons to and from the venue each week. The proposal did not impact on the normal day-time restrictions.

TAC71/06 **RECOMMENDED** that "No Parking 6.00pm to 5.00am (Tue to Sat)" be added to the existing restrictions for the first two parking bays on the eastern side of Keen Street, south of Larkin Lane. (06-8275:R7313)

**R & L Bartholomaeus; drawing attention to the unsafe situation of vehicles turning right into Johnston Road, off Bangalow Road, and contributed to by the crest of the hill, uneven rough surface of the road, narrow width and 100 kph speed limit.**

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An inspection had revealed that the surface immediately prior to the intersection for motorists heading towards Clunes, was extremely rough and needed urgent maintenance works carried out. It was also noted that the width of road available for motorists to manoeuvre around a vehicle propped to turn right into Johnston Road was fairly limited. The speed limit was considered appropriate.

- TAC72/06 **RECOMMENDED** that the issue of maintenance to the road surface on the intersection approach and the possibility of widening the road shoulder be referred to Council's Manager-Roads & Parks for investigation and action as required. (06-8596:R4001:R401)

### **Intersection of New Ballina Road / High Street, Lismore Heights – No U-Turn Sign**

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A request was received from R Edjys for a No U-Turn sign to be erected on New Ballina Road at the intersection with High Street for westbound traffic. The Committee agreed with this proposal and noted that this would encourage motorists to use the Rotary Drive roundabout which was seen as a safer option than currently existed.

- TAC73/06 **RECOMMENDED** that a No U-Turn sign be installed in the centre median on New Ballina Road at the intersection with High Street for westbound traffic. (R6408:R7117)

### **Magellan Street, Lismore CBD – 5-Minute Parking Bay**

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Mr MacDonald advised of a request received from R.E.D. Inc for suitable parking to be provided for a drop-off/pick-up point close to their premises beside the Commonwealth Bank in Magellan Street. Whilst a disabled parking bay would not guarantee adequate access due to the potential long-term nature of its use, 5-minute parking would be more appropriate.

- TAC74/06 **RECOMMENDED** that a 5-minute parking bay be provided on the southern side of Magellan Street, on the first bay immediately west of the laneway beside the Commonwealth Bank. (R7319)

### **North Woodburn – 50 kph Speed Zone**

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Mr Baldwin advised of the RTA's proposal to make all of the Woodburn Village, south of the river, a 50 kph speed zone and requested consideration be given to introducing a similar proposal for North Woodburn. The Committee agreed that it would be practical to include North Woodburn as a 50 kph area as well, in order to provide consistency for motorists.

- TAC75/06 **RECOMMENDED** that the existing 60 kph zone on the roads within the Village of North Woodburn be reduced to 50 kph. (R5725,R5201)

### **Holland Street, Goonellabah – U-Turns near Ida Place**

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Snr Const Connelly advised that a recent accident on Holland Street was as a result of a motorist carrying out a U-turn immediately south of the centre median adjacent to Ida Place. This was in an area that offered restricted sight distance of oncoming traffic and he suggested there was a need for a No U-turn sign in order to avoid future problems.

- TAC76/06 **RECOMMENDED** that a No U-Turn sign be erected at the southern end of the centre median on Holland Street, south of Ida Place. (R6461)

## **Part 'B' – Determined by Committee**

### **NSW Roads & Traffic Authority; addressing traffic issues within the Clunes Village – fixed speed cameras, vehicle speeds and compression braking signs.**

- B-06:10-1 The Committee noted advice received from the RTA that it considers the location of the fixed speed camera to be the most appropriate given the criteria set for site selection. Mr Baldwin advised that he would be carrying out an investigation shortly as to whether the existing 60 kph speed zone within the Clunes Village should be reduced back to 50 kph. He would report back to the Committee with a recommendation.
- The RTA had also advised that the 'compression braking' signs installed some time ago both sides of Clunes, were considered to be in the most appropriate location.
- Mr Baldwin undertook to investigate the possibility of extending the loop detector for the fixed speed camera right across both lanes of traffic. (06-8713:R4101)

### **Trinity Catholic College; requesting that consideration be given for the closure to the carpark on the corner of Dawson and Leycester Streets from 4.00pm to 6.15pm on Friday, November 17, 2006 to allow the area to be utilised by Year 12 students arriving for the Graduation Ball.**

- B-06:10-2 The Committee raised no objection provided agreement was obtained from the Police Citizens Youth Club that the proposal did not impact on their activities. (06-8493:S352)

### **Proposed Development – Medical Centre at Nos. 73-81 Orion Street, Lismore**

- B-06:10-3 After much discussion it was agreed that the Committee's preference was for Option 2 (an upgrade of the intersection of Brewster Street and Gaggin Lane). It was also suggested that:
- A full weekly traffic count be carried out to ascertain actual volumes.
  - Pedestrian movements to and from the site be adequately addressed as part of any proposal.
  - A noise assessment be carried out giving due consideration of the impact the proposal will have on the housing flats located on the corner of Brewster Street and Gaggin Lane.
  - Effects of any works on the safe operation of the bus interchange be addressed as part of any proposal. (R6051)

### **J Minns; raising concerns about the danger that exists for motorists when negotiating a number of roundabouts with significant landscaping in the centre structure.**

- B-06:10-4 Mr Minns was present for this item and was invited to address the Committee. Mr Minns outlined his concerns that the landscaping in the centre of many of Lismore's roundabouts where sight distance of oncoming traffic was restricted had created a real concern and potential for serious accidents. The roundabout at the intersection of Ballina Street and Wyrallah Road was of particular concern.
- It was pointed out that statistics did not support this view and that while accidents did occur, they were generally of a minor nature as most motorists adjusted their approach speeds to these roundabouts in anticipation of any likely conflict. There had only been one or two accidents at the above intersection per year for the last four years which, considering the traffic volumes on the Highway, was considered very low. Accidents that occurred at roundabouts such as the one at the intersection of Dalley and Dibbs Streets were often more serious due to higher approach speeds. (06-8986:S342)

**J Duggan; requesting consideration of restricting Simmons Street, North Lismore, to local traffic only.**

- B-06:10-5 It was noted that Simmons Street was a one-way street and wide enough to allow onstreet parking on one side of the road. There was no history of any accidents or concerns being raised by any of the long-term residents known to reside along this street. The erection of a Local Area Traffic sign would not necessarily stop through traffic and was not considered warranted. (06-8953:R6230)

**G Bateman; requesting consideration of improving disabled access to the Clyde Campbell Carpark via the lane leading from Woodlark Street, adjacent to the Commonwealth Bank.**

- B-06:10-6 Concerns were raised that opening up the area in question by removing the carpark space in the Clyde Campbell Carpark, directly in front of the laneway, would expose pedestrians and particularly those in wheelchairs, to potential conflict with through traffic as a result of severely restricted sight distance. An area to the east, immediately adjacent to the existing disabled parking bays, was identified as a more suitable alternative. It was suggested that a new kerb ramp without a lip be constructed in this area without the need to remove any existing parking bays, would provide good sight distance of oncoming traffic. "Access Ramp" with an arrow pointing east should also be painted on the footpath at the northern end of the laneway pointing pedestrians towards the new ramp. (06-8961:P20088,S146)

**Deloraine Road, Lismore Heights – Property Egress**

- B-06:10-7 R Edjys had raised concern regarding danger when reversing out of driveways onto the road as a result of the recent opening of the new section of Deloraine Road that links onto Donnans Road from Warrick Place. An inspection of the location confirmed that sight distance was limited but was no worse than many other accesses, particularly along the northern ridges. Unfortunately, there was little that could be done to improve the current situation and the onus was on residents to take due care when negotiating into or out of their properties. (R7111,R7500)

**Lismore Cup – Traffic / Pedestrian Conflict on Woodlawn Road**

- B-06:10-8 Mr MacDonald advised that he had spoken with the Secretary of the Turf Club regarding his concerns that safety had been compromised for the many pedestrians who walked to or from the race course on Cup Day. Apparently bus services were cancelled early on the evening due to concerns of potential conflict with pedestrians resulting in even more patrons walking into town. A traffic management plan had been developed and traffic controllers deployed but mainly for the area off Woodlawn Road. It was suggested that any future management plan needed to take into account issues on Woodlawn Road in terms of both vehicular and pedestrian traffic. It was also noted that Woodlawn Road was a favoured route with cyclists and the provision of a dedicated footpath/cycleway was supported. It was suggested that this issue be referred to Council's Manager-Roads & Parks to investigate possible avenues for funding the construction of a dual use pathway along Woodlawn Road to the race course access road. (R4251)

**Bangalow Road, Boatharbour – Additional Signage**

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- B-06:10-9 The Mayor raised concern for the number of accidents that had occurred on Bangalow Road, involving heavy vehicles on the first right-hand bend after Boatharbour Bridge for north-bound traffic. Mr Baldwin advised that he would carry out an assessment of the 'bend' and the need for any curve warning and speed advisory signage and report back to the Committee.

**Next Meeting**

Scheduled meeting date changed to November 22, 2006.

**Closure**

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

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**Chairperson**

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**Traffic & Emergency Services Co-Ordinator**

## Documents for Signing & Sealing

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

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

### Recommendation

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

#### **Council's service level agreement with the Rural Fire Service**

Council's service level agreement with the Rural Fire Service expired on 30 June 2006. The RFS has recently provided a new agreement to be put in place for the next 3 years. Under section 12A of the Rural Fires Act (1997) Council has certain responsibilities in relation to fires in rural areas. The agreement provides a delegation to the RFS to undertake these responsibilities on behalf of Council and outlines the arrangements between the parties to meet their obligations under the agreement.

#### **Lismore Caravan Park Assignment of Lease Document**

The Lismore Tourist Caravan park is currently Leased to Mr Greg & Mrs Dianne Kerr, trading as Kerrward Pty Ltd. The property is known as 50 Dawson Street, Lismore, Lot 1 in DP 636233.

The current Lessees have exercised the option within the Lease to extend their lease period for the agreed period of five (5) years at a rental which shall be the current market rental for the premises. A valuation for this current market rental is now being determined. The option to extend the lease commences 31<sup>st</sup> October 2006 and expires 31<sup>st</sup> October, 2011.

A request has been received from Mr & Mrs Kerr to assign the remainder of the Lease to Mr Ashley Cooper of 54 Ocean drive, Kew, NSW. A clause within the Lease document requires that the Lease will not be assigned without prior approval to do so by Lismore City Council and that the purchaser of the assigned Lease providing appropriate business and financial references to Council. The required information has been supplied by Mr Cooper and indicates that he has had extensive experience in the operation of a caravan park and has supplied the necessary financial information. As a matter of due diligence these references were checked and found to be correct.

A request is made that the Council resolve to assign the current Lease of the Lismore Tourist Caravan Park to Mr Ashley Cooper of 54 Ocean Drive, Kew, NSW for the remaining term of the Lease.

## Documents for Signing and Sealing

### Lismore Tourist Caravan Park

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A request is made that the Council resolve to assign the current Lease of the Lismore Tourist Caravan Park to Mr Ashley Cooper of 54 Ocean Drive, Kew, NSW for the remaining term of the Lease.



**MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE CITY OF LISMORE HELD IN THE COUNCIL CHAMBER, GOONELLABAH ON TUESDAY, OCTOBER 10, 2006 AT 6.00PM.**

- Present** Mayor, Councillor King; Councillors Chant, Crimmins, Dowell, Ekins, Graham, Hampton, Henry, Irwin, Meineke, Swientek and Tomlinson, together with the General Manager, Executive Director-Development & Governance, Acting Executive Director-Infrastructure Services (Stephen Yam), Manager-Finance, Communications Co-ordinator, Corporate Compliance Officer, Manager Waste, Quarries & Crematorium and Executive Assistant Director-Development & Governance.
- 193/06 **Apologies/Leave of Absence** A leave of absence was granted to Councillor Irwin for the period October 31, 2006 to January 08, 2007 inclusive.  
(Councillors Dowell/Meineke)
- 194/06 **Minutes** The minutes of the Ordinary Meeting held on September 12, 2006, were confirmed.  
(Councillors Irwin/Hampton)
- 195/06 **Minutes** The minutes of the Extraordinary Meeting held on September 26, 2006, were confirmed.  
(Councillors Swientek/Chant)

### Public Access Session

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

#### **Dr John Ryan – Notice of Motion – Fluoridation of the water supply**

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Dr Ryan spoke against the introduction of fluoride on scientific grounds claiming it was neither effective or safe.  
(See Minute No. 197/06) (S223)

#### **Graeme Helms – Notice of Motion – Fluoridation of the water supply**

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Mr Graeme spoke in support of the introduction of fluoride citing local personal experience and scientific studies as evidence. He denied an adverse health impacts from the introduction of fluoride.  
(See Minute No. 197/06) (S223)

#### **Cheryl Amour and Len Ward – Notice of Motion – Goonellabah Leisure Centre**

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Cheryl Amour (Lismore Basketball Association) spoke in support of a four court facility, citing its benefits to the local basketball community and the City.

Len Ward supported a four court facility on the basis of the opportunity it gave for broad community benefits.  
(See Minute No. 199/06)(S736)

**Melissa Van Zwieten – Draft Amendment No 20 to Lismore Local Environmental Plan (Roseview Road, McLeans Ridges)**

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**S 451**

Councillor Meineke declared an interest in this matter and left the Chamber during the presentation.

Melissa Van Zwieten spoke to and in support of the LEP Amendment detailing the work that had been undertaken in preparing this amendment.  
(See Minute No. 200/06) (S939)

**Damian Chapelle – Draft Amendment No 20 to Lismore Local Environmental Plan (Cameron Road, McLeans Ridges)**

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**S 451**

Councillor Meineke declared an interest in this matter and left the Chamber during the presentation.

Damian Chapelle spoke to the detail that had been prepared in support of the proposal emphasising the timeline taken and the discussion undertaken with Council staff.  
(See Minute No. 201/06) (S884)

**Peter Bellew – Draft Plan of Management, Lismore Park**

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Mr Bellew spoke against the Draft Plan of Management, focusing on the proposal to restrict access to Crozier Oval. He detailed casual usage of the Oval, the problem with vandalism and urged Council to find ways to increase usage of Crozier Oval to reduce vandalism.  
(See Minute No. 202/06) (S833)

**Stan Heywood– Local Environmental Plan 2007**

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Stan Heywood sought a delay in the process to allow greater community input into the process.  
(See Minute No. 203/07) (S946)

## Disclosure of Interest

**S451**

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Councillor Meineke declared a pecuniary interest in the Draft Amendment No. 20 to Lismore Local Environmental Plan – Roseview Road, McLeans Ridges and Cameron Road, McLeans Ridges (worked on the rezoning document).

## Notice of Motions

**Development Applications**

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196/06 **RESOLVED** that Council advises all customers who submit Development Applications that:

Two copies of the Development Application must be in hard copy but additional copies can be electronically submitted;

All additional information requested by Council can be submitted electronically; and when the new computer system is commissioned, Council may receive all Development Application copies electronically.  
(Councillors Meineke/Tomlinson)(S371)

### Fluoridation

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Formal notice having been given by Councillor Irwin it was MOVED that in light of scientific evidence received recently, Lismore Council advises Rous Water that it does not wish to proceed with fluoridation of the water supply until there is irrefutable evidence that it does not have any adverse medical or health impacts on any individuals.  
(Councillors Irwin/Ekins) (S223)

On submission to the meeting the MOTION was DEFEATED.

**Voting Against:** Councillors King, Henry, Tomlinson, Crimmins, Swientek, Hampton, Meineke, Dowell and Graham.

### Rodeos

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Formal notice having been given by Councillor Irwin it was MOVED that Lismore Council reviews the State Government's Code of Practice for rodeos to assess what provisions Council needs to make to ensure irresponsible operators cannot hold a rodeo in our area.  
(Councillors Irwin/Dowell) (S312)

The voting being tied the Mayor declared the MOTION DEFEATED on his casting vote.

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

### Goonellabah Leisure Centre

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- 197/06 **RESOLVED** that Lismore City Council reassess the components and appropriate size of the Goonellabah Recreation Centre.  
(Councillors Swientek/Graham)(S736)

## Reports

### Draft Amendment No 20 to Lismore Local Environmental Plan – Roseview Road, McLeans Ridges

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#### S 451

Councillor Meineke declared an interest in this matter and left the Chamber during the debate and determination thereof.

- 198/06 **RESOLVED** that the report be received and Council:-
1. Pursuant to Section 54 of the EP&A Act 1979, to prepare a draft amendment to Lismore Local Environmental Plan 2000 to include the subject land in Schedule 4 to allow 30 rural residential allotments plus one residual allotment.
  2. To Notify the Director General of Planning of Council's decision in accordance with Clause 9 of the EP & A act Regulation 2000.
  3. To consult with relevant government and other agencies pursuant to section 62 of the EP&A Act.
  4. To advertise the draft LEP amendment for a period of twenty eight days following receipt of a "Written Authorisation to Exercise Delegations" from the Department's LEP Review Panel.

(Councillors Irwin/Henry)(S939)

**Voting Against:** Councillor Swientek

**Draft Amendment No 20 to Lismore Local Environmental Plan – Cameron Road, McLeans Ridges**

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**S 451**

Councillor Meineke declared an interest in this matter and left the Chamber during the debate and determination thereof.

199/06 **RESOLVED** that the report be received and:-

1. Pursuant to Section 54 of the EP&A Act 1979, to prepare a draft amendment to Lismore Local Environmental Plan 2000 to include the subject land in Schedule 4 to allow 67 rural residential allotments plus one residual allotment.
2. To notify the Director General of Planning of Council's decision in accordance with Clause 9 of the EP & A act Regulation 2000.
3. To consult with relevant government and other agencies pursuant to section 62 of the EP&A Act.
4. To advertise the draft LEP amendment for a period of twenty eight days following receipt of a "written Authorisation to Exercise Delegations" from the Department's LEP Review Panel.

(Councillors Hampton/Graham)(S884)

**Voting against:** Councillors Ekins, Swientek and Irwin.

**Draft Plan of Management – Lismore Park**

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200/06 **RESOLVED** that the report be received and:-

1. Place the Draft Plan of Management on public exhibition for a period of 42 days.
2. Forward copies of the draft Plan of Management to the relevant groups, all PAGS and organisations with an interest in Lismore Park.
3. Arrange for a public hearing into the Draft Plan of Management in accordance with the provisions of the Local Government Act.

(Councillors Graham/Henry)(S833)

**Voting against:** Councillors Ekins and Irwin.

**Lismore Local Environmental Plan 2007**

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201/06 **RESOLVED** that the report be received and:-

1. Pursuant to section 54 of the EP & A Act, resolve to prepare a new comprehensive Local Environmental Plan consistent with the standard instrument.
2. Advise the Department of Planning of its decision to prepare a new LEP and request any specifications for the preparation of a Local Environmental Study.
3. Consult with relevant government and other agencies pursuant to section 62 of the EP&A Act.

(Councillors Meineke/Hampton)(S946)

**Draft Development Control Plan No 53 – Industrial Land at Wyrallah Road, East Lismore**

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202/06 **RESOLVED** that the report be received and:-

1. Adopt DCP No. 53 (Industrial land at Wyrallah Road, East Lismore) as exhibited.
2. Give public notice of Council's adoption of DCP No. 53 in accordance with the requirements of the EP&A Regulation 2000.
3. That the public notice specifies that DCP No. 53 comes into effect on January 1, 2007.

(Councillors Swientek/Irwin)(S944)

**Voting against:** Councillor Ekins.

**Implementation of Currie Park Restoration Plan**

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203/06 A MOTION WAS MOVED that the report be received and:-

1. That Council increase the funding for the restoration works at Currie Park by \$20,000 through the Bushland Budget based on a submission being prepared and considered in the 2007/08 budget process.
2. That Council staff work with community groups to prepare and submit a grant funding application to the Commonwealth Threatened Species Network (TSN) Community Grants Program in April 2007.  
(Councillors Ekins/Irwin)(P6588)

AN AMENDMENT WAS MOVED that the report be received and:-

1. That Council continue to fund ongoing restoration works at Currie Park through its Bushland Budget.
2. That Council staff work with community groups to prepare and submit a grant funding application to the Commonwealth Threatened Species Network (TSN) Community Grants Program in April 2007.  
(Councillors Hampton/Crimmins)

On submission to the meeting the AMENDMENT was DEFEATED.

**Voting against:** Councillors Tomlinson, Irwin, Swientek, Dowell, Ekins, Meineke and Hampton.

204/06 **RESOLVED** that the report be received and:-

1. That Council increase the funding for the restoration works at Currie Park by \$20,000 through the Bushland Budget based on a submission being prepared and considered in the 2007/08 budget process.
2. That Council staff work with community groups to prepare and submit a grant funding application to the Commonwealth Threatened Species Network (TSN) Community Grants Program in April 2007.

(Councillors Ekins/Irwin) (P6588)

**Voting against:** Councillors Crimmins, Chant, Henry and Graham.

### **Draft Regional Policy for the Management of Contaminated Land**

205/06 **RESOLVED** that

1. Council conduct a workshop on this policy prior to it being placed on public exhibition
2. A copy of the draft policy be provided to the SEPAG for comment.  
(Councillors Meineke/Swientek) (S904)

### **Tryton Waste Service Contract**

206/06 **RESOLVED** that consideration of this matter be deferred until later in the meeting.

(Councillors Irwin/Meineke) (S864)

### **2005/06 Financial Reports**

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- 207/06 **RESOLVED** that the report be received and:-
1. In accordance with Section 413 (2) (c) of the Local Government Act 1993 and clause 215 of the Local Government (General) Regulation 2005 adopt the 2005/06 Financial Reports and 'Statement by Councillors and Management' for both the General Purpose Financial Reports and Special Purpose Financial Reports, with the Mayor and Deputy Mayor delegated to sign on behalf of Council.
  2. Refer the 2005/06 Financial Reports to the Council's Auditors.
  3. That on receipt of the Audit Reports, forward a copy of the 2005/06 Audited Financial Reports to the Department of Local Government and the Australian Bureau of Statistics.
  4. Advertise the presentation of the 2005/06 Financial Reports to the public from November 2, 2006 and invite both inspection and submission.
  5. Present the 2005/06 Financial Reports to the public at the November 14, 2006 Council meeting.
  6. Invite the Auditor to attend the November 14, 2006 meeting to present the Audit Report's to Council.
- (Councillors Irwin/Meineke) (S910)

### **2005/06 Reserves (Internally Restricted Assets)**

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- 208/06 **RESOLVED** that the report be received and that Council adopt the cash reserve balances for June 30, 2005 of \$20,204,139 as detailed on the attached summary, and amend Policy 1.5.10 - Reserves (Internally Restricted Assets) to reflect that as attached.
- (Councillors Dowell/Meineke) (S910)

### **Strategic Plan Steering Committee Recommendations**

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- 209/06 **RESOLVED** that the report be received and that the recommendations from the June and August meetings of the Strategic Plan Steering Committee as detailed within the report be adopted.
- (Councillors Irwin/Hampton) (S4)
- Voting against:** Councillor Ekins

### **Disclosure of Pecuniary Interest Returns 2005/06**

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- 210/06 **RESOLVED** that the report be received and that the report be received and the tabled Pecuniary Interest Returns be acknowledged.
- (Councillors Hampton/Graham) (S18)

### **September 2006 – Investments held by Council**

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- 211/06 **RESOLVED** that the report be received and that the report be received and noted.
- (Councillors Irwin/Graham) (S18)

## **Committee Recommendations**

### **Traffic Advisory Committee September 20, 2006**

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- 212/06 **RESOLVED** that the minutes be received and adopted and the recommendations contained therein be adopted.
- (Councillors Irwin/Meineke)(S352)

## Financial Assistance - Section 356

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

Budget: \$1,100.00 To date: \$670.00

**St Johns College Woodlawn Tournament of Minds Team**, who have recently won their way through to the National Championships to be held in Adelaide on the weekend of 21<sup>st</sup>-22<sup>nd</sup> October 2006.

(06-: S164)

*In accordance with policy.*

\$100.00

**b) Council Contributions to Charitable Organisations**

**Waste Facility – Policy 5.6.1 (GL2033.15)**

Budget: \$6,000 To date:\$2,003.72

Challenge Foundation	\$123.36
Five Loaves	\$37.91
Friends of the Koala	\$32.73
LifeLine	\$170.00
Saint Vincent De Paul	\$403.81
Salvation Army	\$137.55

*In accordance with policy.*

\$905.36

213/06 **RESOLVED** that in accordance with Section 356(1) of the Local Government Act 1993, the assistance to persons as listed is hereby approved.  
(Councillors Graham/Dowell)

## Confidential Matters – Committee Of The Whole

214/06 **RESOLVED** that Council now exclude the press and public and meet in Committee of the Whole to consider the following matters;

**Item 1 - Tryton Waste Service Contract**

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**Grounds for closure:** Section 10A(2)(c)

**Public interest:** Discussion of this matter in an open meeting would on balance be contrary to the public interest because it would confer a commercial advantage to a person with whom Council is conducting business.

**Item 2 - Lismore Memorial Garden**

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**Grounds for closure:** Section 10A(2)(d)

**Public interest:** Discussion of this matter in an open meeting would on balance be contrary to the public interest because prejudice the commercial position of the person who supplied it and confer a commercial advantage on a competitor of the Council.

(Councillors Irwin/Meineke)

## Resumption of Open Council

When the Council had resumed its former sitting, the General Manager reported that Council, meeting in Committee of the Whole, had RECOMMENDED:

### Item 1

Discussion of the issues took place but no determination was made.

### Item 2

That Council take no action on the confidential report entitled Lismore Memorial Gardens.

- 215/06 **RESOLVED** that the General Manager's report of Council meeting in Committee of the Whole be received and adopted.  
(Councillors King/Graham)  
**Voting against:** Irwin

### Tryton Waste Service Contract

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- 216/06 **RESOLVED** that the report be received and:-
1. That Council endorse the Deed of Release and Organic Waste Resource and Vermiculture Facility Agreement in principle subject to negotiation between Lismore City Council staff and Tryton Waste Service (Lismore) Pty Limited.
  2. That subject to completion of the appropriate documentation as outlined in the report Council approve the purchase of nominated plant from Tryton at a cost of \$346,450 and the necessary funds be voted.
  3. That upon completion of the Deed of Release, Council write off the charge of \$55,000 representing the Tryton contribution to environmental management works at Council's waste facility.  
(Councillors Irwin/Henry)(S864)

## Closure

This concluded the business and the meeting terminated at 11.21pm.

CONFIRMED this 14th of October, 2006 at which meeting the signature herein was subscribed.

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**MAYOR**

