

COUNCIL Business Paper



LISMORE
City Council

FEBRUARY 1, 2000



NOTICE OF COUNCIL MEETING

An **ORDINARY MEETING** of LISMORE CITY COUNCIL will be held at the COUNCIL CHAMBERS, Oliver Avenue, GOONELLABAH on **TUESDAY, FEBRUARY 1, 2000**, at 6.00pm and members of Council are requested to attend.

(Ken Gainger)
GENERAL MANAGER

25/1/00



PUBLIC ACCESS SESSION:

PAGE NO.

PUBLIC QUESTION TIME:

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APOLOGIES AND LEAVE OF ABSENCE

CONFIRMATION OF MINUTES - 14/12/99

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NOTICE OF RESCISSION MOTION

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

That Council's decision to advise the RTA that it doesn't object to the removal of Coleman's Bridge be rescinded.

COUNCILLOR R M Irwin

COUNCILLOR F F Swientek

COUNCILLOR D R Tomlinson

DATE 14/12/99

(99-21263: S314)

NOTICE OF MOTION

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

In the light of the increasing concern throughout the community towards the use of genetically engineered crops in the production of foodstuff for human consumption, Lismore City Council resolves to:

1. Write to the suppliers of all foodstuffs currently supplied to Council's Childcare Centres and any other Council facility, requesting assurances that no products contain ingredients derived from these crops.
2. Prohibit the use in Council's Childcare Centres and other facilities of any foodstuffs which contain ingredients derived from genetically engineered crops, and any foodstuffs for which the manufacturer is unable or unwilling to give the necessary assurances.

COUNCILLOR Ros Irwin

DATE January 19, 2000

STAFF COMMENT by Manager-Community Services:

Comment was sought from Council sponsored Child Care Centres in relation to the notice of motion regarding the use of genetically engineered crops in the production of foodstuff for human consumption. The Koala Child Care Centre and the Lismore Outside School Hours Care service provide meals which are inclusive in the cost. Parents of children attending the Gingerbread House Occasional Child Care Centre provide their own food supplies. Centres support this proposal and suggest that suppliers also be requested to provide a description of the methods used in growing, handling and processing of all foodstuffs.

It should be noted that to implement such a policy will have cost implications. The Centres are keen to gauge parental comment and to see whether there is a willingness from parents to meet the additional costs involved.

NOTICE OF MOTION

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

That a policy be developed by Council staff requiring City Works staff to provide adequate advance information to affected residents and to hold well-publicised public meetings subsequent to residents receiving that information to explain the position when Council intends to close formed public roads in the urban area.

COUNCILLOR Ros Irwin

DATE January 19, 2000

STAFF COMMENT BY:

Group Manager - City Works:

City Works Staff can see considerable merit in convening public meetings for most major development works, *ie, roundabouts, major urban road upgrading, pedestrian underpasses, permanent road closures, etc.*

This process would be best carried out when funding has been agreed to and plans are at a suitable level for concerned community members to best understand the concepts proposed.

It would require quite substantial resources to convene and advertise public meetings, including letter box drops on a larger scale, and follow-up circulars of proposed/modified action arising from the public meetings. City Works Staff would provide plans and a description of the project at public meetings but the resources required to organise public meetings and subsequent circulars and media attention would need to be sourced from another area of Council's organisation.

Subject/File No: CANIABA VILLAGE / PERRADENYA ESTATE WATER SCHEME
(CK:CD:S664)

Prepared By: Group Manager Business & Enterprise - Craig Kelly

Reason: At the request of the Developer

Objective: To seek the resolution of Council

Management Plan Activity: Water Supply

Background:

At its meeting of February 17, 1998, Council considered a report regarding the supply of water and sewerage services to the Perradenya Estate in particular and the Caniaba Village in general. The developer of the estate at this time was Corpol Properties Pty Ltd.

The outcome of this report to Council was to provide 50% support for water infrastructure costs up to the value of \$645,000 and 100% for the sewerage infrastructure. This was communicated to the developer.

Some time during 1999, Corpol Properties Pty Ltd sold their interests in the Perradenya Estate to Rous County Council (Rous), who have since undertaken development of the estate.

Representatives of Rous met with Council staff to discuss a range of issues with regard to the estate. One issue raised was the extent of financial commitment of Council to the water services infrastructure. Estimates at the time of the September meeting had the total cost of the water services exceeding the previous estimate of \$1,290,000 (of which Council's 50% share was \$645,000). The value of the revised estimate was in the order of \$1,600,000.

Rous have since written to Council seeking funding up to 50% of the actual cost of the works (See attachment).

There are a number of issues raised and opinions expressed in the letter provided by Rous, which are not in accord with the opinion of Council staff. These are addressed below in the comments of the Project Engineer, Janaka Weeraratne.

Manager - Finance & Administration Comments

Council has already significantly invested in the development of Caniaba Village which includes the Perradenya Estate. To meet our 'share', we had to borrow funds as insufficient funds were available within the Water Fund to undertake this development and to accommodate the level of rehabilitation and other works required to maintain the system. This situation has not changed. What we are now being asked is to further invest in this development.

Our investment plus reasonable costs (interest) are to be recovered from future development, other than Perradenya. There is some uncertainty about how long this could be, but with population growth rates within Lismore being low and the amount of land stock to be developed within Perradenya, it is likely that

this will be long term. In the interim, current water users will be paying for the borrowings to support this development.

This I believe to be an inappropriate burden on current water users and not a good investment strategy. As such, an increase in investment is not supported.

Public Consultations

Not required.

Other Group Comments

Comments from Project Engineer - Janaka Weeraratne re Rous Water's letter dated January 17, 2000:

Re: Second Sewer Main

Lismore City Council will have to build the second sewer main in the future (as agreed to with Rous County Council). The second sewer main is not expected to be required within ten years. This therefore represents a cost deferred, not saved.

Re: Supervision

Lismore City Council's supervision requirements have not changed for this project from any other subdivision. This level of supervision is provided for all water and wastewater schemes constructed in Lismore and the consultant who prepared the original costing should have been aware of this.

Re: Collection of S64 Funds

Section 64 funds are not expected to come in (based on current population projections) for at least another ten years minimum. To date Lismore City Council's Water and Wastewater Services has not received a proposal for subdivision outside Perradenya.

It is therefore recommended that the current funding arrangements remain and no further funds be allocated to this scheme.

Conclusion

It is in the interests of Rous to have Lismore City Council contribute as much as possible toward the development of Caniaba Village. Lower development costs reflect in either the sale price of land or the profit margins of the developer or both. On this basis it is understandable why this request is made, however the cost increases and matters raised by Rous should have been identified as part of the due diligence process during the purchase from Corpol Pty Ltd. Accordingly these additional costs should have been factored into the purchase price and appropriate compensation extracted from the previous owner.

On this basis and given the comments above, the request for increased funding for the water services infrastructure for the Caniaba Village and Perradenya in particular should be declined and Lismore City Council's commitment be held at \$645,000.

Recommendations (ENT03)

1. That Council write to Rous County Council and advise that financial support for the supply of water services infrastructure be held at \$645,000.
2. That Council also communicate their best wishes for the success of the development.

Subject/File No: CLUNES WASTEWATER STUDY
S288

Prepared By: Manager Water & Wastewater Services - Anu Atukorala

Reason: To form a community based committee to investigate wastewater disposal options in the village of Clunes.

Objective: To dispose of wastewater in an environmentally sustainable manner which protects the communities' health.

Management Plan Activity: Investigate sewerage schemes for new and existing villages

Background:

At its meeting held on 25 August 1998, Council resolved to commence a wastewater management study for the village of Clunes. The study included the follows key components.

- A detailed investigation of existing onsite disposal systems;
- community consultation;
- acceptable methods and levels of treatment for overcoming current wastewater problems; and
- cost comparisons of acceptable treatment systems.

The preliminary investigation works have been completed and a public meeting was held in Clunes to present the findings. This report details the outcomes of these activities.

Report:

Detailed investigation of existing onsite disposal systems

Council commissioned an Environmental and Building Consultant, Darron Ward, to undertake a survey of every onsite system in Clunes, in order to assess whether the systems complied with the current State Government Guidelines.

The study basically concluded that of the 145 properties surveyed, 127 would not meet or could have difficulty meeting these new guidelines. A summary of this report is included as Attachment 1.

At a public meeting held on the November 25, 1999, the findings of the report were presented to the residents. The meeting was widely publicised via news paper advertisements and letter drops. The minutes of the meeting are included as Attachment 2.

Community consultation

At the above meeting, residents resolved to form a committee consisting of community representatives and Councillors. Council staff, consultants, Department of Land and Water Conservation (DLWC) staff and Department of Public Works and Services (DPWS) staff will assist the committee in its deliberations. A schematic project plan detailing the communication and project team roles is given in Attachment 3. The committee will be involved in identifying local issues, giving feedback to the broader community and recommending preferred options to the Council.

It should also be noted that community consultation is a pre-requisite for obtaining additional subsidies from the DLWC to fund any preferred options. (The current investigation works have been subsidised to the extent of 67%.)

Nominations for the committee closed on 6/01/00, and the following 14 nominations were received.

1. Jim Edwards
2. Pamela Sheehan
3. John Drysdale
4. Terry Hackett
5. Don Frater
6. Mary-Anne Doyle
7. Noel Johnston
8. Colin Johnston
9. Neville Ford
10. Alan Grey
11. J Thomas
12. Jack Claff
13. Peter Maguire
14. Malcolm Try

It is recommended that all the nominations be accepted. Application forms submitted are available for perusal with the author.

Councillor representation

It is prudent that at least three Councillors represent the interests of the Council on this committee. This would allow Councillors to have input into the process and also take on board community concerns when making decisions. Previous community consultation programs, such as the formulation of the policy for Council's onsite sewerage management strategy, have benefited from direct Councillor representation.

Manager - Finance & Administration Comments

The community consultation process forms part of the investigation works for which funds have been allocated in the current budget.

Public Consultations

The 14 community representatives, with the assistance of Council staff, will formulate strategies to communicate the outcomes of the Clunes Wastewater Committee to the broader community and in identifying local issues.

Conclusion

Community consultation is an important part in developing wastewater strategies for any town or village. A formal committee such as the "Clunes Wastewater Committee" will facilitate this process.

Recommendations (ENT05)

That:

1. A community based committee be formed to investigate wastewater disposal options in the village of Clunes.
2. All fourteen nominations received be accepted, and
3. At least three Councillors represent the interests of Council on this committee.

Subject/File No: INTERNATIONAL BASEBALL CHALLENGE - REQUEST FOR CONTRIBUTION FROM FNC BASEBALL ASSOCIATION INC. (99-19304: P15870)

Prepared By: Manager - Finance & Administration - Rino Santin

Reason: Request by FNC Baseball Association.

Objective: Council to determine level of contribution.

Management Plan Activity: Parks & Recreation

Background:

FNC Baseball (FNCB) have written to Council "to express our sincere gratitude to the individual and collective support received from Lismore City Council and its staff during the Baseball Challenge from 29 October to 1 November 1999" (copy attached). As the tournament was not as financially successful as anticipated, they have requested that;

- a) we waive our share of gate receipts of \$4,000 (in lieu of ground rental of \$2,850 for the use of Oakes Oval, and
- b) Council pay for the hire of the mobile lights used during the event at a cost of \$9,120.

A meeting was held with a representative of FNCB to discuss the request and to ascertain the financial details of the event. The financial summary from FNCB's perspective and excluding the above amounts is provided below:

Total Income	\$70,200 (gate, team contributions, sponsorship & canteen)
Less: Total Expenses	\$66,000 (accommodation, meals, transport, laundry, etc)
Net Profit	\$ 4,200

FNCB have also advised that the Australian Baseball Federation has agreed to support them for the event. Unfortunately, the support is 'in kind' and not cash (help in getting pre Olympic team here for training or other tournaments).

Event Costs:

The net cost to Parks & Recreation (P&R) for this event excluding the ground rental income and lighting costs was \$12,500.

We also spent approximately \$10,000 on upgrading the lights at Oakes Oval which was funded from reserves for Oakes Oval Lighting/Development. I don't believe these costs are relevant here because the benefit of the improved lighting will be received by all users of Oakes Oval, not just this event.

We also provided administrative & entrepreneurial (EDU) support in conjunction with Lismore Unlimited to get a co-ordinated approach to the event and secure sponsorship. The estimated total cost for this component was \$5,000 with Lismore Unlimited contributing \$3,000.

Public Consultations

Not Required

Other Group Comments

Manager - Parks & Reserves Comment:

It should be noted that FNCB originally undertook to pick up the cost of the mobile lighting. It was only after it was becoming apparent that the pre-event ticket sales were slow that they approached Council to pay for this.

Given the commitment Parks & Recreation has already made to this event which is in the order of \$12,000 plus, then I feel it is only fair that Council request FNCB to honour its original undertaking to pay this bill.

Given Council's tight fiscal position at present, such a request would prove too great a burden for the Parks & Recreation budget to absorb right now and could ultimately end sending the P&R budget into deficit at the end of this financial year. In doing so, I believe we should still request our ground hire, otherwise this may set a precedent that could prove problematic for Council in future years.

Manager - Economic Development Comment:

Concerning the lighting from portable towers, this was always going to be the responsibility of the FNCB with the proviso being that Council would make the payment as an administrative efficiency/assistance with the expenditure being repaid at the settling of the account for the whole tournament. There was not an agreement for Council to either absorb the cost of the portable lighting cost or take an entrepreneurial attitude towards its recovery.

It has been noted that Council repaired the existing lighting which is not being billed to FNCB. I understand that the main tower of the existing lighting was not useable because of the need to locate the batter /pitcher in front of the main grandstand.

The town benefited from the promotion and will continue to do so. However, the recipients of such benefit are largely in the accommodation and related services industries and, as such, there is not a direct return to Council. Perhaps a total of 1000 room nights were brought into the town giving businesses an approximate \$80,000-\$110,000 turnover boost.

Conclusion

The question to be answered is should we offer a subsidy to the event beyond what we have already done.

I believe there is insufficient capacity within the P&R budget to absorb these costs and there is no precedent of support to such events after the event has occurred.

As Council has already given staff the objective to find \$300,000 to fund roadworks, I doubt whether we have the capacity to absorb another \$13,100.

Recommendation (COR02)

That FNC Baseball :-

- a) be advised that Council will waive our share of gate receipts (\$4,000);
- b) be charged the ground rental in accordance with the fees and charges (\$2,850), and
- b) be responsible for paying the full cost of the lighting (\$9,120).

Subject/File No: GOONELLABAH & DISTRICT SOCCER CLUB - REQUEST TO REVIEW LEASE AGREEMENT (NM: P8505)

Prepared By: Manager Parks & Recreation - Neil Moreton

Reason: Request from Lessee

Objective: To seek Council approval to review lease fee for the lease of Weston Park.

Management Plan Activity: Parks & Recreation

Background:

In October of last year the Goonellabah and District Soccer Club wrote to Council requesting a review of the Club's lease agreement with Council for the use of Weston Park with a view to negotiating a reduction in its lease payments. This request was based on the fact that the Club struggled financially last year due to the prolonged wet weather affecting income from canteen and bar takings etc.

Weston Park is situated at the end of Reserve Street between Spring Street and Jubilee Avenue. It has two senior soccer fields with flood lights and a junior field. There are amenities on site and recently Council constructed a playground in the park in accordance with the Plan of Management for Weston Park that was recently adopted by Council.

The Matter:

Over the following weeks Council staff met amongst themselves to consider the options available in this situation and then requested more information from the Soccer Club regarding player numbers, fees etc. This information was provided some weeks later and was followed by a meeting on November 30, 1999 between representatives of the Soccer Club and Council's Manager of Finance and Administration, and the Manager of Parks and Recreation.

At this meeting Council staff proposed an in-kind contribution as opposed to a review/reduction in lease payments. The in-kind contribution was in the form of assistance with the maintenance (grass cutting) of the field areas only. In addition, the staff suggested ways the Club could look at increasing its income from the grounds by sub-letting the grounds to alternate hirers in summer and shoulder season periods (i.e. sub-letting the grounds to Oztag etc).

The Club's representatives left that meeting to discuss these proposals with their Committee and after which responded to Council declining the offer. The Club cited contractual maintenance obligations, which prevented it from taking up the offer and returned to their original position of requesting a review of the lease payments.

It was then decided to report this matter to the next available Council meeting for Council's determination of the matter. Hence this report.

Issues surrounding this matter:

When considering this request Councillors should bear in mind that it was the Soccer Club who came to Council requesting a lease on Weston Park in order to gain a loan from their bankers to build a licensed premises on the grounds.

The subsequent Council decision was that the lease should reflect a standard commercial lease and include similar terms and conditions as well as having regard to the commercial value of the clubhouse and associated facilities. Therefore it is reasonable to surmise that the majority of the lease payments relate to the existence of the licensed premises not the sportsgrounds.

The lease also included that the lessee be responsible for topdressing and drainage works as required from time to time, in addition to the regular maintenance of the grounds. Council staff have recently contributed materials towards drainage works at Weston Park.

The other noteworthy point is that there are numerous seasonal hirers of other Council sports grounds in the City. Some of these hirers have approached Council recently requesting a waiver of their seasonal hire fee due to the prolonged wet weather last year. These hirers were declined their requests on the basis of an existing Council policy that in effect states *'no seasonal hire fees are refundable/waiverable due to inclement weather'*. As Goonellabah Soccer Club technically is not a seasonal hirer (they are a lessee) they are not covered by this Policy and therefore are within their rights to request a review. However I must point out that other clubs would be watching with interest as to the outcome of this matter.

To reduce the lease payments may instigate an avalanche of requests from other Sports Clubs requesting some form of reduction that could collectively amount to between \$30,000-\$50,000. This could in turn have dire consequences on the department if no adjustments were made to the operating budget to compensate for this. This would in turn severely hamper service delivery.

Further to the above are the following considerations.

What effect will this have on the Parks & Recreation Budget? At the time of preparing this report the Department was running a budget deficit, therefore putting pressure on the expenditure side of the ledger. A waiver/reduction of the lease payment would further increase this pressure which may result in a drop in service levels elsewhere in the sportsground areas to accommodate the income reduction.

The lease is primarily for the benefit of establishing and maintaining a licensed premise at Weston Park. Should the licensed club not be providing more support to the Soccer Club in reciprocation?

What initiatives have the Soccer Club put in place to maximise income from the venue? There are a number of ways the Club could increase revenue that would have the same effect as decreasing outgoings (lease reductions). The Club could look at sub-letting the ground or running a summertime six-a-side soccer competition aimed at collecting team registration fees and income from both the canteen and the Club's facilities. Such initiatives would lessen the burden of the lease payments on the Soccer Club and assist them in meeting such commitments.

Manager - Finance & Administration Comments

The Club has identified the following concerns.

Lease Fee - The 1999/2000 lease fee for the Goonellabah and District Soccer Club is \$7,393.40. The fee is for an area which includes the licensed premises, carparking spaces and an area for future extension of the licensed premises. The valuation is on a commercial basis. There is no lease fee for the soccer grounds.

If there were no lease, then we would be charging a ground rental fee of approximately \$3,200.

Rates - The 1999/2000 rates on this property are \$2,199.65 plus water. While the area rated is not specifically identified, original correspondence suggests that it is the licensed premises and carpark. There are no rates applicable to the soccer grounds as the grounds are considered 'public space' and are therefore non-rateable.

If there were no lease, then we would not be charging general rates of \$1,200. All other charges, about \$1,000 plus water, would still apply.

Ground Maintenance - The lease provides for the lessee to "maintain the whole of the leased area" and the standard of maintenance to be comparable to other "playing fields and recreational grounds" under Council's control. The Club has costed this at \$12,000 per annum.

If there were no lease, then the cost to the Club would be reduced significantly. There would be some costs as the standard of service at this ground is better than that currently provided generally to grounds directly under Council's control.

The other factors which must be taken into consideration include:-

- There is insufficient capacity within the Parks and Recreation budget to fund any reduction/contribution without effectively reducing service levels in other parks.
- Council has already committed \$300,000 towards roads on the basis that the General Manager is to identify savings of equal value. To meet this objective, all efforts must be concentrated on this goal.

Summary

It is clear that the impact on the Club's finances in having this lease are substantial. The 1999 Financial Report indicates that the Club operated at a \$10,943 loss. Considering that at least \$14,000 could be saved if no lease existed, this request to Council is not unexpected.

Comparatively speaking, in terms of cost, this Club is disadvantaged when compared to other sporting clubs with like facilities and arrangements. On the other hand, in terms of revenue raising capacity, very few clubs have the support of licensed premises.

From a financial perspective, no reduction or subsidy is supported as -

- the lease fee is commercially based and relates primarily to the licensed premises.
-

- the rates relate primarily to the licensed premises and there is no ability to 'waive' these within the Local Government Act 1993 or Council policies.
- the offer to maintain the flat surfaces at no cost to the Club (or additional cost to Council, potentially saving the Club approximately \$5,000 a year) was not accepted due to an existing contract. The Club is encouraged to pursue this option with Council when the existing contract finishes.
- potential exists for income to be increased and for expenditure to be reduced.

Other Group Comments N/A

Conclusion

When viewed in this broader context it is hard to support the request to review the lease agreement. There are opportunities and other avenues for the Club to attract income and meet its commitments and the Council must be very careful of the issue of who it is supporting; the licensed club or the Soccer Club. It would be preferable for Council to be encouraging such groups to be more entrepreneurial as opposed to always propping them up. Such a stance encourages ingenuity and enterprise and ultimately benefits the wider community and strays away from the *handout* mentality.

Recommendation (WOR2)

That Council decline, with regret, the request to review the lease agreement with the Goonellabah and District Soccer Club.

Subject/File No: GST WORKSHOP - LOCAL CHARITIES & NON PROFIT
COMMUNITY ORGANISATIONS
(S210)

Prepared By: Manager - Finance & Administration - Rino Santin

Reason: Council Resolution 415/99 - 2

Objective: Determine if Council should proceed to co-ordinate a GST Workshop for charities and non profit community organisations.

Management Plan Activity: Financial Services

Background:

Council at its meeting of December 14, 1999 resolved that,

415/99 2. *That a report be brought back to Council on the cost and benefit of Council co-ordinating the provision of an evening workshop for local charities and non-profit community organisations to provide information on their GST options and requirements and to answer questions in relation to GST. That staff consult with our auditor, the tax office and other appropriate people prior to a report being prepared.*

The intention of this report is to satisfy Council's resolution.

Situation:

Australian Taxation Office (ATO)

The ATO have advised that a three hour seminar designed specifically for charities has already been presented in Lismore on December 9, 1999. At this stage, it is planned to hold further seminars in March/April, but the location, date and times will not be known until mid February.

The ATO has been requested to hold another seminar in Lismore. No response has been received at this time.

Thomas Noble & Russell (TNR)

Council's auditor, TNR, was contacted regarding the provision of a workshop. They advised that they would be willing to facilitate a workshop to meet these requirements. This would complement what they are currently providing to their own clients, some of which are charities or non profit community organisations.

The cost for TNR to provide this service is \$800.

Other Appropriate People

The ATO has targeted "Organisation Delivered Assistance" as one of their four programs to be delivered to Small & Medium Enterprises, Charities and Education Enterprises (SMECEs) on the GST. The purpose of this program is to encourage peak bodies and industry associations to provide SMECEs a

broad range of education and information services within their sector, regarding how to manage within a GST environment.

It is logical to assume that many charitable and non profit community organisation within our area would have received some advice from their peak bodies regarding this assistance.

Public Consultations

Not Required

Other Group Comments

Manager - Community Services Comment

There is considerable need for a seminar of this nature as many community based non-profit organisations are ill informed and ill prepared for the introduction of the GST. The previous seminar conducted by the ATO in December was directed at registered charities only which represents a very small percentage of the overall number of community based, non profit making organisations. If Council were to rely on the ATO then it would be *critical* to ensure that the proposed seminars' focus extends beyond charities to include other non-profit organisations. If, however, the ATO propose to run future seminars for charitable organisations only then there is a need for Council to supplement this information by organising its own forum.

Should Council resolve to support the seminars organised by the ATO then it is possible for Council to act as a link between these organisations and the ATO by undertaking a mailout to these organisations using our Community Services Directory database.

Conclusion

If we wish to proceed with providing an independently organised seminar, it will cost approximately \$1,200 for the facilitator, advertising and administration. Given the fact that the ATO propose to hold another series of seminars for charities and more than likely businesses, it would appear that this would be a duplication of this service.

An important fact is that regardless of the number of seminars held or attended, it is impossible to cover every scenario applicable to an organisation, let alone many organisations at the same time. It will be essential that all who attend, like ourselves, seek expert assistance beyond the seminars, to fully unravel the implications of the GST on their organisation.

If any group is wanting more information, the ATO have a number of options available to them which have been extensively advertised. These include,

- web site www.taxreform.ato.gov.au,
- Tax Reform Infoline on **13 24 78**,
- 'A Fax From Tax' on **13 25 60**,
- **PO Box 9935** in your capital city
- Email : gstmail@ato.gov.au

Or, they should consider contacting their peak organisation for advice. I would suggest that there is plenty of information available on the GST, it just needs someone to actively pursue and implement.

Recommendation (COR05)

On the basis that another series of GST seminars is planned to be delivered by the ATO in March/April 2000 and the extent of available information, Council not co-ordinate an evening workshop on the GST for local charities and non profit community organisations.

Subject/File No: **TENDERS FOR PAVEMENT STABILISATION WORKS
T20003**

Prepared By: CONTRACTS ENGINEER, WES JOHNSTONE

Reason: To inform Council of tenders received for the Pavement Stabilisation Works during the Year 2000.

Objective: Council approval of selected Contractors

Management Plan Activity: Client Services / Roads

Background:

Tenders were recently invited for Pavement Stabilisation works during the year 2000.

Tenders were received from the following organisations:

1. Queensland Department of Main Roads
2. Stabilised Pavements of Australia P/L
3. Pavement Salvage Operations P/L

Due to this work being carried out at many separate locations at various times throughout the year, tenders were invited on a Schedule of Rates basis. The rates received are shown in Appendix A.

To enable a comparison, two typical projects for this Council were selected and costs calculated based on the tendered rates (refer Appendix B).

The comparison of costs for the two typical projects is as follows:

A. 15,000m² Program (5 Working Days):

CONTRACTOR	OPTION	COST
Stabilised Pavements of Australia	A	\$37,500
	B	\$37,770
Pavement Salvage Operations P/L		\$41,700
Queensland Department of Main Roads		\$64,624

B. 4,000m² Program (1 Working Day):

CONTRACTOR	OPTION	COST
Stabilised Pavements of Australia	A	\$10,440
	B	\$10,600
Pavement Salvage Operations P/L		\$12,220
Queensland Department of Main Roads		\$22,384

The rates tendered by Stabilised Pavements of Australia result in the lowest cost for both projects.

In addition, when the other evaluation criteria specified in the tender documents are also applied (ie. Capability, Relevant Experience and Methodology, Management and Financial).

The ranking is:

1. Stabilised Pavements of Australia P/L
2. Pavement Salvage Operations P/L
3. Queensland Department of Main Roads

Manager - Finance & Administration Comments

Funds to undertake pavement stabilisation are included in the 1999/2000 budget and are proposed for the 2000/2001 budget for roadworks.

As to the scope of works likely to be undertaken, this will depend on available funds, but as an indicator, we have spent \$880,000 with Stabilised Pavements of Australia P/L over the last two years.

Group Manager - City Works Comments

Cement and bitumen stabilising are proving to be a very effective means of holding our road pavements together in these very wet seasons.

Stabilised Pavements of Australia P/L has proven to be a very reliable contractor who coordinates well with Council's works organisation. Good cooperation is vital if we are to keep producing sound road pavements at the current, very competitive, cost.

Public Consultations

Not required.

Other Group Comments

Not required.

Conclusion

Because of the nature of this work, the selection of a Contractor can depend significantly on availability at the time required. As a result, the Specification enables Council to use any of the Contractors who submitted a tender, depending on cost and availability.

The highest ranked tenderer, Stabilised Pavements of Australia, has successfully carried out work for Lismore City Council under a number of similar contracts.

Contractors will be firstly selected on the basis of the lowest cost and, secondly, on the basis of availability.

Due to the large disparity between the tender from Queensland Department of Main Roads and the other two tenderers, it is unlikely that this organisation will be engaged by Council during the Contract period.

Recommendation (GM15)

That Council adopt the following order of priority for the engagement of pavement stabilisation contractors for major and minor works:

1. Stabilised Pavements of Australia P/L
2. Pavement Salvage Operations P/L
3. Queensland Department of Main Roads

APPENDIX A**PRICING SCHEDULES****Contract: T20003 - Provision for Pavement Stabilisation Works****SCHEDULE OF PRICES**

Item	Description	Unit	QLD Dept of Main Roads	Stabilised Pavements of Australia P/L*		Pavement Salvage Operations P/L
				Option A	Option B	
1.	Site Establishment	Per visit	\$7,024.00	\$600.00	\$720.00	\$1500.00
2	Rate to spread bulk additive at the required rate and;					
	i. Depths up to 200mm	Square metres	\$1.49	\$0.66	\$0.67	\$0.87
	ii. Depths from 250mm to 350mm	Square metres	\$1.87	\$0.69	\$0.69	\$0.93
3	Additive supply					
	i. 4% cement by weight 150mm depth (12kg/m ²)	Square metres	\$2.35	\$1.80	\$1.80	\$1.81
	ii. 4% cement by weight for 175mm depth (14kg/m ²)	Square metres	\$2.75	\$2.10	\$2.10	\$2.11
	iii. 4% cement by weight for 200mm depth (16kg/m ²)	Square metres	\$3.14	\$2.40	\$2.40	\$2.41
	iv. 4% cement by weight for 250mm depth (20kg/m ²)	Square metres	\$3.92	\$3.00	\$3.00	\$3.02
	v. 4% cement by weight for 300mm depth (24kg/m ²)	Square metres	\$4.71	\$3.60	\$3.60	\$3.62
	vi. 3% cement by weight for 150mm depth (9kg/m ²)	Square metres	\$1.76	\$1.35	\$1.35	\$1.36
	vii. 3% cement by weight for 175mm depth (10.5kg/m ²)	Square metres	\$2.05	\$1.57	\$1.57	\$1.58
	viii. 3% cement by weight for 200mm depth (12kg/m ²)	Square metres	\$2.35	\$1.80	\$1.80	\$1.81
	ix. 3% cement by weight for 250mm depth (15kg/m ²)	Square metres	\$2.95	\$2.25	\$2.25	\$2.26
	x. 3% cement by weight for 300mm depth (18kg/m ²)	Square metres	\$3.54	\$2.70	\$2.70	\$2.71
	xi. 3% cement by weight for 350mm depth (21kg/m ²)	Square metres	\$4.12	\$3.15	\$3.15	\$3.17

* Options A & B for Stabilised Pavements of Australia are for different types of stabilising machines.

APPENDIX B**A: Major Program (5 Working Days)**

Contractor		Site Establishment	Spread and Mix Additive 1500m² x 200mm deep	Supply Additive 3% x 200mm deep	TOTAL COST
Stabilised Pavements of Australia P/L	A	\$600	\$9900	\$27000	\$37500
	B	\$720	\$10050	\$27000	\$37770
Pavement Salvage Operations P/L		\$1500	\$13050	\$27150	\$41700
QLD Department of Main Roads		\$7024	\$22350	\$35250	\$64624

B: Minor Program (1 Working Day)

Contractor		Site Establishment	Spread and Mix Additive 4000m² x 200mm deep	Supply Additive 3% x 200mm deep	TOTAL COST
Stabilised Pavements of Australia P/L	A	\$600	\$2640	\$7200	\$10440
	B	\$720	\$2680	\$7200	\$10600
Pavement Salvage Operations P/L		\$1500	\$3480	\$7240	\$12220
QLD Department of Main Roads		\$7024	\$5960	\$9400	\$22384

Subject/File No: COUNCIL REPRESENTATION ON NOROC STANDING COMMITTEES
(KGG/LM: S381)

Prepared By: General Manager

Reason: Lack of Council representation on NOROC Standing Committees

Objective: To seek Council representation on all NOROC Standing Committees

Management Plan Activity: -

Background:

The Northern Rivers Regional Organisation of Councils (NOROC) has four Standing Committees, namely:

- Planning & Environment (incorporating Coastal Management)
- Regional Economic Development (incorporating Regional Roads and Transport)
- Local Government Operational Issues (incorporating Supply Management Group), and
- Forestry Taskforce

A list of the membership of these Committees is attached. The Council is entitled to nominate **two** representatives to each committee, whilst General Managers are now also able to nominate staff members following a change to NOROC's constitution.

Planning & Environment (incorporating Coastal Management)

This is a significant issue for this Council and it may therefore be appropriate for the Council to nominate two representatives.

Regional Economic Development (incorporating Regional Roads and Transport)

Given Council's commitment to regional economic development in its role as a regional centre, and given Council's push on the need for better government funding for regional roads and transport infrastructure, it is imperative that the Council maximise its representation on this Committee and nominate two representatives. The General Manager and Peter O'Connor are members of this Committee.

Local Government Operational Issues (incorporating Supply Management Group)

Although NOROC has not formally appointed a representative of Lismore City Council to this Committee, the General Manager/Col Cooper have been attending on a regular basis. This Committee deals exclusively with operational issues, and therefore has strong representation from General Managers from constituent councils. It may not be necessary for a councillor to be nominated to this Committee which meets in Grafton.

Forestry Taskforce

Council is currently represented on this Committee by Councillors Crowther and King.

Manager - Finance & Administration Comments

N/A

Public Consultations

N/A

Other Group Comments

Not requested.

Recommendation (GM01)

- 1 That the Council nominate representatives to NOROC Standing Committees as proposed in the report.
- 2 That the following nominees be forwarded to NOROC for consideration.
 - a) Planning & Environment (incorporating Coastal Management) - Cr. _____ and Cr. _____
 - b) Regional Economic Development (incorporating Regional Roads and Transport) - Cr. _____ and Cr. _____
 - c) Local Government Operational Issues (incorporating Supply Management Group) - The General Manager
 - d) Forestry Taskforce - Cr. _____ and Cr. _____

Subject/File No: COUNCIL MEETING SCHEDULE
(GW/LM: S43)

Prepared By: Administrative Services Manager - Graeme Wilson

Reason: Clash of a meeting date and public holiday.

Objective: To determine a new meeting date.

Management Plan Activity: Councillors

Background:

Council's meeting schedule has been set for 2000, to operate on a three weekly cycle from February 1. Following this schedule, Council would meet on April 25, 2000, i.e. Anzac Day. It is considered inappropriate for Council to meet on a day which is reserved to remember those who have served their country in time of war.

The options are many and include holding the meeting a week earlier or a week later, with or without adjusting the meeting schedule already set.

The option recommended is to hold the meeting on Wednesday, April 26, maintaining the set schedule for the remainder of 2000.

Manager - Finance & Administration Comments

Not required.

Public Consultations

Council meeting dates are advertised.

Other Group Comments

Not requested.

Recommendation (COR01)

That the Council meeting scheduled for Tuesday, April 25, 2000 be rescheduled for Wednesday, April 26.

Subject/File No: APPLICATION TO HAVE LOT 520 DP 843447 (74A CECIL STREET, NIMBIN), LOT 11 DP 859167 (HAROLD FREDERICKS CARPARK) AND THE UNFORMED SOUTHERN SECTION OF ROSS STREET CLASSIFIED AS 'OPERATIONAL' LAND WHEN ACQUIRED BY LISMORE CITY COUNCIL (P24895:P25791:R7132)

Prepared By: Andrew Lovett - Manager Business Development

Reason: Under Section 34 of the Local Government Act 1993, Part 2 of Chapter 6 Council Resolution is required to classify as 'operational' land:

- a) the land which forms part of Nimbin Water Supply scheme;
- b) the Harold Fredericks Carpark site;
- c) the unformed southern section of Ross Street prior to Council acquiring the land.

Objective: To seek Council's endorsement of the recommendation.

Management Plan Activity: N/A

Background:

The Local Government Act 1993 specifies a process for the acquisition of land, as operational land, by a Council. Prior to the acquisition the Council must:

1. Resolve to acquire the land;
2. Call for submissions through a Public Notice stating the terms of the proposed resolution making the land operational;
3. Resolve that the land be classified operational, whilst considering any submissions;
4. Exchange contracts or take other steps to process the sale.

Failure to carry out the sequence of these steps results in a situation that, at law, the land defaults to community status.

Pursuant to Section 34 of the Local Government Act 1993, Council has resolved that public notice has been given of the proposed resolution to classify as 'operational' land the properties listed below:

Property Description	Council Meeting	Public Notice Given
Nimbin Water Supply Site Lot 520 DP 843447 74a Cecil Street Nimbin	November 23, 1999	December 16, 1999
Harold Fredericks Carpark Lot 11 DP 859167 126 Magellan Street Lismore	December 14, 1999	December 24, 1999
Unformed portion Ross Street	July 20, 1999	December 21, 1999

July 20, 1999		
December 21, 1999 Lot and DP not registered yet Ross Street Lismore		

LISMORE CITY COUNCIL - Meeting held February 1, 2000

Application to have 74A Cecil Street, Nimbin, Harold Fredericks Carpark and the unformed section of Ross Street classified as 'Operational' land.

Various Public Notices were advertised inviting submissions in relation to the proposed classifications. Submissions were to be lodged within 28 days of the public notices. No submissions were received in respect to any of the three public notices.

Manager - Finance & Administration Comments

Not required.

Public Consultations

Public Notices were advertised as per the schedule above. No submissions were received.

Other Group Comments

Not required.

Conclusion

The recommendations below complete the necessary process in classifying these public lands as operational.

Recommendations (ENT02)

That Council resolve to:

- (1) Classify as operational land, land to be acquired from the New South Wales Department of Public Works and Services and known as the "Nimbin Water Supply" site being the land comprised in Folio Identifiers 520/843447.
- (2) Acquire Lot 11 of DP 859167 as operational land. The land is to be acquired from the Department of School Education and is known as the "Harold Fredericks Carpark" site.
- (3) Acquire as operational land the unformed southern section of Ross Street (30.175 metres wide) separating Lot 13 DP 241095 and Lot 389 DP 755718 and being the road adjoining a property owned by Southern Cross University.

Subject/File No: VOLUNTARY FLOOD PRONE PROPERTY ACQUISITION SCHEME: 5 SHANNON STREET AND 54 VICTORIA STREET (AL:CD:P8915:P9979)

Prepared By: Andrew Lovett - MANAGER - BUSINESS DEVELOPMENT

Reason: Council authorisation required for property purchases

Objective: To obtain Council authorisation to proceed to negotiate the purchase of 5 Shannon Street, East Lismore and 54 Victoria Street, Lismore.

Management Plan Activity: Property Services

Background:

The Voluntary Flood Prone Property Acquisition Scheme (scheme) facilitates the removal of houses from the floodplain and therefore reduces risk to life due to flooding. Over the years in excess of 70 properties in the Lismore urban area have been acquired under this scheme. The scheme provides for joint contribution by Federal, State and Local Government towards the cost of acquisition of the properties, with the land remaining in the ownership of Council and it taking responsibility for the removal of the house.

There are two ways in which external funding is available. At this time it appears that we will be able to obtain State Government assistance on the basis of 2:1. That is, the State Government contributing two-thirds of the acquisition cost and Council contributing one-third of the acquisition cost. In some previous years there has also been Federal Government contribution to the scheme, making the final ratio 2:2:1. Richmond River County Council, the local flood mitigation authority, is the conduit through which the State and Federal funds are made available.

At present there is no funding available under the scheme however Council has been advised that it is likely that some State Government assistance will become available in the near future, either through the Voluntary Flood Prone Property Acquisition Scheme or through the Lismore Flood Levee Scheme.

In conjunction with Richmond River County Council, Council has identified the following properties as the priority for acquisition should funding become available. It is proposed to enter into conditional contracts so that acquisitions can be expedited should funding become available. As a condition of funding all properties are valued by the State Valuation Office.

5 Shannon Street

The cadastral description of this allotment is Lot 5 of DP 12970. The owners are Mr and Mrs Slade.

The owners have indicated their acceptance for a purchase amount of \$110,000, which incorporates an allowance for legal costs, therefore each party would meet their own legal expenses.

The proposed contract of sale would be subject to the availability of Federal and/or State subsidy support to a level of at least 2:1 ratio. It would allow for 90 days' notice being provided to allow Mr and Mrs Slade to vacate the site after notice of the availability of State and/or Federal monies. It is proposed that the contract be over a specific period of time to be negotiated with the owners.

54 Victoria Street

The cadastral description of this property is Lot 13 of DP 9732. The owner is Mrs Marie Elliott.

The purchase price would be \$75,000 of which there has been no allowance made for legal expenses, so it is proposed that Council would meet Mrs Elliott's legal expenses. As with No. 5 Shannon Street, it is proposed that the contract of sale would be subject to appropriate Federal and/or State subsidy support. It would allow for the 90 days' notice being provided, to allow Mrs Elliott to vacate and also that it be over a specific period to be negotiated with Mrs Elliott.

Manager - Finance & Administration Comments

Council resolved at the November 2, 1999 meeting that it would use its allocation for the Voluntary Flood Prone Property Acquisition Scheme (\$60,000) to match available Federal/State funding for the Lismore Flood Levee project. As such, there is no funding available for property acquisitions under the Voluntary Flood Prone Property Acquisition Scheme.

On the basis that these properties can be purchased under the Lismore Flood Levee project, then sufficient funding is available to meet our contribution towards these acquisitions (estimated at \$42,000).

If Federal/State funding is not forthcoming for the Lismore Flood Levee, it is proposed that we should reinstate our funding to the Voluntary Flood Prone Property Acquisition Scheme, assuming Federal/State funding is approved, to acquire these properties.

Manager - City Works Comments

These houses are located on the eastern side of the river downstream of the Ballina Street Bridge. Flood modelling indicates that they are prone to high velocity flooding and are isolated very early in major flood. Rescue at a later time will therefore be very difficult and dangerous.

By far the best option is to remove the houses and turn the riverbank into a substantial park area similar to many of the better cities, which have parks adjacent to the river.

I agree with the purchase of both these houses as soon as possible.

Public Consultations

Not applicable.

Conclusion

The properties at 5 Shannon Street and 54 Victoria Street have been identified by the Group Manager City Works and the General Manager of Richmond River County Council as the next two highest priorities for the Voluntary Flood Prone Property Acquisition Scheme. Both are located in the Victoria Street precinct within close vicinity of the Ballina Street Bridge over the Wilson River.

When financial assistance for the Lismore Flood Levee Scheme is obtained, the removal of these two houses and a number of others from this precinct will be required.

Recommendations (ENT01)

That:

1. Council authorise the General Manager or his delegate to negotiate the purchase of the following properties under flood mitigation schemes providing external funding support of at least two-thirds of the cost:
 - (a) Lot 5 of DP 12970 for the property price up to \$110,000; and
 - (b) Lot 13 of DP 9732 for the property price up to \$75,000.
2. The General Manager and the Mayor be authorised to sign and seal the contracts of sale and property transfers.

Subject/File No: INVESTMENTS HELD BY COUNCIL AS AT NOVEMBER 30, 1999
(GB/LM: S170)

Prepared By: Financial Accountant, Graeme Blanch

Reason: To comply with Section 625 of the Local Government Act.

Objective: To invest Council's surplus funds to best advantage to comply with Council's investment policies.

Management Plan Activity: General Purposes Revenues

Information:

The attached list of investments held by Council with various financial institutions has been made in accordance with Section 625 of the Act and in accordance with Council's investment policies.

Council's total investment for November amounted to \$24,644,878.12 with an average return of 4.85%. Interest rates at the same time last year were 4.86%. The current running yield of term deposits is out-performing the fund managers although in the long term fund managers out-perform term deposits and commercial bill yields.

Financial Section

Included in the body of the report.

Public Consultations

Not required.

Other Group Comments

Not requested.

Recommendation (COR03)

That the report be received and noted.

Subject/File No: INVESTMENTS HELD BY COUNCIL AS AT DECEMBER 31, 1999
(GB/LM: S170)

Prepared By: Financial Accountant, Graeme Blanch

Reason: To comply with Section 625 of the Local Government Act.

Objective: To invest Council's surplus funds to best advantage to comply with Council's investment policies.

Management Plan Activity: General Purposes Revenues

Information:

The attached list of investments held by Council with various financial institutions has been made in accordance with Section 625 of the Act and in accordance with Council's investment policies.

Council's total investment for December amounted to \$21,544,878.12 with an average return of 5.40%. Interest rates at the same time last year were 4.74%. It is likely the Reserve Bank will continue to raise interest rates through 2000. In comparison to previous episodes of rising interest rates, the increases are likely to be modest if the inflation outlook remains relatively benign.

Financial Section

Included in the body of the report.

Public Consultations

Not required.

Other Group Comments

Not requested.

Recommendation (COR04)

That the report be received and noted.

Present: Mr Garry Hemsworth (*Chairperson*), Councillors Ken Gallen, John Chant and Mervyn King, M/s Bronwyn Mitchell on behalf of Mr Thomas George, MP, Mr Frank Smallman (*Roads and Traffic Authority*), Snr Const Brian Buckley (*Lismore Police*), together with Mrs Wendy Johnson (*Road Safety Officer*) and Mr Bill MacDonald (*Traffic and Law Enforcement Co-Ordinator*).

Apologies: Apologies for non-attendance on behalf of Messrs Bill Moorhouse (*another engagement*), Thomas George, MP, Chris Mallam and Michael Baldwin (*RTA*) were received and accepted and leave of absence granted.

Minutes of Traffic Advisory Committee Meeting - November 17, 1999

Members were advised that the Minutes of the meeting held on November 17, 1999 were adopted by Council at its meeting of December 14, 1999, excluding Item No. 184.

With respect to TAC184/99 (Blue Knob Road) Council resolved that the minute be received and that Council write to the Minister for Roads advising that due to the poor conditions of many of our local and regional roads we will be implementing a lower speed limit early next year on those roads that we consider warrant such action. (R2001)

The Committee noted Council's resolution in relation to this matter.

Disclosure of Interest: Nil

Correspondence:

1. **St John's College, Woodlawn;** drawing attention to the inadequate signage in relation to the viaduct nearest the College on Woodlawn Road and requesting increased warning measures for motorists.

The Committee was advised that there was a need to upgrade signposting on both viaducts on Woodlawn Road. This would include replacement of the existing 'curve' warning signs on the approaches to the viaducts, an additional 35 kph speed plate beneath, and appropriate width markers and height signs on the viaduct near the racecourse.

TAC204/99 **RECOMMENDED** that the above works be carried out. (99-16321:R4251,S346)

2. **P O'Meagher;** objecting to the proposal to remove the Bus Zone from the southern end of Cullen Street, Nimbin.

Peter Pan Secondhand; also objecting to the removal of the Bus Zone.

Mr MacDonald advised that the above letters had been received as a result of Council's previous resolution to either make the Bus Stop part-time or alternatively relocate the Zone to be incorporated onto the Zone at the northern end of Cullen Street. Following further discussions with the writers and business houses that would be affected by the

loss of parking should the Zone be relocated, it would appear the best option may be to leave the Zone in its present location.

Another advantage that was not considered was the large undercover area in front of the old Service Station that was used particularly by tourist bus passengers in inclement weather.

TAC205/99 **RECOMMENDED** that the Bus Zone in front of the old Service Station at Cullen Street remain in its current location. (99-18482,99-18665:S135,S599)

3. **RoadNet Pty Limited (Planners & Engineers)**; submitting comments following an investigation of the Bruxner Highway/Cowlong Road intersection.

Members noted the contents of the letter and agreed that with ever increasing traffic volumes at this intersection, the most suitable facility was a roundabout. The recent upgraded line-marking had done little to improve access onto the Highway for motorists exiting from either Cowlong Road or Alphadale Road. It was suggested that if the Roads & Traffic Authority was unable to fund a roundabout in the near future, Council may be able to install a low cost roundabout in the shorter term, possibly using Section 94 funds.

TAC206/99 **RECOMMENDED** that a revised plan and estimate for a roundabout be prepared and submitted to the Roads & Traffic Authority for approval and funding.

TAC207/99 **FURTHER RECOMMENDED** that if approval and funding were not forthcoming, Council advise the Authority that it would investigate ways of funding a low cost facility and proceed with its installation.

(99-19308:R4807,R4501)

4. **Creighton's Bus Service**; drawing attention to the traffic hazard which exists at the intersection of James Gibson Road and Corndale Road and seeking the installation of either 'Give Way' or 'Stop' signs.

As sight distance was extremely limited to the north when exiting out of James Gibson Road onto Corndale Road, it was felt that a 'Stop' sign would be more appropriate.

TAC208/99 **RECOMMENDED** that the above sign and markings be installed on James Gibson Road at its intersection with Corndale Road. (99-19312:R3902)

5. **Mrs S McGeever**; reiterating previous concern for the need for increased safety measures at Elizabeth Street, East Lismore, for Wyrallah Road Public School students.

It was noted that the School did not have frontage to Elizabeth Street. However, it was felt that extenuating circumstances existed due to the fact that by far the majority of children vacated the School site via Nielson and Elizabeth Streets, either on foot, bicycle or collected by parents.

The Wyrallah Road frontage was used in the main for bus collection. It was pointed out that Wyrallah Road Public School was one of the largest in the region with in excess of 500 students. In order to maintain the status quo in relation to separate access points and to enhance the safety of the hundreds of students exiting the School via Neilson Street/Elizabeth Street, it was felt that a 'School Zone' on Elizabeth Street was justified. Three sets of signs and patches would be required; one on Neilson Street, north of Elizabeth Street; and two on Elizabeth Street, each side of Neilson Street.

TAC209/99 **RECOMMENDED** that a 40 kph School Zone be introduced in accordance with the above and the Roads & Traffic Authority be requested to fund the proposal.

(99-19332:R7434,S342)

6. **Bus Operators of Kyogle / Cawongla / Leycester / Koonorigan to Lismore Services;** expressing concern for the recent fitting of a large pipe around the perimeter of the roundabout located at the intersection of Wilson and Casino Streets, South Lismore, which makes any right-turn movements by large 57-seater buses extremely difficult.

An inspection of the roundabout had revealed that there were several low points outside the recently installed steel ring due to the uneven nature of the road. It was proposed that the area of road around the outside of the centre ring be hotmixed to ease the severity of the lip created by the ring. This should make it easier for buses to negotiate.

TAC210/99 **RECOMMENDED** that the above works be carried out.

(99-19496:R6907,R6942)

7. **NOROC;** advising of its concern for the likelihood of potential increases in vehicle accidents along the Pacific Highway during the period of the Olympic Games and requesting that this matter be considered by the local Traffic Committee.

It was noted that the letter referred to the Pacific Highway. However, Snr Const Buckley indicated that Police would monitor the effects of any additional traffic in the Lismore area and take action as appropriate.

TAC211/99 **RECOMMENDED** that the above be noted.

(99-19728:S733)

8. **Dunoon Bus Service;** seeking approval to include Munro Road, Dunoon, in its current service.

The Committee was advised that Munro Road was a gravel road in reasonably good condition at present. The Bus Operator had taken the bus down the road in a trial run without problems. He advised that the property owner at the end of the road had agreed to provide a gravel pad in which the bus might turn around.

TAC212/99 **RECOMMENDED** that approval be given for the Dunoon Bus Service to extend its service along the length of Munro Road on the condition that a suitable area be provided at the end of the road in which the bus may turn around.

(99-19906:S352,R3403)

9. **NSW Roads & Traffic Authority;** advising that the proposal to install a roundabout on the Bruxner Highway to link with the final section of Oliver Avenue, Goonellabah, has been deferred indefinitely.

This was extremely disappointing news considering the amount of time that had been taken to resume land on the northern side of the Highway and prepare plans and estimates. Mr Smallman pointed out that whilst funding for the facility had been deferred, the matter would be further considered as development in the immediate area evolved, particularly the Oliver Avenue link. The Committee was concerned that the funding already identified for this project should not be lost altogether and suggested that it be re-diverted to the proposed roundabout at the intersection of Ballina Road and Invercauld Road in order that this project proceed at the earliest opportunity.

TAC213/99 **RECOMMENDED** that Council write to the Roads & Traffic Authority with the above request.

(99-20152:S342,R4807,R6493)

- 10.** **M/s M Brook;** drawing attention to the hazardous corner on Hunters Hill Road, Corndale, and seeking the installation of appropriate warning signs.
As several cars had lost control on the corner it was felt that hazard markers placed around the 'curve' would be appropriate.
- TAC214/99** Recommended that two hazard markers be placed around the 'curve' from both directions. (99-20441:R3806)
- 11.** **J Brown (On Behalf of Goonellabah Residents);** forwarding petition requesting the relocation of the present 60 kph sign on Ballina Road adjacent to the Hilltop Hotel to a point further east, in the vicinity of Holland Street.
Learning Tree Child Care Centre; lending support for the petition to increase the 60 kph speed zone on Ballina Road, Goonellabah.
The Committee noted that investigations were already underway into the provision of additional right-turn bays into Hillview Drive and the Media Complex. This would eliminate the existing overtaking lane, thereby reducing the potential to speed. As houses were generally set well back from the road with limited access onto the Highway, it was felt that compliance with a lower limit would be extremely low.
- TAC215/99** **RECOMMENDED** that the speed limit along Ballina Road remain as is for the reasons set out above. (99-20632:S352)
- 12.** **2000 RTA Big Ride;** outlining the proposed route for the event to be held between March 25-April 9, 2000.
Additional information provided by Organisers after the meeting was that the route had now changed again and they were unsure of the route through Lismore at this stage.
- TAC216/99** **RECOMMENDED** that the above be noted. (S596)
- 13.** **J & A Sodhi's Bus Service;** seeking to operate a bus service to Woodlawn College. The Committee had concerns about the amount of damage being caused to Woodlawn Road as a result of increased traffic due to the recent changes in status of St John's College to a day school. Additional bus traffic undoubtedly contributed to this damage. It would appear that some Operators were already travelling to the College without approval from the Department of Transport. As Woodlawn Road was generally narrow and winding, and bearing in mind that approximately \$350,000 was being expended on a new interchange at Trinity Catholic College, it was felt that it was more practical and safer to make the best use of the interchange and limit the number of buses who needed to travel along Woodlawn Road to St John's College.
- TAC217/99** **RECOMMENDED** that consent not be given for Sodhi's Bus Service to extend its run to St John's College for the reasons set out above.
- TAC218/99** **FURTHER RECOMMENDED** that Council write to the Department of Transport advising the names of all buses currently travelling to the College and request the Department to take action on those who do not have approval.

Reports

14. **Road Safety Officer's Report:** Progress Report for period Oct/Nov 1999.
Wendy gave a brief outline of the content of the report. Members noted the success of many of the campaigns carried out and thanked Wendy for her ongoing commitment to Road Safety.
- TAC219/99 **RECOMMENDED** that the report be received and noted. (S596)

General Business

15. **Restriction of Driveway Access - No. 79 Ballina Street, Lismore**
M/s Sue Cusack had advised Council of the difficulties being experienced due to motorists parking across her driveway access following the recent opening of the new shopping centre on the corner of Ballina and Dawson Streets.
An inspection of the site revealed that there was already 'No Parking' painted on the road in front of the three driveways immediately west of Dawson Street. Since the opening of the new shopping centre this was being continually ignored with motorists parking across the driveways and walking across Ballina Street to access the shops. Snr Const. Buckley advised that problems were also being experienced with motorists parking either side of Little Dawson Street since the opening of the shops.
- TAC220/99 **RECOMMENDED** that 'No Parking' signs be installed either side of the three driveways in question on the southern side of Ballina Street.
- TAC221/99 **FURTHER RECOMMENDED** that 'No Parking' signs be installed in Little Dawson Street with the exact location to be determined after a further inspection with Snr Const. Buckley. (R6002)

16. **Road Condition Signs**
This item had been superseded by Council's resolution at last night's meeting. (S346)

17. **Intersection of Rous Road / Skyline Road, Goonellabah**
Mrs Harper had highlighted the need for suitable intersection treatment at this location to ensure motorists remain on the correct side of the street when entering Skyline Road from Rous Road.
Members were familiar with the intersection and noted that its formation did tend to allow motorists to cut the corner.
- TAC222/99 **RECOMMENDED** that several concrete wheel stops and a 'Keep Left' sign be installed along the centre line in Rous Road at its intersection with Skyline Road. (R5102,R6610)

18. **Intersection of Cathcart/James/Esmonde Streets**
Mrs Johnson advised that she had received a call from a resident in Cathcart Street complaining that motorists were not obeying the 'Stop' signs in James and Esmonde Streets. Warning signs in advance of the intersection were already in place, however, it was suggested that painting STOP on the road at the holding line may assist. Snr Const.

Buckley also took the complaint on board and would arrange additional patrols in the area.

TAC223/99 **RECOMMENDED** that the above action be taken.

19. **Roundabouts in High Street**

Councillor King queried whether the speed bump in High Street near Renwick Street was needed now that the roundabouts had been constructed. An inspection of the site and discussions with the Design Manager after the meeting revealed that the speed bump was still required to slow motorists on the approach to the roundabout. Due to the narrow width of the road it had not been possible to install a centre median on this approach or to achieve any great deflection. Removal of the speed bump would increase speeds through the facility.

TAC224/99 **RECOMMENDED** that the speed bump remain for the reasons set out above.

20. **Caravan parking in CBD**

Mr MacDonald advised that he had received a memo from Annie Hart (Tourist Information Centre) regarding the setting aside of a specific area for caravan parking somewhere in Dawson Street. It was suggested that the area south of the Tourist Caravan Park entry/exit on the eastern side of Dawson Street may be suitable.

It was the Committee's view that sufficient parking already existed right along the eastern side of Dawson Street from Orion Street down to Browns Creek. It was pointed out that specific parking for 'caravans only' would prohibit other motorists and large vehicle operators from using the area and the relatively small number of vans that would use that particular area could not justify such a restriction, bearing in mind that motorists could be entering from either direction or just along Ballina Street for which such an area would be of little value.

It was suggested that a more practical solution may be for the Information Centre to provide a map to tourists which identified a number of areas that could currently be used for parking, such as along the eastern side of Dawson Street or along Ballina Street in front of the City Hall.

TAC225/99 **RECOMMENDED** that Ms Hart be advised in accordance with the above.

This concluded the business and the meeting terminated at 11.05 am.

CHAIRPERSON

TRAFFIC & LAW
ENFORCEMENT CO-ORDINATOR

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE CITY OF
LISMORE HELD IN THE COUNCIL CHAMBER, GOONELLABAH ON TUESDAY,
DECEMBER 14, 1999 AT 6.03PM.

Present: His Worship the Mayor, Councillor Gates; Councillors Baxter, Chant, Crowther, Gallen, Hampton, Irwin, King, Roberts, Suffolk, Swientek and Tomlinson, together with the General Manager; Group Managers-Corporate & Community Services, City Works, Business & Enterprise; Acting Group Manager-Planning & Development (Helen Manning), Contracts Engineer, Manager-Business & Development, Manager-Economic Development, Manager-Community Services, Crime Prevention Officer, Youth Development Officer, Manager-Finance & Administration, Area Librarian, Art Gallery Director, Manager-Client Services and Administrative Services Manager.

Apologies/
Leave of
Absence: Nil

391/99 Minutes: The Minutes of the Ordinary Meeting held on November 23, 1999, were confirmed.
(Councillors Baxter/Tomlinson)

PUBLIC ACCESS SESSION:

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

Mr D O'Rorke - Mayoral Minute (Confidential)

(See Minute No. 425/426/99)

Mr O'Rorke sought Council's agreement, to extend the "commencement penalty" of \$200,000 until February 2000. He claimed failure of this support would prevent the development of the proposed shopping centre in Goonellabah.

(P17483)

Mr David Yarnall - Notice of Motion - Roads Maintenance

Mr Yarnall objected to any proposal to spend extra Council money on Regional/RTA roads, claiming this would lead to the RTA reducing funds. He argued that any extra funds should be spent on Council's roads.

(99-20213:S745)

Chris Phillips - Report - Applying for Operational Area under the Children
(Protection And Parental Responsibility) Act 1997 - Crime Prevention

(See Minute No. 396/99)

Mr Phillips advised he was a member of the Council's Multicultural Youth Council. He detailed his knowledge and experience of the Goonellabah region. He claimed that the introduction of the Act would have adverse effects upon Goonellabah and the youth in the area. He urged Council pursue positive actions for the youth of the area to be involved in.

(S717)

Mr Peter Simpson - Report - Applying for Operational Area under the Children
(Protection & Parental Responsibility) Act 1997 - Crime Prevention

(See Minute No. 396/99)

Mr Simpson advised he was a businessman in the Rous Road Shopping Complex, with a background as a school teacher. He detailed his experience with youth in the area including examples of vandalism and anti social behaviour. He claimed that people needed to take a stand on this serious parenting/social problem.

(S717)

Mr John Seed - Report - Lismore Wilsons River Project

(See Minute No. 397/99)

Mr Seed advised he was a resident of Wotherspoon Street and detailed his involvement with Pritchard Park. He raised concern over the public consultation process to date, requesting further consultation prior to the display.

(S640)

Ros Derrett - Report - Former Lismore High School Site

(See Minute No. 398/99)

Ms Derrett supported the report and associated recommendations, especially the concept of developing a visionary partnership with the State Government. She claimed the development of this site would promote Lismore as a Regional Centre leading to the revitalisation of the Central Business District.

(P25791, P26243)

Ms Vanessa Ekins - Report - Lismore Flood Levee Scheme

(See Minute No.399/99)

Ms Ekins claimed the Council could not consider supporting the Levee Scheme as all costs had not been included, particularly the removal and replacement of riverbank vegetation.

(99-19822: S106)

At this juncture (7.08pm) Councillor Gallen left the meeting.

MAYORAL MINUTES:

Council Participation in Renewable Energy Projects

(Copy attached)

392/99

RESOLVED that the minute be received and Council allocate up to \$2,500 from Water & Sewerage Reserves to investigate potential for renewable energy projects in consultation with Rous County Council.

(Councillors Gates/Irwin) (S405)

At this juncture (7.14pm) Councillor Gallen returned to the meeting.

NOTICES OF MOTION:

Colemans Bridge

(Copy attached)

393/99 Formal notice having been given by Councillor King it was RESOLVED that Lismore City Council make a submission to the NSW Roads and Traffic Authority (RTA) advising that it does not object to the removal of Colemans Bridge over Leycester Creek in Lismore.

(Councillors King/Crowther)

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

394/99 FURTHER RESOLVED that Council advise the RTA that should it decide to retain the existing bridge for whatever purpose, Council is not prepared to accept ownership and/or maintenance of the bridge.

(Councillors King/Crowther)

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

Roads Maintenance

(Copy attached)

Formal notice having been given by Councillor Roberts it was MOVED that when Council allocates further funding for road construction, over and above the recurrent capital funding for local road reconstruction the funds be distributed in accordance with priorities identified by the road rating point system to include both local and regional roads.

(Councillors Roberts/Irwin)

On submission to the meeting the MOTION was DEFEATED

Voting Against: Councillors King, Tomlinson, Swientek, Gallen, Chant, Baxter, Hampton, Suffolk, Gates and Crowther.

A FORESHADOWED MOTION WAS MOVED that the General Manager liaise with the Roads & Traffic Authority on the practicalities of Council borrowing funds to rehabilitate failed sections of the regional road network and present a further report to Council and that any agreement be subject to the following conditions:

- 1 That a substantial proportion of the loan repayments be made from the Regional Road block grant and be for a term of no more than ten years.
- 2 That the RTA give concrete assurances that the block grant will not be reduced over the term of the loans.
- 3 That the loan funds be expended only on rehabilitation of the regional road network.
- 4 That if agreement is reached on loan funding then the proposal be submitted to the Fix the Roads Working Party to recommend road work priorities.

(Councillors Tomlinson/Gates)

Motion of Dissent

A motion of dissent was moved with respect to the Mayor's ruling that the motion was legally before the meeting.

(Councillors Irwin/Crowther)

On submission to the meeting the MOTION was DEFEATED.

Voting Against: Councillors King, Tomlinson, Swientek, Baxter, Hampton, Suffolk and Gates.

On submission to the meeting the FORESHADOWED MOTION was DEFEATED.

Voting Against: Councillors Irwin, Roberts, Swientek, Gallen, Chant, Baxter, Hampton, Suffolk and Crowther.

(99-20213: S745)

SUSPENSION OF STANDING ORDERS:

395/99 RESOLVED that standing orders be suspended and Council now deal with the undermentioned matters:-

- Report - Applying for Operational Area under the Children (Protection And Parental Responsibility) Act 1997 - Crime Prevention
 - Report - Lismore Wilsons River Project
 - Report - Former Lismore High School Site
 - Report - Lismore Flood Levee Scheme
- (Councillors Irwin/Hampton)

Report - Applying for Operational Area under the Children (Protection And Parental Responsibility) Act 1997 - Crime Prevention

(Copy attached)

396/99 RESOLVED that the report be received and -

- 1 Council hold a public meeting early February 2000 to determine public support for the introduction of the Parental Responsibility Act and an Alcohol Free Zone.
- 2 Council write to the various Government agencies to ascertain if financial support will be forthcoming.
- 3 In the interim, where possible, the CBD initiatives be extended to the Goonellabah area.
- 4 Investigations be made into the cost of installing cameras in the Goonellabah Shopping area either linked to the CBD system or on a stand-alone system.
- 5 The owners of the Goonellabah Shopping Complex be contacted to determine if they have any plans to increase security within the boundary of the complex.
- 6 Council call upon the NSW Government to open a police station at Goonellabah Neighbourhood Shopping Centre as a matter of urgency, to deal with crime in the area.

(Councillors Swientek/King) (S717)

Voting Against: Councillors Tomlinson, Gallen, Roberts Irwin.

Dissenting Vote:

Councillor Irwin

Report - Lismore Wilsons River Project

(Copy attached)

397/99 RESOLVED that the report be received and -

- 1 That the Lismore Wilsons River Project Strategic Plan be approved and adopted by Council.
 - 2 That the Strategic Plan incorporating the Master Plan and Concept Drawings be advertised and placed on Public Exhibition until the end of February 2000.
 - 3 That the EDU continue to pursue State, Federal and private sector funding opportunities for implementation of the various components of the Strategic Plan.
 - 4 That following the public exhibition period a report incorporating submissions received, be brought back to Council for consideration.
-

- 5 That the Lismore Wilsons River Project Strategic Plan be designed to be compatible with the Lismore Levee Scheme.
- 6 The Plan must be implemented to minimise construction and maintenance costs to Council.
(Councillors King/Swientek) (S640)

Report - Former Lismore High School Site

(Copy attached)

398/99 RESOLVED that the report be received and -

- 1 Council proceed to purchase Lot 11 of DP 859167 (Harold Fredericks Carpark) for the amount of \$425,000 from the Minister for Education and Training.
- 2 Council give public notice that it intends to acquire Lot 11 of DP 859167 as operational land.
- 3 The General Manager write to the Minister for Education and Training informing him of Council's concerns over the fire safety situation of "A" block on Lot 15 DP 867281 and that the potential acquisition of "A" block be reviewed by Council following receipt of a report from the NSW Fire Brigade pursuant to the fire safety aspects of the building.
- 4 The General Manager write to the Premier of NSW and Minister for the Arts, the Hon Bob Carr, reminding him of his pre-election commitment, and providing him with a summary of the opportunities and constraints of the proposed Arts/Cultural project and requesting appropriate State Government financial assistance to -
 - a) bring all buildings into compliance with Building Regulations and render them suitable for use;
 - b) to provide at least \$200,000 in recurrent operational funding to support community programs.

(Councillors Irwin/Swientek) (P25791:P26243)

Report - Lismore Flood Levee Scheme

(Copy attached)

399/99 RESOLVED that the report be received and

- 1 That Lismore City Council agree to financially support the Lismore Levee Scheme as adopted by Richmond River County Council at its meeting of August 11, 1999.
- 2 That Council's total contribution towards the cost of the scheme not exceed \$2.0 Million in line with Council's earlier resolution of November 1996.

(Councillors Crowther/Swientek)

Voting Against: Councillors Irwin and Roberts.

Dissenting Vote:

Councillor Irwin. (99-19822:S106)

RESUMPTION OF STANDING ORDERS:

400/99 RESOLVED that standing orders be resumed.

(Councillors Irwin/Crowther)

REPORTS:

Applying for Operational Area under the Children (Protection and Parental Responsibility) Act 1997 - Crime Prevention

(See Minute No. 396/99)

(S717)

Crime Prevention Plan

(Copy attached)

401/99 RESOLVED that the report be received and Council endorse the Crime Prevention Plan to enable application to the NSW Attorney General for the release of associated funding for the Plan's implementation.

(Councillors Irwin/Roberts) (S717)

Lismore Wilsons River Project – Reflections Of A City

(See Minute No. 397/99)

Former Lismore High School Site

(See Minute No. 398/99)

Lismore Flood Levee Scheme

(See Minute No. 399/99)

Memorial Baths Redevelopment

(Copy attached)

402/99 RESOLVED that the report be received and

1 Concept drawings of a redevelopment option incorporating the bowling green at the RSL Club together with an option for redevelopment on the existing site extending 10 metres onto Market Street be prepared and costed and that the costings include an estimate of the ongoing subsidy by Council to the pool for each option. These costs to include as separate items the annual ongoing operational subsidy (if any), depreciation charges, maintenance costs and loan repayments.

2 Applications be made to the Department of Land and Water Conservation to close:-

- a) the section of Market Street abutting the RSL bowling green, allowing room for a turning circle;
- b) a section of Market Street, approximately 10 metres wide on the north side from the western end to the entrance of the Baths.

(only one option to proceed, determined after discussions with the RSL Club and other affected parties).

3 Inclusions 1D to 4D and 6D to 10D be adopted as the minimum standard for pool redevelopment and Inclusion 5D be amended to read: *"It is recommended that the toddlers, leisure, programme pools and the main pool be adequately shaded."*

4 The above actions be expedited to provide a new facility during the next swimming season and avoid expenditure of \$80,000 to treat backwash water.

5 A Steering Committee, comprising three (3) Councillors be established to work with staff and consultants on the compilation of plans and estimates.

(Councillors Hampton/Baxter)

Voting Against: Councillors Irwin, Roberts, Swientek, Gallen and Crowther.

Dissenting Vote:

Councillor Irwin.

403/99 RESOLVED that Councillors Suffolk, Baxter and King be appointed to the Steering Committee.

(Councillors Hampton/Suffolk)

Voting Against: Councillor Irwin. (P6768)

Mardi Grass Event, 2000

(Copy attached)

A MOTION WAS MOVED that the report be received and -

- 1 That Council support in principle a similar involvement for the year 2000 Nimbin Mardi-Grass Event (if held), which may involve:
 - a) Early liaison with police, the organisers, and local residents;
 - b) Requiring timely lodgement of any necessary applications (DA's, Section 68,
 - c) Location of any necessary temporary signage;
 - d) Provide funds from waste management reserve to assist with rubbish collection (delivery, location and removal of up to twelve 4m³ bins, and recycling skip).
 - e) Any other issues as may be determined by Council.
- 2 That Council agree to the closing of a section of Sibley Street during the festival.
- 3 That Council consult with the Nimbin Chamber of Commerce and take into consideration their concerns.

(Councillors Irwin/Gallen) (S74/3)

On submission to the meeting the MOTION was DEFEATED

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

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

- 1 That Council support in principle a similar involvement for the year 2000 Nimbin Mardi-Grass Event (if held), which may involve:
 - a) Early liaison with police, the organisers, and local residents;
 - b) Requiring timely lodgement of any necessary applications (DA's, Section 68,
 - c) Location of any necessary temporary signage;
 - d) Council request the organisers of the festival to be responsible for rubbish collection. Failing this, Council provide funds from waste management reserve to assist with rubbish collection (delivery, location and removal of up to twelve 4m³ bins, and recycling skip).
 - e) Any other issues as may be determined by Council.
- 2 That Council not agree to the closure of a section of Sibley Street during the festival and require police to carry out this function.
- 3 That Council consult with the Nimbin Chamber of Commerce and take into consideration their concerns.

(Councillors Gates/Crowther)

404/99 RESOLVED that the report be received and -

- 1 That Council support in principle a similar involvement for the year 2000 Nimbin Mardi-Grass Event (if held), which may involve:
 - a) Early liaison with police, the organisers, and local residents;
 - b) Requiring timely lodgement of any necessary applications (DA's, Section 68,
 - c) Location of any necessary temporary signage;

- d) Council request the organisers of the festival to be responsible for rubbish collection, Failing this, Council provide funds from waste management reserve to assist with rubbish collection (delivery, location and removal of up to twelve 4m³ bins, and recycling skip).
- e) Any other issues as may be determined by Council.
- 2 That Council not agree to the closure of a section of Sibley Street during the festival and require police to carry out this function.
- 3 That Council consult with the Nimbin Chamber of Commerce and take into consideration their concerns.

(Councillors Gates/Crowther)

Voting Against: Councillors Irwin, Roberts, Tomlinson, Gallen and Baxter.

Lismore Flood Levee Scheme

(See Minute No. 399/99)

Development Application No. 99/695 - Hospital - Drug and Alcohol Detoxification Unit, being 56, 58 Uralba Street and 75 Hunter Street, Lismore

(Copy attached)

405/99

RESOLVED that the report be received and -

- A That Council grant delegated authority to the General Manager - subject to the concurrence of the Development Assessment Panel, to approve variations of a minor nature and/or arithmetic nature to conditions of consent applied to this application except where a particular condition has been specifically identified as requiring Council consent if it is to be varied.
- B That Council, as the consent authority, approve Development Application 99/695 for the erection of a Hospital (Drug and Alcohol Detoxification Unit), construction nineteen (19) carparking spaces including the provision of two (2) Disabled Carparking Spaces, and associated landscaping at Lot 1 DP 900631, Lot 2 DP 333108 and Lot 1 DP 333108, being 56, 58 Uralba Street and 75 Hunter Street, Lismore.

ANCILLARY ACTIVITIES APPROVED UNDER THE ENVIRONMENTAL PLANNING & ASSESSMENT ACT IN CONJUNCTION WITH THIS APPLICATION:

- (a) Demolish a building or part of a building.
Activities approved under the Local Government Act 1993, in conjunction with this application:
 - (a) Carry out water supply work.
 - (b) Carry out sewerage work.
 - (c) Carry out stormwater drainage work.
 - (d) Connect a private drain with a public drain.
 - (e) Connect a private sewer with a public sewer.

1 In granting this development consent, Council requires:

All proposed buildings be constructed in accordance with any amendment or modification outlined in these conditions

All proposed works be carried out in accordance with any amendment or modification outlined in these conditions

Any proposed use of buildings or land be in accordance with any amendment or modification outlined in these conditions and be substantially in accordance with the stamped approved plans titled DA1^A to DA5^A, PROJECT 9918, dated Sept. 99 and supporting documents submitted with the application.

Copies of the approved plans are attached to this consent.

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

BUILDING AND REGULATION

- 2 Provide an on-site sign, in prominent visible position, stating:
 - (a) That unauthorised access to the site is not permitted, and
 - (b) Showing the name of the builder or person responsible for the site and a telephone number at which such person can be contacted outside working hours.

Reason: Required by Clause 37A of the Local Government (Approvals) Regulation.
 - 3 Provide a fence, hoarding or other measure to restrict public access to the site, when work is not in progress or the site is otherwise unoccupied. The fence is to be provided prior to any work commencing on site.

Reason: Required by Clause 37A of the Local Government (Approvals) Regulation.
 - 4 Provide a stainless steel or copper shower tray for the base of the shower recess, or other construction approved by Council.

Reason: To ensure adequate dampproofing of the building.
 - 5 External lighting must be adjusted or hooded to prevent any nuisance to neighbouring property.

Reason: To ensure a reasonable level of amenity for adjoining properties.
 - 6 Provide 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 Demolition of the structure must be in accordance with Sections 2 and 3 of AS 2601 "The Demolition of Structures".

Reason: Required by the Environmental Planning and Assessment Act 1979.
 - 9 Roof water drains and drainage from paved surfaces must be connected to the street water-table.

Reason: Required by Clause FP1.3 of the Building Code of Australia.
 - 10 Provide 6/3 litre dual flush toilet suites to all water closets.

Reason: To conserve water.
 - 11 Provide vacuum breaker devices to all external taps.

Reason: To prevent the contamination of the water supply by cross connection.
 - 12 Access for the disabled in accordance with AS1428.1 is to be provided to the main entrance of the building.

Reason: Required by Clause D3.2 of the Building Code of Australia.
 - 13 Facilities for the use of the disabled must be provided as specified in Clause F2.4 Building Code of Australia and shall be constructed to the requirements of AS 1428.1-1993 "Design for Access and Mobility".

Reason: Required by Clause F2.4 of the Building Code of Australia.
 - 14 Provide signs to the disabled facilities in accordance with AS 1428.1-1993 "Design for Access and Mobility".

Reason: To highlight the availability of facilities for disabled persons.
-

- 15 Provide car parking spaces for the disabled, including signage, in accordance with the requirements of AS 2890.1 - 1993 "Off-Street Car Parking" Cl 2.4.5(b).
Reason: Required by Clause D3.5 of the Building Code of Australia.
- 16 Provide interconnected, automatic smoke alarms wired into the electrical mains and having a stand-by battery power supply, in accordance with Clause E1.7 of the Building Code of Australia.
Reason: To comply with Clause E1.7 of the Building Code of Australia.
- 17 The main switchboard within the building, if it sustains emergency equipment, must be separated from other parts of the building by construction having an FRL of 120/120/120 and any doorway must be fitted with a self closing fire door having an FRL of -/120/30.
Reason: Required by Clause C2.13 of the Building Code of Australia.
- 18 Fire hose reels must be provided in accordance with Clause E1.4 Building Code of Australia and the following:-
- (a) Must comply with Australian Standard 1221 "Fire Hose Reels" and be installed in accordance with Australian Standard 2441, "Installation of Fire Hose Reels".
 - (b) At the connection of the most hydraulically disadvantaged hose reel to the fire main or water service pipe, provide a water flow rate of 0.33 L/s.
 - (c) Must not be installed in fire-isolated stairways, fire-isolated ramps or fire-isolated passageways.
 - (d) At least one hose reel must be accessible to all occupants of the storey served by it.
 - (e) No part of the storey must be beyond the reach of the nozzle end of a fully extended hose reel installed on that storey.
- Reason:* Required by Clause E1.4 of the Building Code of Australia.
- 19 Provide portable fire extinguisher/s, suitable to address the relevant risk, in accordance with AS2444.
Reason: Required by Clause E1.6 Building Code of Australia.
- 20 Access to the development shall meet the following requirements:
- a) Paths and steps to have even non-slip surfaces.
 - b) Paths to be a minimum of 1350 mm wide, with a maximum camber of 1:100.
 - c) Provide fixed, rigid, continuous handrails 900 mm above steps and paths, where the ground level falls away close to the path. Handrails are to be provided on both sides of steps and to extend a minimum of 300 mm past the first and last step. A change in surface texture is recommended between steps and a path, and a contrasting surface is required at the edge of paths and steps to assist the visually impaired.
 - d) The first and last step in a flight of stairs are to have the tread painted or constructed of white or a light colour.
 - e) Changes in levels of less than 150 mm and single steps are to be avoided.
 - f) Stairs must not have open risers.
- Reason:* To provide equality of access.
- 21 The new building shall be setback a minimum of 6 metres from the boundary adjoining Uralba Street, 3 metres adjoining the boundary fronting Hunter Street and a zero setback is permitted to Shepard Lane.
-

Reason: To comply with the provisions of Local Environmental Plan 1992 - City of Lismore. (EPA Act Sec 79C(a))

DRAINAGE

- 22 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.

Reason: To ensure protection from the effects of subsidence and/or slip. (EPA Act Sec. 79C(c))

- 23 Hard surface areas, landscaped areas, roof water and subsoil drainage systems shall be designed by a suitably qualified person experienced in Hydraulic design and submitted to Council prior to occupation. Drainage is to direct all water to a Council approved drainage system to prevent discharge runoff onto adjoining land. This system shall be constructed in accordance with Council's Development, Design and Construction Manuals (as amended).. All piped drainage lines over adjoining land are to be located within drainage easements. All costs shall be the responsibility of the proponent.

Reason: To ensure that the land or adjoining land is not damaged by the uncontrolled discharge of concentrated runoff from any buildings and paved areas that may be constructed on the land. (EPA Act Sec 79C(b))

CARPARKING

- 24 Provision shall be made for nineteen (19) carparking spaces with a bitumen sealed surface constructed and landscaped in accordance with the requirements of the Council's Development Control Plan No. 18 Off Street Carparking Requirements.

Reason: To provide adequate off street parking space for the anticipated traffic that will be generated by the development. (EPA Act Sec 79C(a))

- 25 A sign shall be erected to clearly indicate off-street parking is available.

Reason: To ensure the free flow of traffic and comply with traffic regulations. (EPA Act Sec 79C(c))

- 26 All vehicles connected with the premises shall be parked or garaged within the property at all times.

Reason: To ensure activities relating to the development do not interfere with the movement of traffic along the public road. (EPA Act Sec 79C(b))

- 27 The carpark identified in Section 6.4.2 of ASPECT North's report shall be completed prior to the Occupation of the Hospital - Drug and Alcohol Detoxification unit.

Reason: To comply with the provisions of Local Environmental Plan 1992 - City of Lismore. (EPA Act Sec 79C(a))

VEHICULAR ACCESS

- 28 Redundant road pavement, kerb and gutter or foot paving, including any existing entrances or other special provisions shall be reinstated in accordance with Council's Development, Design and Construction Manuals (as amended).

Reason: To ensure an adequate road network in accordance with adopted standards. (EPA Act Sec 79C(a))

- 29 Driveways, access aisles and parking areas shall be provided with a bitumen sealed or other approved surface. Such a surface shall be on a suitable pavement, constructed
-

and maintained in accordance with Council's Development, Design and Construction Manuals (as amended).

Reason: To provide adequate off street parking space for the anticipated traffic that will be generated by the development. (EPA Act Sec 79C(a))

- 30 All loading and unloading shall take place within the property boundaries.

Reason: To provide adequate off street parking space for the anticipated traffic that will be generated by the development. (EPA Act Sec 79C(a))

- 31 Vehicular access from the road pavement to the development shall be provided by the construction of a crossing, in accordance with the Council's Design and Construction Specification for Vehicular Access.

Reason: To provide adequate off street parking space for the anticipated traffic that will be generated by the development. (EPA Act Sec 79C(a))

- 32 Vehicles using any off-street loading/unloading and/or parking area must enter and leave in a forward direction, in accordance with Council's Development Control Plan No. 18 - Off Street Carparking Requirements. All driveways and turning areas shall be kept clear of obstructions that prevent compliance with this condition.

Reason: To ensure adequate access to and from the development. (EPA Act Sec 79C(c))

ROADS

- 33 The proponent shall provide the following roadworks with associated stormwater drainage structures that have been designed and constructed in accordance with Council's Development, Design and Construction Manual (as amended). The proponent shall be responsible for any costs, including maintenance, for a period of six months from the date of approval of completion of the work. Required roadworks include:

urban road

- a) Construction of a kerb and gutter and a bitumen sealed pavement, from the edge of the existing seal to the kerb and gutter, for the full frontage of the land in Uralba Street. Appropriate landscaping measures shall be provided to protect the existing tree.

Reason: To ensure an adequate road network in accordance with adopted standards. (EPA Act Sec 79C(a))

- 34 Full design plans of the proposed engineering works to satisfy condition 33 shall be submitted for Council's information prior to the commencement of works.

Reason: To ensure an adequate road network in accordance with adopted standards. (EPA Act Sec 79C(a))

PEDESTRAIN ACCESS

- 35 The proponent shall construct a 1.5m wide reinforced concrete, paving block or equivalent footpath, leading from the end of the existing footpath in Hunter Street to Shepard Lane in accordance with Council's Development, Design and Construction Manuals (as amended). Any costs shall be the responsibility of the proponent.

Reason: To meet the anticipated demand for open space by residents of the development. (EPA Act Sec 94)

DEVELOPMENT ASSESSMENT SECTION

- 36 All separate parcels of land shall be consolidated into one allotment and registered under one title with the Registrar General prior to occupation of the building.
-

Reason: To prevent future dealing in separately titled land, the subject of one consolidated site development application. (EPA Act Sec 79C(c))

WATER AND WASTEWATER

- 37 Removal of the sewer pipe that traverses the land is the responsibility of the proponent.
Reason: To ensure adequate protection of utility services. (EPA Act Sec 79C(b))
- 38 The water supply connection shall be designed, installed and maintained to prevent contaminants from being introduced into Lismore City Council's potable water supply system.
Full details of the proposed backflow method and cross connection controls shall be designed and installed in accordance with Australian Standard 3500.1.
Reason: Required by NSW Code of Practice "Plumbing and Drainage".
- 39 The water supply service shall be sized in accordance with Australian Standard 3500.1 to service the whole development.
Reason: Required by NSW Code of Practice "Plumbing and Drainage".
- 40 Sewer connections must be effectively sealed off at the boundary riser.
Reason: Required by Clause 65 of the Local Government (Approvals) Regulation.
- 41 Water connections must be effectively disconnected.
Reason: Required by Clause 65 of the Local Government (Approvals) Regulation.
- 42 Construct a sewer manhole on the existing sewer line inside the western boundary on number 56 Uralba Street, Lismore. This new manhole is to be constructed in accordance with Lismore City Council's adopted Sewer specifications. The manhole is to provide a junction to service this development, the existing gravity line on the east of this new manhole is to be terminated and capped outside the manhole. The existing manhole number 3ET3 is to be filled and the sewer vent to be removed. Any cost associated with the works shall be the responsibility of the proponent.
After satisfactory completion of this work, a practising qualified surveyor shall submit a "works as executed drawing" of this work on a transparency at a scale of 1:1000.
Reason: To provide adequate services for the development (EPA Act Sec 79C(c))

LANDSCAPING

- 43 The landscaped areas as detailed on plan entitled "Site Landscaping Plan, Sheet No. DA5^A, SEPT 99" are to be planted, and shall be maintained by the applicant/owner in a healthy and vigorous condition.
Reason: To ensure that appropriate landscaping is provided. (EPA Act Sec 79C(c))

AMENITY

- 44 All unsightly matter shall be stored out of sight from any adjacent premises or public place.
Reason: To preserve the environment and existing or likely future amenity of the neighbourhood. (EPA Act Sec 79C(b))
- 45 The land use shall not interfere with the amenity of the locality by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products or grit, oil or otherwise.
Reason: To preserve the environment and existing or likely future amenity of the neighbourhood. (EPA Act Sec 79C(b))
-

ADVERTISING/LIGHTING

46 External sensor lights are to be erected outside the building, and are to be located or shielded so no additional light is cast on adjoining land or distracts traffic.

Reason: To preserve the amenity of the area and traffic safety. (EPA Act Sec 79C(b))

ENVIRONMENTAL HEALTH

47 Waste generated from the Hospital - Drug and Alcohol Detoxification Unit is to comply with the provisions of the Lismore Base Hospital Waste Management Plan.

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

ADVISORY NOTES

NOTE 1: This development approval does not guarantee compliance with the Disability Discrimination Act and the developer should therefore investigate their liability under the Act. Council can assist developers by directing them to Parts 2, 3 and 4 of Australian Standard 1428 - Design for Access and Mobility (Part 1 is mandatory in the BCA).

NOTE 2: Water and/or Sewerage Headworks levies payable under the Water Supply Authorities Act 1987 totalling \$20,502.00 will need to be paid to Council prior to Council issuing a Compliance Certificate under s.26 of the Water Supply Authorities Act 1987.

NOTE 3: A connection fee is payable on the connection of a dwelling to the water supply. The current connection fee can be obtained by contacting Council.

NOTE 4: The applicant or developer shall pay to Council all Water and Sewerage Headworks Levies deemed necessary in by Council in accordance with Section 64 of the Local Government Act 1993, as detailed in the attached schedule. Such levies shall be paid prior to release of final linen plan.

(Councillors Irwin/Gallen) (DA99/695)

Disposal Of Surplus Council Properties

(Copy attached)

406/99 RESOLVED that the report be received and -

1 That pursuant to sections 32 and 33 of the Local Government Act, Council resolve and give Public Notice of its intention to reclassify as operational land the following properties:

Real property description	Lot 34 DP 219592	Lot 23 DP 829442	Lot 29 DP 262148	Lot 22 DP 701863
Street addresses	22 Ballina Road Lismore Heights	15 Westview Drive Goonellabah	3 Barr Scott Drive Lismore Heights	45 Wilson Street South Lismore

2 That pursuant to section 32(2) & (3) of the Local Government Act, Council specify in the Public Notice that in relation to the following lands, it is satisfied that they are unsuitable for the provision, extension or augmentation of public amenities and public services because of the following reasons:

Real property description	Lot 23 DP 829442	Lot 29 DP 262148
Street	15 Westview Drive	3 Barr Scott Drive

addresses	Goonellabah	Lismore Heights
Reason	Steep topography	Steep topography

- 3 That pursuant to section 54(1) of the Environmental Planning and Assessment Act, Council resolve to prepare a Draft Local Environmental Plan to amend the Lismore Local Environmental Plan 1992, to reclassify the following lands from community to operational

Real property description	Lot 34 DP 219592	Lot 23 DP 829442	Lot 29 DP 262148	Lot 22 DP 701863
Street addresses	22 Ballina Rd Lismore Heights	15 Westview Drive Goonellabah	3 Barr Scott Drive Lismore Heights	45 Wilson Street South Lismore

And rezone the following lands from 6(a) recreation to 6(b) private recreation:

Real property description	Lot 22 DP 701863
Street addresses	45 Wilson Street, South Lismore

(Councillors Baxter/King)

Land And Environment Court Proceedings – Friends Of Lismore Park Inc.(FOLP)

(Copy attached)

- 407/99 RESOLVED that the report be received and that Council take no further action to recover costs in relation to Proceedings 40003 of 1998 at this stage.

(Councillors Irwin/Roberts)

Voting Against: Councillors Gallen and Crowther.

Dissenting Vote:

Councillor Gallen and Crowther.

(Z849, 99-19457)

Draft Policy - Provision of Public Transport Infrastructure

- 408/99 RESOLVED that the report be received and Council adopt the policy on 'Provision of Public

(Councillors Roberts/Hampton)(S135)

Lismore Rainbow Region Masters Games September 1999 - Final Report

- 409/99 RESOLVED that the report be received and

- 1 Council receive, endorse and note all information and recommendations contained within the Lismore Rainbow Region Masters Games 1999 Final Report.
- 2 Council disband the 1999 Games Organising Committee and thank all for their efforts.
- 3 The Games Special Events, Marketing, Promotion and Sponsorship Committee, consisting of Messrs Peter Cordery, Dave Arthur, Jak Carroll, Tony Clarke, John Bancroft and Ms Andrea Roberts, act as an interim management group and it commence compiling and distributing paraphernalia relevant to organising and promoting the 2001 Games and securing potential sponsors.

- 4 Council endorse dates for the 2001 Masters Games they being September 14-16, 2001.
- 5 Surplus funds/profit generated from the 1999 Games be utilised by the Special Events, Marketing, Promotion & Sponsorship Committee to seed fund the 2001 Games and prepare and distribute promotional paraphernalia.

- 6 Games Co-ordinator commence canvassing the support of local sports groups with a view to finalising the 2001 Games Sports list by May 2000 (Sports information pack and marketing plan to be distributed in March 2000)
- 7 Council sanction formation of a 2001 Lismore Masters Games Organising Committee (under Section 355 of the Local Government Act 1993) and endorse its operation with the following delegated responsibilities.
 - * Develop and implement policies and procedures for the conduct of the Games
 - * Monitor the Games budget and pursue income avenues effectively
 - * Establish and monitor games key sub-committees
 - * Implement marketing, planning and sponsorship procurement procedures and determine benefits relevant to sponsors and participants
 - * Liaison with local and district sporting bodies
 - * Recruit volunteers and secondment of other professional advisers
 - * Set fees for the event
 - * Approve expenditure related to Games matters.
 - * Appoint relevant people to sub-committee.
 - * Appoint people to Management, Voluntary positions
- 8 Organising Committee Membership be as follows:
 - Councillors x 2
 - North Coast Academy of Sport x 1
 - Southern Cross University x 3
 - Lismore Economic Development Advisory Board x 1
 - Lismore Unlimited x 2
 - Southern Cross University Student Union x 1
 - Tourist Office x 1
 - New South Wales Sport & Recreation x 1
 - LDSA / Community Sport x 2
- 9 Individual appointments to the Committee and a Plan of Management for the 2001 Games be determined via report to Council scheduled for April 2000.
- 10 A major Games Report ie. Finances, sponsorship, games update, etc be compiled for Councils consideration in October 2000.
(Councillors Swientek/King) (S720)

Provision For Construction Of The Ross Street Water Supply Pumping Station

(Copy attached)

410/99

RESOLVED that the report be received and

1. The Ross Street Water Supply Pumping Station (T20011) be awarded to Denk Investments Pty Ltd T/A Style Investments for the amount of \$335,721.00 plus rate only item costs.
2. Should Denk Investments Pty Ltd T/A Style Investments withdraw their tender, then the tender be awarded to the next best value tenderer.
3. The Mayor and General Manager are authorised to execute the Contract on Council's behalf and attach the Common Seal of the Council.

(Councillors Swientek/Tomlinson)(T20011)

Trade Waste Policy

(Copy attached)

- 411/99 RESOLVED that the report be received and the revised draft Local Approvals Policy No. 4 – “Trade Waste Policy for the Discharge of Non-Residential Liquid Waste to Sewers” be adopted for public exhibition.
(Councillors Swientek/Irwin)(:S518/1)

Membership Of The Lismore Economic Development Advisory Board

(Copy attached)

A MOTION WAS MOVED that the report be received and -

- 1 That the positions on the Lismore Economic Development Advisory Board be advertised for Expressions of Interest and referred back to Council and add two additional positions representing - Waste Management Industry and the Manufacturing Industry.
- 2 That Objective 3.3 within the Lismore Economic Development Advisory Board Plan of Management be amended to read:
“To source long term investment/employment opportunities by actively encouraging decentralisation to this area.”

(Councillors Suffolk/Baxter)

AN AMENDMENT WAS MOVED

1. That Brian Henry, Isabel Perdriau, Ros Derrett, Bill Sheaffe, Lindsay Walker, Eleanor Cole, Liz Terracini, Kerrie Ellis, Martin Butcher, David Arthur, Greg Hough, Peter O’Connor, Cr. John Crowther, Cr. John Chant, Andrew Hurford & Tracey Mills be appointed to the Lismore Economic Development Advisory Board.
2. That Council call for expression of interest for up to three additional positions on the Lismore Economic Development Advisory Board.

(Councillors Irwin/Gallen)

- 412/99 **RESOLVED** that the motion be put.
(Councillor Swientek)

On submission to the meeting the amendment was DEFEATED.

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

On submission to the meeting the motion was DEFEATED on the Mayor’s casting vote.

Voting Against: Councillors Irwin, Roberts, Tomlinson, Gallen, Gates and Crowther.

- 413/99 RESOLVED that the report be received and that Brian Henry, Isabel Perdriau, Ros Derrett, Bill Sheaffe, Lindsay Walker, Eleanor Cole, Liz Terracini, Kerrie Ellis, Martin Butcher, David Arthur, Greg Hough, Peter O’Connor, Cr. John Crowther, Cr. John Chant, Andrew Hurford & Tracey Mills be appointed to the Lismore Economic Development Advisory Board.
(Councillors Gallen/Crowther) (S653)

Review Of Council’s Code Of Conduct

- 414/99 RESOLVED that the report be received and Council note the review undertaken as required by Section 440(3) of the Local Government Act 1993 and adopt the revised Code of Conduct.
-

(Councillors Irwin/Crowther)(S18)

Goods And Services Tax (GST)

(Copy attached)

- 415/99 RESOLVED that the report be received and -
- 1 The actions to date by Management and staff be noted.
 - 2 That a report be brought back to Council on the cost and benefit of Council co-ordinating the provision of an evening workshop for local charities and non-profit community organisations to provide information on their GST options and requirements and to answer questions in relation to GST. That staff consult with our auditor, the tax office and other appropriate people prior to a report being prepared.
- (Councillors Roberts/Irwin)(S210)

COMMITTEE RECOMMENDATIONS:

Traffic Advisory Committee 17/11/99

(Copy attached)

- 416/99 RESOLVED that the minutes be received and the recommendations contained therein be adopted, excluding Clause TAC184/99.
(Councillors Gallen/King)

- TAC 184/99 - Blue Knob Road

- 417/99 RESOLVED that the minute be received and that Council write to the Minister for Roads advising that due to the poor conditions of many of our local and regional roads we will be implementing a lower speed limit early next year on those roads that we consider warrant such action.
(Councillors Roberts/Irwin)
Voting Against: Councillors Gallen, Hampton and Suffolk.

DOCUMENTS FOR SIGNING AND SEALING:

- 418/99 RESOLVED that the following documents be executed under the Common Seal of Council:-

Agreement - Total Swim Management and Council

Operation and Management of the Lismore Memorial Baths and Lismore Lake Pool
(T990035)

Lease - Left Bank Café Surrounds and Council

Lease for period 18/12/98 - 7/10/2000 with five year option.
(99-20530: S615)
(Councillors Irwin/Chant)

CONTINUATION:

- 419/99 RESOLVED that the time being 10.30pm the meeting continue to the end of the business paper.
(Councillors Irwin/Hampton)

MATTERS OF URGENCY

Appointment to Floodplain Management Committee

420/99 RESOLVED that this matter be admitted to the Business Paper as a matter of urgency.
(Councillors Irwin/Gallen)

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

A MOTION WAS MOVED that Mr K Parr be appointed to the Floodplain Management Committee.

(Councillors Irwin/Swientek)

On submission to the meeting the motion was DEFEATED.

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

(S106)

Northern Rivers National Parks Wildlife Service Advisory Committee

421/99 RESOLVED that this matter be admitted to the business paper as a matter of urgency.
(Councillors Roberts/Swientek)

422/99 RESOLVED that Councillor King be Council's nominee for the Committee.
(Councillors Crowther/Gallen)

At this juncture (10.53) Councillor Roberts left the meeting.

Spirit of Lismore 2000

423/99 RESOLVED that this matter be admitted to the business paper as a matter of urgency.
(Councillors Crowther/Chant)

424/99 RESOLVED that Lismore Unlimited co-ordinate and select the project(s) to be funded under the Spirit of Lismore 2000, with the matter being subject of a confirmation report to Council.
(Councillors Crowther/Gallen) (S73)

At this juncture (10.58) Councillor Roberts rejoined the meeting.

CONFIDENTIAL MATTERS - COMMITTEE OF THE WHOLE:

425/99 RESOLVED that Council now exclude the press and public and meet in Committee of the Whole to consider the following matters:-

Item 1: Potential Purchase of the Gralco Building - 11-15 Carrington Street and Relocation of the Regional Art Gallery (Copy attached) (P1798,P1799)

Item 2: Goonellabah Town Centre - Proposed Release of Second Mortgage over former Simeoni Land, Oliver Avenue (Tabled) (Copy attached)

(P17483, P24978, P24979)

(Councillors Baxter/Tomlinson)

Voting Against: Councillors Irwin and Gallen.

Dissenting Vote:

Councillor Irwin.

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 resolved to exclude the press and public during its consideration of the beforementioned matters to preserve the confidentiality of commercial information and legal advice.

AND IT NOW RECOMMENDED

Item 1:

That the General Manager write to Mr Stretch declining his offer for Council to purchase the Gralco Building.

Item 2:

- 1 That Council agree with the request from Litevale/Consolidated Properties in accordance with the terms outlined in Option One: and
- 2 That the draft legal agreement be executed under the Common Seal of the Council.
- 3 That a bank guarantee be provided to Council for the outstanding amount plus interest until substantive works as referred to in the agreement have been completed by the due date ie.15/2/2000.

426/99 RESOLVED that the General Manager's report of Council meeting in Committee of the Whole be received and adopted.
(Councillors Baxter/Chant)

Voting Against: Councillor Roberts.

Dissenting Vote:

Councillor Roberts.

NOTICE OF RESCISSION MOTION:

The Group Manager-Corporate & Community Services advised Council that he had been handed a Notice of Rescission Motion signed by Councillors Irwin, Swientek & Tomlinson with respect to the resolution - Colemans Bridge (Minute No. 393/99).

The Group Manager-Corporate & Community Services advised Council that this rescission motion would be considered at the next ordinary meeting of Council and that in the interim the Council resolution referred to in the rescission motion could not be carried into effect until the rescission motion had been dealt with.

(99020242: S393,R7329)

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

CONFIRMED this 1st day of February 2000 at which meeting the signature herein was subscribed.

MAYOR

