



NOTICE OF COUNCIL MEETING

An ORDINARY MEETING of LISMORE CITY COUNCIL will be held at the COUNCIL CHAMBERS, Oliver Avenue, GOONELLABAH on TUESDAY, AUGUST 13, 2002, at 6.00pm and members of Council are requested to attend.

Paul G. O'Sullivan
GENERAL MANAGER

August 6, 2002

COUNCIL BUSINESS AGENDA

August 13, 2002

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MAYORAL MINUTE

Subject/File No: ALLOCATION OF ROYALTIES RECEIVED FROM SALE OF FILL FROM RIVERBANK TO FLOOD LEVEE (S106)

Background:

It is possible Council could receive up to \$156,000 for the sale of fill. Tree relocation, chipping and tree removal will account for some of this funding with the remainder to go to the riverbank project.

The installation of an electric pump at Lismore Lake has a funding shortfall of approximately \$20,000. The Lake is part of the overall riverbank scheme and the pump with sensor is recommended by the National Parks & Wildlife Service (NPWS). The electric pump will be a much cheaper option to keep the Lake at a constant level and maybe is Council's only option to comply with the NPWS demands.

Comment by Manager-Financial Services

The redevelopment of Heritage Park is part of the Wilson River Development Project. The project has received grant funding and we have matched this with our own funds to undertake this stage.

As the development of this stage required the excavation of fill from Heritage Park, and the construction of the Lismore Levee in that vicinity would require fill, the Manager - Client Services approached Richmond River County Council about the possibility of selling the fill for the levee. This proved successful and it is expected that the sale of fill will generate approximately \$156,000.

The use of these funds in Heritage Park will allow development works to be expedited and possibly matched to other grants such as for footpaths/cycleways.

As these funds are internally generated by the sale of fill from Heritage Park, they will allow additional project works to be completed now without increasing demand on available funds, and there is a possibility to match these funds with other grant funds. The proposal to expend in Heritage Park is supported.

In regards to the \$20,000 for the Lismore Lake pump, Council has approximately \$50,000 available for its supply and installation. A design and cost estimate indicates that this will cost in the vicinity of \$65,000. As such, there is a funding shortfall of at least \$15,000 for this purpose.

On the basis that regardless of the future use of the Lake, some form of pumping from the river will be required, the Lake is seen as part of the Wilson River Development Project and the lack of other sustainable funding options, the proposal to use \$20,000 from the sale of fill from Heritage Park for this purpose is also supported.

Other Group Comments

Manager - Client Services

The current work being undertaken as a result of the levee construction has been recognised as an excellent opportunity to advance the adopted riverbank strategy.

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Mayoral Minute – Royalties from Sale of Fill

An element within these opportunities is the minuted mentioned of the sale of soil for part of the levee. While this soil sale allows Riverside Park to be reformed, landscaped and generally brought up to a higher standard of presentation, it should be recognised that all elements form part of the larger vision for the upgrading of the river and its banks.

The Lismore Lake area also represents an element within the overall river upgrade and funding for all elements is tight. In the larger picture it seems appropriate that an urgent requirement in the Lismore Lake area be funded from the redevelopment of another area upstream.

In reality, given the experience from the 2002/03 Management Plan process, and the Financial Plan workshops presented to Council, it is unlikely that we will have the capacity to afford Option 2 in the short term because of pressure on the recurrent budget and other capital commitments such as the Lismore Levee, Memorial Baths Redevelopment, Goonellabah Recreation Centre, Wilson River Project, etc, etc. This means that this option would only be viable if Council 'defers' other recurrent works and services, or capital projects.

Recommendation (MM02)

Revenue from the sale of fill from the riverbank project be allocated as follows:

- 1 Tree relocation, removal and landscaping.
- 2 \$20,000 be allocated to an electric pump at Lismore Lake.
- 3 The remainder be allocated to walking pathways and the riverbank project.

MAYORAL MINUTE

Subject/File No: PEDESTRIAN SAFETY – WOODLARK STREET
(R7329)

Background:

If there are going to be any changes to pedestrian safety in Woodlark Street I am of the opinion the Traffic Advisory Committee should also consider traffic flows in the CBD to endeavour to divert traffic away from Woodlark Street.

Such measures as reversing the flow in Magellan Street to divert traffic from Woodlark Street should be revisited, together with any other options such as using Simes Bridge.

Reversing traffic flow in Magellan Street would enable traffic wishing to access the Rowing Club and the Riviera carparks without having to negotiate Woodlark Street.

Staff Comments:

Group Manager - City Works

Magellan Street was constructed as a one-way street in line with the traffic engineering and landscaping proposal created by the Geolink Group and subsequently adopted by Council. In accordance with the plan, Magellan Street is the only street which has been reconstructed to date, and it would appear that major reconstruction of other streets is unlikely within the next few years.

It was originally believed that most vehicles entering the CBD from the east came via either -

- Conway Street; or
- Woodlark Street

and then proceeded to drive around the inside lane of the Main Block. The one-way direction west to east along Magellan Street was designed to cater for this activity.

The increase in congestion on Keen and Woodlark Streets indicates that Woodlark Street is often operating at maximum capacity. The combination of through traffic going over Fawcett's Bridge and CBD traffic wanting to move around the Main Block compound this problem.

It is possible to change the traffic direction of Magellan Street from -

- one-way eastbound
- to
- one-way westbound.

This would require the remarking of the on-street parking areas, resulting in the loss of a small number of on-street parking spaces. It is also possible that by changing the direction of traffic on Magellan Street, congestion on Keen and Woodlark Streets would be reduced.

It is equally possible that this change will redirect eastbound traffic to Conway Street which may then require some upgrading works at areas such as the intersection with Carrington Street.

It is now clear that CBD traffic is reaching saturation levels and extreme care needs to be taken as even minor changes can have a big impact. Prior to implementing this change (*either in conjunction with the Woodlark Street crossing or as a separate action*), it would be advisable to update the traffic model and test the likely outcome of all possibilities.

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Mayoral Minute – Woodlark Street, Lismore

Group Manager-Corporate & Community Services

Given the strong linkage between the Mayoral Minute, the Notice of Motion submitted by Councillor Irwin, the Notice of Motion submitted by Councillor Swientek and Item 14 of the Traffic Advisory Committee, it is suggested that standing orders be suspended and these four items be considered jointly.

Recommendation (MM01)

The Traffic Advisory Committee be asked to look at all options to divert traffic away from Woodlark Street if there are to be any changes to pedestrian safety.

NOTICE OF MOTION

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

- 1 That Council support the reinstallation of the pedestrian crossing in Woodlark Street.**
- 2 That Council pursue this matter as a matter of urgency with the Minister for Transport.**

COUNCILLOR R M Irwin

DATE July 15, 2002

STAFF COMMENT BY:

Group Manager – City Works

There are a number of options that need to be considered - however, all have some drawbacks.

Options:

1. Crossing to remain as per current use.
2. Complete the proposed works at both ends of Woodlark Street and declare the street a "Shared Zone" similar to Magellan Street.
3. Reinststate the marked pedestrian crossing.
4. Reinststate the marked pedestrian crossing with traffic signals.
5. Stop all through traffic by creating a central mall area.
6. Stop all traffic in either eastbound or westbound direction.
7. Create a pedestrian overpass or underpass.

Background:

Woodlark Street is a very busy major road (MR142) normally carrying approximately 600 vehicles per hour in each direction. At busy times a similar number of pedestrians (ie, 600 pedestrians per hour), cross the road to gain access to the Clyde Campbell Carpark and adjoining shops. Approximately seven (7) years ago the marked pedestrian crossing was removed as the large number of pedestrians using the crossing virtually stopped the movement of traffic on the westbound lane. The current structure was built with assistance from the RTA as the first section of an overall redesign of Woodlark Street which was to incorporate additional works at each intersection funded by Council as part of the overall street beautification programme.

The location of a carpark and central shopping area adjacent to a major arterial road is undesirable. The option of closing Woodlark Street to through traffic was tested in approximately 1989 and did not result in major traffic congestion problems. However, shopkeepers and the business community did not favour this option and it was subsequently dropped. Unfortunately this option is unlikely to be available today because the alternate river crossing at the Ballina Street Bridge is now reaching capacity without the Woodlark Street traffic. It should be noted that most malls created in the 1980's have now been reopened to a limited volume of slow moving traffic.

Notice of Motion (Councillor Irwin) – Woodlark Street

The recent tragedy is the only major accident reported on Woodlark Street and may well have occurred irrespective of any alternative facilities that may have been constructed. There is always going to be the potential for accidents whenever people and vehicles both use the same piece of road. The only 100% safe alternative is to remove pedestrians from the danger zone by means of an underpass or overpass.

I met with RTA Staff in Grafton on Friday, August 2, 2002 and spent at least an hour discussing the options available.

The RTA has agreed to carry out a risk assessment on the currently constructed crossing. The Authority has also agreed to undertake some traffic modelling to simulate the traffic and pedestrian flows currently using Woodlark Street and the effects of alternate pedestrian facilities such as marked pedestrian crossings with or without signals. The RTA will also provide legal advice on the best option in line with current legal views as legislation would appear to have changed since the construction of this facility.

Unfortunately there are no simple ways of resolving the conflict between cars and pedestrians. The best options appear to be to ensure that vehicle speeds are kept to a minimum while at the same time allowing pedestrians ample opportunities to cross the road.

This suggests that the best option is to complete the landscaping works at both ends of Woodlark Street in line with the original design plans. However, given the cost and potential impact of any of the suggested solutions, it is recommended that Council hold a workshop (to include both RTA Representatives and consultant Traffic Engineers), before making a final decision.

Options:

1. Crossing to remain as per current use:

- Works well at the moment with large numbers of pedestrians and vehicles.
- Does not cater well for the aged, infirmed or disabled pedestrians.

2. Complete the proposed works at both ends of Woodlark Street and declare the street a “Shared Zone” similar to Magellan Street:

- Similar advantages and disadvantages to current situation.
- During less busy times vehicle speeds will be kept low for the whole length of the street.

3. Reinstate the marked pedestrian crossing:

- Vehicles must give way to pedestrians who often simply walk out onto the road with little or no real observation of the danger.
- At busy times Woodlark Street and the feeder streets and roundabouts will become virtually grid locked.

4. Reinstate the marked pedestrian crossing with traffic signals:

- If a marked crossing is to be reinstated, traffic signals will almost certainly be needed.
 - The disadvantage is that people will almost certainly simply walk across the road at other locations.
 - It may be necessary to construct major fences along each side or along the centre parking lane to prevent people from walking across the street.
 - This option would assist the disabled, sight impaired and other groups of people who may find crossing an uncontrolled street difficult.
-

5. Stop all through traffic by creating a central mall area:

- This solves the problem of pedestrians competing with vehicles.
- Major disadvantage is that the traffic must use alternate routes which in Lismore's case would require another bridge across the river.
- Malls of this design have proved to be a failure and are now being removed to allow some controlled through traffic.

6. Stop all traffic in either eastbound or westbound direction:

- This option reduces the potential conflict by at least 50%.
- Allows the construction of additional pedestrian facilities and parking.
- Ensuring that there are viable alternate routes within Lismore, this option will almost certainly be difficult and may require other streets to be upgraded.

7. Create a pedestrian overpass or underpass:

- Not considered a viable option at this point in time.

(02-8156: R7329,S342,S552)

NOTICE OF MOTION

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

- 1 That Council install a zebra crossing at the Woodlark Street crossing between the kerb and either side of the raised transformer shelter in the middle of Woodlark Street.**
- 2 That this be done for a three month trial period to observe its efficacy and the matter be reviewed and reported back to Council.**

COUNCILLOR F F Swientek

DATE July 31, 2002

STAFF COMMENT BY: Group Manager-City Works:

Refer to comments on Councillor Irwin's Notice of Motion on previous page.

(02-8643: S342,R7329)

NOTICE OF MOTION

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

- 1 That Council support the notion that footpath and cycleways are an integral part of roads, and that the current funding available is inadequate to address the needs of pedestrians in urban areas, particularly in the Lismore basin and villages.**
- 2 That Council staff develop a funding formula, linked to the budget for roads, and provide a report to Council on how existing footpaths can be made safe and new footpaths be constructed within a five year timeframe.**

COUNCILLOR R M Irwin

DATE July 15, 2002

STAFF COMMENT BY:

Administrative Services Manager, Graeme Wilson

Council considered and adopted a policy on Footpath Risk Management in October 2001. This provided for an inspection regime and risk ranking of potential trip points. To assist in budget formulation a generic costing formula was applied to the works required to eliminate the potential trip points.

The audit of the city basin area including South, North and East Lismore revealed approximately \$1.4M worth of work required. Of this \$600,000 was required in high pedestrian areas.

Council allocated an additional \$100,000 in the budget for the year to carry out footpath repairs.

The current policy is being reviewed and will be the subject of a further report to Council. It is also expected that this policy will require further modification following introduction of the second stage of the State Government's public liability legislation.

The work done by Council so far in identifying the risks should place it in a good position to comply with expected provisions of the new legislation.

Group Manager – City Works

Council currently has approximately 55Km of footpath. We know from visual inspections that substantial reconstruction of the footpath network is required.

The accepted rate for replacement is \$60/m². A 2.0m wide footpath can be expected to cost approximately \$120/m run.

It can be assumed that the average life of the pavement is in the order of 25-50 years. This means it is necessary to reconstruct between 1Km-2Km of footpath each year.

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Notice of Motion – Footpaths and Cycleways

			Cost per Annum
55 Kilometres	25 years	2 Km	\$264,000
55 Kilometres	50 years	1 Km	\$132,000

One way or another, Council will need to allocate \$130,000-\$260,000 per year simply to **maintain the existing footpaths.**

(02-8156: R7329,S342,S552)

NOTICE OF MOTION

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

That a plaque be placed on the new pedestrian access bridge constructed over the stormwater drain connecting Wade Park to Gail Place, East Lismore with the inscription “*Syl Bertoli Bridge*”.

Supporting Notes

The Late Syl Bertoli was instrumental in bringing the need for this structure to my attention, other councillors and Council staff and his daughters have requested the naming of this access bridge in his honour. Through his efforts to see Wade Park accessed from East Lismore west of the drain and Wyrallah Road School, we now have a valuable community asset.
(Supporting letter attached)

COUNCILLOR B R Suffolk

DATE June 27, 2002

STAFF COMMENT BY: Structures Engineer (Charles Mitchell):

Council received a request for the naming of the pedestrian bridge at Gail Place after Mr Bertoli.

In accordance with Council’s Policy 8.9.1 – Naming of Public Places – submissions were invited, closing after 30 days on July 22, 2002. No submissions were received during the advertised period.

Mr Bertoli was instrumental in identifying and campaigning for the footbridge and he took a keen interest in the construction of the bridge.

(02-7876: P6689)

NOTICE OF MOTION

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

That Council:

- 1 Urge the NSW State Government to include the Rocky Creek Dam catchment area of Whian Whian State Forest in the Nightcap National Park to ensure the integrity of the Lismore, Ballina and Byron Bay water supply.**
- 2 Write to our local Members of Parliament notifying them of our concern and asking them to lobby the Government to ensure that this occurs.**

Comment by Councillor Tomlinson

The integrity of the water catchment area is vital to the immediate and long term future of Lismore, Ballina and Byron Bay Council areas. Yet a crucial part of the catchment area is not protected from commercial exploitation. A mining company recently obtained an exploration licence to explore in this region. You do not obtain an exploration licence unless you intend to exploit what you find. A mining operation in the catchment area would be disastrous.

COUNCILLOR D R Tomlinson

DATE July 24, 2002

STAFF COMMENT BY: Manager-Lismore Water

The importance of protecting the catchment cannot be over emphasised, as it is the first barrier in drinking water protection. Rous Water has strongly protested to the NSW Government regarding the granting of the of the exploration licence and would welcome any support it gets opposing mineral exploration. However, Rous has previously supported logging in the State Forest.

Source protection has become a serious issue since the Sydney Water Crisis and the more recent Walkerton (Canada) Crisis, where 7 persons died due to E.Coli 057 contamination. High-level inquiries held into both incidences recommended the formation of coordinated source protection programs.

The other advantage is that a well-protected source may reduce additional treatment costs. An extensive study done by Monash University recently concluded that it was unlikely that Melbourne would derive a health benefit from filtering drinking water taken from its highly protected catchments. This saved many millions in treatment costs.

(02-8426:P 12431)

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Subject/File No: LISMORE LAKE
(P27012)

Prepared By: Recreation Planner, Alex Wilford

Reason: Another petition has been received regarding the future of Lismore Lake

Objective: Council to determine the future use of Lismore Lake.

Management Plan Activity: Community Services

Introduction:

Since the adoption of the Lismore Lake Plan of Management in June 2001 there has been continued public interest in the future use of the Lake with many people calling for Council to abandon its plans to allow powerboats to use the Lake and instead maintain the Lake as a wetland habitat for birds and passive recreation.

The purpose of this report is to provide an update on issues relating to Lismore Lake and to obtain Council's direction in relation to the future use of Lismore Lake.

Background:

Council adopted a plan of management for Lismore Lake in June 2001. Under the plan, limited use of powerboats (includes all types of motorised water craft) will be permitted once the Lake is remediated. This recommendation reflected the results of consultation undertaken during the preparation of the plan, which indicated support for remediation of the Lake and reopening it for a range of water sports. It must be pointed out that comparatively few birds inhabited the Lake when the consultation was undertaken. Therefore, the importance of maintaining the habitat value of the area may not have seemed such a priority to many people at the time. Importantly, two threatened bird species have also been identified at the Lake since Council adopted the plan of management.

Calls for Council to reconsider the future use of Lismore Lake

Soon after the plan of management was adopted, numerous letters and a petition containing 1,017 signatures were received requesting that Council reconsider the future of the Lake and retain the area as a nature reserve for birds providing scenic and passive recreation opportunities.

Council considered this petition at its November 2001 meeting, where it resolved to hold a workshop so that an informed decision could be made about the Lake's future. Representatives of relevant stakeholder groups were to be invited to attend. A rescission motion was later lodged and this decision was rescinded at the December 2001 meeting.

A further petition of over 600 "postcards" was recently received which objects to plans to allow powerboats to use the Lake and calls for Council to retain the Lake as a wetland area for threatened bird species and other waterbirds. A copy of one of these "postcards" is attached. There has also been a steady flow of published letters to the editor of local newspapers expressing similar sentiments.

Threatened Birds at the Lake

In December 2001 Council was advised that two threatened bird species were recorded at the Lake. These species are the Comb-crested Jacana and the Black-necked Stork.

In May 2002, Officers of the National Parks and Wildlife Service (NPWS) attended a site inspection at the Lake to consider the potential impacts of pumping from Wilsons River upon the threatened bird species. A copy of their subsequent written advice (dated June 21, 2002) is attached. A summary of the key points follows:

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Lismore Lake

- Lismore Lake represents an important habitat in the local region for the Comb-crested jacana and may be used on an occasional basis by the Black-necked Stork.
- The habitat requirement for the comb-crested Jacanas and what makes the habitat at Lismore Lake suitable is largely the availability of surface vegetation. The retention of dense lily beds is of integral importance to maintaining the value of habitat for Comb-crested Jacanas.
- The proposed pumping has the potential to affect habitat for the Comb-crested Jacana and Black-necked Stork. Despite this, implementation of appropriate measures would be likely to avoid impacts on the threatened species and their habitat.
- NPWS recommend that Council maintains the status quo and avoid changes to the habitat, particularly actions that reduce the surface cover and density of floating vegetation.
- Avoid pumping water into the lake between November and February when the Comb-crested Jacana eggs will be sitting on top of the lilies.
- Install a sensor operated pump where water is automatically added to the lake as the level drops below an identified benchmark level.
- Avoid filling the lake above the benchmark level, although it is recognised that this may occur via run off during storm events.
- Monitor the impact of the water management strategy, long-term sedimentation of the Lake and expansion of vegetation growth.
- Maintain a buffer between water bird habitat and areas used for recreation.

In response to this advise, the NPWS were requested to comment further about the impacts to the threatened species if the Lake were to be maintained at a deeper level (suitable for powerboats) and if powerboats were to use the Lake. A copy of NPWS's response (dated July 22, 2002) is attached.

With respect to maintaining the water at a deeper level, NPWS have advised that the lilies which the Comb-crested Jacana use do not tolerate deep water. Therefore, if the water level is raised and maintained at a depth greater than that for lilies to persist at the site, then the habitat for the Comb-crested Jacana would no longer exist at the site. The Black-necked Stork uses shallow littoral areas of the Lake for foraging. Similarly if the water level is raised and maintained at a deeper level the habitat would also be removed for the Black-necked Stork.

With respect to powerboats using the Lake, NPWS assumes the water movement created by power boats is not likely to be conducive to the persistence of lilies or birds or their nests and eggs. The noise created by powerboat activities is also likely to deter waterbirds, including threatened species, from remaining at or venturing to the site. Should waterbirds continue to use the site despite the use of powerboats, there is also the potential for oil dispersing into the water from these activities to affect the feathers of birds using the Lake.

Installation of a Pump to top up the Lake

When Council adopted the Plan of Management, the installation of a pump to allow for gradual topping up of the Lake from Wilsons River was identified as a first priority. A licence application for a new pumping system was lodged with the Department of Land and Water Conservation (DLWC) in September 2001 and is still being assessed. DLWC's assessment will consider the environmental, economic and social implications of the proposal. The NPWS are being consulted as part of the assessment process.

In order for DLWC to progress their assessment of our application, they have recently requested (see attached letter dated July 11, 2002) that Council provide a definitive statement of the planned, and agreed, future management and use of the Lake. It is likely that DLWC will view our application more favourably if powerboats are not permitted to use the Lake and if the area is managed to minimise impacts upon the environment, particularly the threatened birds and their habitat.

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A design and cost estimate for the supply and installation of a suitable new pumping system has been prepared in consultation with Rothwell's Pump and Irrigation. As there is currently no electricity to the eastern side of the lake, a new electrical supply will need to be established. This may also require an easement to be created through the adjacent caravan park. The cost to install a suitable new pumping system is approximately \$65,000. (New pump installed \$45,000, electrical connection and supply \$15,000, creation of an easement through the caravan park for underground power \$5,000). The proposed new submersible electric pumping system will have water level sensors to automatically maintain the lake at a desired water level.

It is important to note that regardless of the future use of the lake (birds or boats), some form of pumping from the river is likely to be required to ensure the Lake's long term existence.

Interim Filling of Lismore Lake

DLWC previously issued Council with a temporary (12 month) permit to allow pumping to occur while the permanent licence application is being determined. This permit expires in November 2002. The NPWS supports this as an interim measure but suggest that Council apply for a separate S91 licence under the Threatened Species Conservation Act 1995 before proceeding with any further pumping at the Lake.

Amendment of Plans of Management

In accordance with the Local Government Act 1993, a plan of management can only be amended by the formal adoption of a new plan of management. Therefore, should Council decide to amend the existing Lismore Lake Plan of Management, a new draft plan will need to be prepared and exhibited for a minimum 28 days. Public submissions to the new draft plan must also be invited and considered before Council could formally adopt the new plan. This process would provide the opportunity for further community input and feedback before a new plan is finalised.

Manager - Finance & Administration Comments

The current plan of management for the Lismore Lake indicates that Council is committed to expending \$660,000 on it's rehabilitation and provision of facilities. Given the lack of financial resources available and the demand for funding to complete other major projects, it is unlikely that we will have sufficient funds to implement the plan. Unfortunately, this creates expectations in the community which we may not be able to deliver.

Consequently, I support a proposal that reviews the plan with one of the objectives being to make any rehabilitation and provision of facilities affordable.

In regards to the pump, the Mayoral Minute considered earlier in this Business Paper proposed a funding option to provide at least \$65,000 for this purpose. This is supported as regardless of the use of the Lake, some form of pump is required and this option appears the most effective and efficient.

Public Consultations

The existing Lismore Lake Plan of Management reflects the results of community consultation undertaken during its preparation in 2000. No further community consultation has been undertaken, however, as discussed in this report two large public petitions and numerous letters in relation to the future of the Lake have been received since the plan of management was adopted in June 2001.

Other Group Comments

Not required

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Lismore Lake

Conclusion

The future of Lismore Lake remains a very contentious issue with continued calls for Council to reconsider the existing plan of management and abandon its plans to allow powerboats to use the Lake in favour of birds and passive recreation.

The existing plan of management reflects the results of consultation undertaken in 2000, which indicated a preference for the Lake to be remediated and reopened for a range of watersports, as previously occurred. This was supported in discussions with stakeholders, questionnaire results and a petition (containing 171 names) requesting the Lake to be upgraded and reopened.

Under the existing plan, remediation of the Lake is required to ensure that the water is maintained at a quality suitable for watersports. As previously reported, this would involve considerable expense with cost estimates for Lake remediation in the vicinity of \$250,000.

It must be pointed out that when the consultation for the existing plan of management was undertaken in 2000 the threatened bird species had not been identified and comparatively few birds inhabited the Lake. Therefore, the importance of maintaining the habitat value of the area may not have seemed such a priority to many people at the time.

The two public petitions and regular flow of letters received since the plan of management was adopted suggest that there is now a preference among the community to maintain the Lake as a wetland area for birds and for passive recreation.

The calls to reconsider the plan of management are supported by advice from the NPWS, which indicates that the use of powerboats and maintenance of deeper water to support their use would have a negative impact upon the threatened birds and their habitat.

DLWC has verbally indicated that Council's application for a pumping licence is likely to be viewed more favourably if the Lake is to be retained as a wetland area for birds (particularly the threatened species) rather than a recreation area for powerboats as potential environmental impacts would be reduced.

Essentially there are two options for Council to consider in relation to the future of Lismore Lake. These options and their main benefits and disadvantages are presented in the tables below.

Option 1. Preserve and implement the existing plan of management.

Benefits	Disadvantages
<ul style="list-style-type: none">• Increased active recreation opportunities for the community.• The Lake would provide a local venue for power boating (jet skiing, water-skiing, etc.)• Potential to draw tourists to the area for power boating events with resultant economic spin-offs.• No need to amend the existing plan of management.	<ul style="list-style-type: none">• Continued objection from the community.• Potential environmental impacts, particularly with regard to threatened bird species.• Noise impacts from powerboat use.• High cost of Lake remediation (approx \$250,000) to ensure suitable water quality for watersports• Separate development application (and environmental assessment) would be required for lake remediation works and for future use by powerboats with no guarantee of approval.

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Lismore Lake

Option 2. Amend the plan of management so that powerboats are not permitted to use the Lake.

Benefits	Disadvantages
<ul style="list-style-type: none">• Protection of threatened species and their habitat.• Increased scenic and passive recreation opportunities for the community.• Potential environmental tourism opportunities.• Increased community support.• Increased potential for DLWC pumping licence to be approved.	<ul style="list-style-type: none">• Objection from boating community.

As option 2 provides similar benefits with far fewer disadvantages, it is recommended that the existing Lismore Lake Plan of Management be amended so that powerboats are not permitted to use the Lake. This will require a new draft plan of management to be prepared and publicly exhibited with submissions invited. This process would provide the opportunity for further community input and feedback before a new plan is finalised.

The new draft plan would incorporate an appropriate water management strategy that would be developed in consultation with NPWS, DLWC and other relevant agencies/groups to best suit the threatened bird species at the Lake.

Recommendation (COR24)

That:

1. The existing Lismore Lake Plan of Management be amended (i.e. a new draft plan be prepared) so that powerboats are not permitted to use the Lake.
2. The Department of Land and Water Conservation be advised that powerboats will not be permitted at the Lake and that the Lake will be managed and used to protect the threatened bird species and for scenic and passive recreation opportunities.
3. That a water management strategy be developed in consultation with the National Parks and Wildlife Service, the Department of Land and Water Conservation and other relevant agencies/groups and that this strategy be incorporated into the new plan of management.
4. Council apply to the National Parks and Wildlife Service for a Section 91 Licence under the Threatened Species Conservation Act 1995 as an interim measure to allow pumping from Wilsons River until approval of the permanent licence application before the Department of Land and Water Conservation.

Subject/File No:	LISMORE UNLIMITED MARKETING STRATEGY – SPECIAL BUSINESS RATE VARIATION LEVY (S740)
Prepared By:	Manager – Economic Development and Tourism
Reason:	Lismore Unlimited has prepared a Three Year Marketing Strategy, in line with Council resolutions
Objective:	Council adoption of the Marketing Strategy
Management Plan Activity:	Economic Development

Disclosure:

The author of this report is a director of Lismore Unlimited, current Chair of the Marketing Committee and a member of the Herb Festival Committee.

Background:

Council, at its meeting held on June 26, 2001 considered the Lismore Unlimited Promotions Plan and resolved the following:

1. Council endorse the Promotions Plan 2001/2002.
2. For the 2002/2003 Financial Year, the amount allocated for the Promotions Plan be indexed in line with overall indexing of Business Rate income, with the base year being the 1998/1999 Financial Year (the year of introduction of the SBRVL).
3. The next Promotion Plan be for the period 2002/2005 and involve a major consultation and review carried out by Lismore Unlimited.

The attached report is the outcome of the third point above.

The Strategy was developed under a facilitated process. Lismore Unlimited was successful in obtaining funding from the NSW Department of State and Regional Development, which allowed for a series of workshops facilitated by Rose Wright. This included a well-advertised workshop that was open to the business community in general.

The document is quite self-explanatory and contains a number of significant improvements in strategic direction as outlined in Section 4.

Evaluation of the 2001/2002 Promotions Plan

The 2001/2002 campaign will be completed by the end of this calendar year. Therefore the evaluation will be reported to Council in the early part of 2003.

Memorandum of Understanding with Lismore Unlimited

We are currently negotiating with Lismore Unlimited to determine a written agreement for the overarching approach to the Special Business Rate Variation Levy. This will be reported to Council at the September meeting.

LISMORE CITY COUNCIL - Lismore Unlimited Marketing Strategy – Special

Business Rate Variation Levy

Manager - Finance & Administration Comments

The Three Year Marketing Strategy (“strategy”) outlines the strategic plan for the expenditure of the Special Business Rate Variation Levy (“levy”) from July 2002 to June 2005. This strategy is comprehensive and it supports the original purpose of the levy being CBD promotional, safety and security initiatives.

The level of funding required to fund the strategy is approximately \$274,000 per annum. Based on the original 1998/99 levy of \$250,000, increased by the rate pegging allowances since then, the 2002/03 amount is \$279,400. At this stage, \$266,700 has been provided in the current budget for these purposes leaving a shortfall of \$12,700. I believe that it is reasonable to expect the full amount of the levy, plus rate pegging increases, to be made available for the implementation of the strategy.

As such, I support the strategy and the proposition that the full amount of the levy, plus rate pegging increases, is to be made available for its implementation. This will require an additional \$12,700 in 2002/03, to be allocated to this purpose, from the working fund surplus.

Public Consultations

The Chairs of Lismore Economic Development Advisory Board, Tourism Advisory Panel and Lismore Unlimited were approached for comment. Ros Derrett, Chair of TAP commented that:

1. she was pleased that there was a structured approach;
2. there must be synergies between the brand used in all sectors; and
3. the composition of the Marketing Committee looked good.

Other Group Comment

Event Co-ordinator - John Bancroft

The events-based highlights of the three-year promotion plan are as follows:

Signature Event – The Herb Festival

The “ownership” question, regarding the Herb Festival, was the theme of a report to Council in March 2002. It is great to see Lismore Unlimited financially cementing its ownership of this event and ensuring its short to mid-term existence. Other key players, such as Council, must also commit with Lismore Unlimited and continue to foster this project (as it has via 2002/2003 contribution).

Other Community/Cultural/Sport Events

The Business Community via Lismore Unlimited, as the major beneficiary of the “economic spoils” of events, is often expected to contribute via sponsorship etc. Unfortunately, this general expectation is often not achievable as Lismore Unlimited is not financially capable of supporting all events.

Should “**\$15,000**” and “**maximum 3 events**” be the situation, then Lismore Unlimited needs to think very hard about its funding choices and **all** events ultimately funded should either:

- a) highlight something unique and externally marketable about our city or region; and/or

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Business Rate Variation Levy

- b) provide obvious economic (most importantly) and social benefit to the city, i.e. attract outsiders and go for two days or more.

Criteria/documentation should be drafted that reflects such matters

The challenge for some events that fall into both categories:

- a) Lantern Parade; and
- b) Masters Games, 4WD Caravan and Camping Show

will be to determine how they can support the overall “Herb Festival”, “Celebration of Natural Living” theme, in order to be “favourably considered” for funding. Some events that provide significant economic stimulus to Lismore may have difficulty fitting such a criteria if the expectation is for organisers to change the theme of an event to suit such a message. If the expectation is that events retain their own theme/flavour with additional effort made to highlight “natural living” as a brand for regional life then the required outcome should be achievable.

Author’s Response to Comments from Other Staff

The comments from Manager - Finance and Administration have been incorporated into the recommendations.

With the Event Co-ordinator’s comments regarding the “Herb Festival - Celebrating Natural Living” theming, there are some salient points to consider:

1. Lismore Unlimited, Council, SCU and other sponsors have applied significant efforts to make this event highly successful at Lismore’s signature event;
2. To enhance the overall image and market positioning of the town, keeping a consistency of theming of events supported will be of great help;
3. With a little imagination, most event organisers should be able to **slightly modify** their product offering to satisfy the requirement;
4. The Herb Festival has been successful in attracting \$15,000 in flagship event funding for this year’s event from Tourism NSW;
5. Application has been made for the next tier of funding under the flagship program (\$30,000 x 3 years).

Conclusion

The Three Year Marketing Strategy will generate further improvements in Lismore’s image. The strategic approach includes:

- ⇒ Medium term planning horizon
- ⇒ Appointment of an Advertising Services Consortium
- ⇒ Research based marketing
- ⇒ Segmentation of offerings, target markets, messages and media
- ⇒ Pooling of resources
- ⇒ Improvements in the Marketing Committee
- ⇒ Support for Lismore’s signature event – Herb Festival
- ⇒ Seeding of other events and business development and training
- ⇒ Support for The Glynnys
- ⇒ Ongoing Evaluation

**LISMORE CITY COUNCIL - Lismore Unlimited Marketing Strategy – Special
Business Rate Variation Levy**

This plan allows further improvements in the evolution of Lismore's promotion.

Recommendation

1. That: Council endorse the Three Year Marketing Strategy for the period of the financial years of 2003 to 2005; and
2. Council make available the full amount of the levy plus rate pegging increases, for the implementation of the strategy (an increase of \$12,700 in 2002/03).

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Subject/File No:	REVISED INTEGRATED WASTE MINIMISATION AND MANAGEMENT STRATEGY (IWM&MS) & 3-YEAR ACTION PLAN (S763)
Prepared By:	Waste Minimisation Officer – Lesley Trott
Reason:	To inform Council of the Revised IWS, approved by Management Group Meeting, July 11, 2002
Objective:	To obtain Council approval of the Revised IWM&MS & 3-Year Action Plan
Management Plan Activity:	Waste Minimisation

Background:

Lismore's current 'Draft Integrated Waste Minimisation and Management Strategy', was approved by Council in June 1998, following an extensive public consultation process. LCC presented options during the development of the strategy to the community, in a survey issued to 18,000 households, and received 2,500 responses.

The original draft strategy contained an ambitious program of waste diversion measures, through 200 recommendations, rated according to their level of strategic importance. Since the adoption of the draft strategy in June 1998, 141 of the recommendations have been carried out, and many of the remaining recommendations are no longer viable, due to political, organisational, or structural changes within the waste management industry, or due to other social, technological, regulatory and environmental changes.

Also, the overall objective of the 1998 draft strategy; to achieve a reduction in waste disposed of to landfill by 60% per person by the year 2000 (based on a 1990 baseline), has largely been achieved.

During the year 2000, Council identified a need to review the draft strategy, in the light of recent waste management advances, and reassess environmental, social and technical priorities.

An effective waste strategy must be a fluid document that responds to social, technical, economic and environmental changes. Three years is considered an appropriate timeframe to develop and implement foreseeable policy, strategy and operational needs. This document therefore includes a three-year action plan, with implementation timeframes. It is anticipated that the IWM&MS will be reviewed again in 2005, with a new 3-year action plan.

All 60 actions identified in the strategy have been costed to ensure that projects are viable within Waste Strategies existing Education/Promotion budget of \$58,000 per annum. This comprises \$33,000 from the environmental levy and an annual contribution from Business & Enterprise group of \$25,000 towards strategy implementation.

Businesses have been earmarked for special attention, through incentives for cleaner production and auditing service, under an exciting incentive and reward scheme called 'The Rainbow Region Business Waste Project'. Also earmarked for special attention are schools, as Waste Minimisation plans a waste audit workshop, followed by a schools auditing service, designed to bring real-life learning to the classroom.

Following approval of the Revised IWM&MS and adoption of the 3-year action plan, a 'plain-English' version will be produced with a local graphic design company, to complement the range of information and education resources available to the community.

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Revised Integrated Waste Minimisation & Management Strategy and 3-Year Action Plan

A copy of the Revised IWM&MS forms an attachment to the business paper.

Manager – Business & Enterprise Comments

The Revised IWMMS is wholly supported by Northern Rivers Waste (NRW). As a financial contributor to the completion of these initiatives, the plan was developed in consultation with NRW staff and myself. Detailed planning of this nature is important for effective measurement of the process and the small steps that are necessary to achieve huge leaps.

Importantly the planning is integrated with the business planning process of NRW and this is imperative for a cohesive approach from the policy and operational arms of Council in our combined efforts to reduce waste within the LGA.

Manager - Finance & Administration Comments

The IWM&MS is supported by a detailed three-year action plan, which includes 60 recommendations to be implemented. To achieve these, \$58,000 per annum will need to be included in the 2002/05 Management Plans with funding to come from the Waste Minimisation levy and a contribution from Waste Collection. This has been provided in 2002/03.

Public Consultations

A consultation process was carried out with key stakeholders between February and May 2001 and comments assessed. Invitation to the public to view the draft strategy was promoted through a recent press release, which resulted in promotion of the strategy through newspaper articles and radio interview.

Author's Response to Comments from Other Staff

No comment necessary.

Conclusion

The revised IWM&MS has evolved since August 2001, to reassess goals and priorities to manage Lismore's waste and to identify new projects and needs for the next 3 years. This document will provide direction and structure for the implementation of waste minimisation & management projects during the medium term.

Recommendation (PLA26)

That Council approve the Revised Integrated Waste Minimisation and Management Strategy and endorse the 3-year action plan.

Subject/File No: WOMEN IN THE COMMUNITY
(S749)

Prepared By: Manager-Human Resources - Isabel Perdriau

Reason: Endorsement of the *National Framework for Women in Local Government*

Objective: To demonstrate Council's commitment to increasing the participation rate of women in all aspects of local government.

Management Plan Activity: Human Resource Management

Background:

The Minister for Regional Services, Territories and Local Government, the Hon Wilson Tuckey MP, wrote to Council earlier this year to provide information on work done to investigate the factors that have contributed to the low participation rate of women in local government.

In March, the Minister supported a 'Women in Local Government Roundtable' for elected and senior officer representatives across Australia. Following this roundtable, the ALGWA (Australian Local Government Women's Association) commissioned a project to develop a national approach to improving women's participation, and to build upon the actions in place in some States and individual Councils. This project has produced the National Strategy for Women in Local Government.

The Framework was then developed after an extensive consultation process, which yielded over 250 responses from a range of elected and appointed people across the country. An overview of and extracts from the Framework follow in this report.

Key Elements of the Framework

All major stakeholders are invited to endorse this framework:

- Each local Council
- State Ministers of Local Government
- The Commonwealth Minister of Local Government
- State Local Government representative bodies
- National and State LGMA's

A Statement of Commitment

- 1 We acknowledge that in Local Government women are under represented both as elected members and as senior members of administration and that their increased participation in both of these arenas should be encouraged.
- 2 We agree to review our own policies and practices to ensure that no discrimination or impediment exists, and will take action to ensure that barriers to women's full participation in Local Government are removed.
- 3 We will work to create and support an environment in Local Government which is harassment-free and that encourages the expression of and respect for a wide range of views.

B Goals

- 1 To increase the number of and participation of women in Local Government so that Councils more clearly represent and/or reflect the communities they serve, by:

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Women in the Community

- a) increasing the number of women as elected members and Mayors; and
- b) increasing the number of women as CEO/General Managers, second and third level managers.

C Objectives

- 1 To create Councils and communities where women feel able to fully participate and share their skills, knowledge and experience.
- 2 To work towards harassment-free, participative Councils where opinions and differences are respected.
- 3 To develop a climate of understanding among Councils, CEOs/General Managers and senior staff of the need for the initiatives in this Framework and to enlist their support.
- 4 Where women choose women-only training and networking, to gain acceptance and support of their participation in these activities.

Potential Strategies at the Local Level

A Proposed Actions for Councils to Support Elected Members

Education about Local Government

- Support young people through specific programs and consultations to participate in decision making with Councils, including the establishment of Youth Councils.
- Arrange discussions with local school career advisors to promote Local Government as a career option.

Pre election support

- Establish local systems of support for women candidates, to provide advice on dealing with the media and promoting themselves, campaigning and local voting patterns.
- Run preparatory sessions for aspiring new members including specific sessions for women
- Issue personal invitations and encourage women to stand for Council.

Meeting times

- Ensure that meeting times for Council meetings and other meetings involving elected members are flexible and are timed to avoid clashes with family responsibilities.

Elected Members' Training

- Support women attending specific women's training opportunities if desired.
- Ensure that women have equal access to training opportunities.

Mentoring and Support

- Link and match elected members with more experienced elected members for the first few months of office.
- Arrange team-building with other elected members, working with the General Manager and senior staff, developing positive group dynamics.
- Develop a Council harassment prevention policy.

Entitlements

- Review entitlements for elected members including allowances and childcare and ensure adequate provision is made for all Councillors for those entitlements under Council control.

Administration

- Ensure GM and senior staff members are aware of the needs of female Councillors for support and assistance.
 - Ensure good meeting preparation including briefings for all elected members.
-

Women in the Community

- Ensure that all Councillors understand EEO and Anti-discrimination legislation.

Equal Opportunity Issues

- Consult with and investigate the particular local issues for indigenous women, women of culturally and linguistically diverse backgrounds, and women with disabilities.
- Develop specific action plans that include these groups of women.
- Develop cultural awareness training for all elected members.

B Proposed Actions for General Managers and Councils to support Council Staff

Mentoring

- Introduce mentoring programs for emerging leaders and young women.
- Introduce recognition programs for the achievements of women.
- Introduce leadership scholarships for emerging leaders.

Training

- Ensure equal participation of women in current training opportunities.
- Encourage participation in targeted women's training where desired by female staff.
- Ensure women's participation in management training regardless of their professional backgrounds.
- Arrange training for all staff that considers EEO, harassment, stereotyping.

Selection and Promotion

- Ensure that appropriate and senior women are included on all selection panels.
- Ensure job description and selection criteria recognise management skills and experience and are not solely related to technical expertise.
- Consider selection criteria, which recognise different management paths.
- Ensure age discrimination does not occur.
- Review acting and development opportunities, and the existence of career paths for all staff.

Equal Opportunity

- Council and GM prepare a Plan to increase the participation of women staff in decision-making.
- GM report to Council annually on percentage of women in senior positions with trend information to be included in the Annual Report.
- Council to review staff appraisal systems and processes to ensure the absence of bias.
- GM to identify the particular issues for indigenous women, women of non-English speaking background and women with disabilities and take action to address any difficulties.
- Run cultural awareness training for all staff.

Development of Women's Networks

- Encourage interested women to participate in women's networks and private travel subsidy for attendance at meetings and training.

Cultural Change

- Review the organisational culture and undertake a climate survey.
- Ensure harassment policies are operational and understood.
- Include support for senior women staff in the GM performance indicators.

Family Responsibilities

- Ensure family friendly human resources policies for all staff.
- Consider part-time, job share and work-at-home (sometimes) positions for managers and team leaders.

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Women in the Community

- Consider childcare provisions for staff at required Council meetings.

Implementation Strategies

i) Elected Members

Councillors will be aware of the current policy framework pertaining to elected members, and to what extent this accommodates and provides support for elected members.

Strategies may be required to address ways to further enhance opportunities enabling greater participation by women.

ii) Staff

In relation to staff, it is pleasing to note that, of all the suggested actions in the Framework, many are either already in place or have been identified in the Human Resource Management section of Council's Management Plan.

Manager - Finance & Administration Comments

It is important that we have a system, which enables the 'best' person to be either elected to serve the community or appointed to implement Council's policies. The "Women in Local Government" framework has been developed and I believe it will support the system.

From a financial perspective, it is not likely that we will incur any significant cost associated with the implementation strategies and these are likely to be funded from within existing budgets.

Public Consultations

As indicated, public consultations were held to obtain input as the framework was being written.

Other Group Comments

The Spokeswomen's Program is active at this Council and brings to fruition a number of important initiatives directly related to the goals and objectives of the Framework. Importantly, Council has continued to demonstrate its support by continuing the funding which is allocated through the Human Resources Training and Development budget.

In relation to Council's staff groups, an important initiative this year was a focus on incorporating reference, in Council's Management Plan, to strategies to address increased participation by members of non-English speaking background groups.

Author's Response to Comments from Other Staff

It will be important for the activities of the Spokeswomen's Program to continue, and for the work of the staff group implementing the program to be strongly supported by Council's General Manager and the elected representatives.

Conclusion

The Framework provides a valuable guide for Councils and should help Lismore City Council to ensure that these important issues remain as a priority for on-going actions.

Council should continue to be proactive and show leadership in supporting the development of strategies to increase the contribution and participation of women.

Recommendation (HR01)

That Council:

- 1 Receive and endorse the Framework .
- 2 Continue to actively develop and implement strategies that are inclusive of elected members and staff that are both underpinned by the Framework and relevant to this council.
- 3 Forward details on the ways in which Council is addressing the Framework to the National Steering Committee for Women in Local Government.

Subject/File No: DRAFT AMENDMENT 10 TO LISMORE LOCAL ENVIRONMENTAL PLAN
– GENERAL AMENDMENT FOR 2002
(S800)

Prepared By: Manager, Planning Services – Helen Manning

Reason: To advise Council of the outcome of the public consultation and seek endorsement for submitting the draft plan to the Minister for making.

Objective: Improving the operation of Lismore Local Environmental Plan.

Management Plan Activity: Strategic Planning

Background:

At its meetings of March 12, April 9, and May 14, 2002, Council considered reports on the proposed contents of the annual general amendment to the Lismore Local Environmental Plan, and resolved on April 9 to publicly exhibit the draft plan. This report advises Council of issues raised during public consultation and seeks agreement to the submission of the draft plan to the Minister for Planning.

There are two components to this draft amending LEP, being firstly minor zoning alterations at Nimbin, Clunes, Goonellabah, North Lismore and over National Parks; and secondly miscellaneous alterations to the written plan to clarify provisions for markets, warehouses, motels and bed and breakfast development.

A full explanation of each matter is given in the reports considered by Council on April 9 and May 14 and will not be repeated here. However a brief summary of the contents is contained in Council's resolution 63/02 and of May 14, 2002:

"63/02 **RESOLVED** that the report be received and that Council, pursuant to S.54 of the Environmental Planning & Assessment Act:

- 1 Prepare a draft amending local environmental plan which introduces the following changes to the Lismore Local Environmental Plan:
 - a) rezones certain flood prone land at Nimbin to 1(r) Riverland;
 - b) includes the entire Nimbin School site in the 2(v) Village Zone;
 - c) includes the Bush Factory and filled land in Sibley Street with development potential within the 2(v) Village Zone at Nimbin;
 - d) rezones part of Lot 1, DP 255203, Blue Hills Ave., Goonellabah, to 2(a) Residential;
 - e) rezones lands held by the National Parks & Wildlife Service to 8 National Parks and Nature Reserves;
 - f) realigns the 1(d)/2(v) zone boundary on Lot 382 DP 867394, Clunes;
 - g) removes the Special Use 5 Zone from part of 33 Tweed Street, North Lismore and replace it with the Residential 2(f) Flood Liable zone.
 - h) removes the 6(a) Recreation Zone from No's 30, 32 & 34 Ravenswood Drive, Goonellabah and replaces it with the 2(a) Residential Zone.
 - i) introduces a definition of 'markets' and makes provision for this use within the zoning tables;
 - j) introduces a new definition of 'warehouse';
 - k) requires the advertisement for public comment of proposals for motels in the 1(a) zone;
 - l) permits bed and breakfast establishments to be developed with consent in the 7(b) zone, and

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- m) *include a rezone in Dalziel Street to permit the establishment of a clinical school as part of the University Department of Rural Health if the project is sufficiently advanced and if it is necessary.*

Include 'places of public worship' as permissible with Council's consent in the 6(b) Private Recreation Zone (Resolution of 14 May 2002)"

The draft plan recommended for adoption follows this report in the Business Paper. A 'plain English' explanation of the legal wording is contained in the attachments.

Manager - Finance & Administration Comments

Mr. Santin has advised that his comment is not required.

Public Consultations

S.62 of the Environmental Planning and Assessment Act requires that consultation with public authorities and such other persons as Council determines must be consulted before a draft amending local environmental plan is prepared and exhibited. Accordingly the following were consulted before the plan was prepared for public exhibition:

- Dr John Beard of the Public Health Department
- NSW Agriculture concerning the minor alteration of a zone boundary at Clunes
- Department of Land & Water Conservation concerning flood prone land at Nimbin and North Lismore
- Department of Planning.
- National Parks & Wildlife Service
- Owners of land at Nimbin proposed for zoning alteration, including Department of School Education

The Public Health Department did not respond with any further information regarding the establishment of a clinical school in Dalziell Street. As the proposal would be currently permissible as an educational establishment without rezoning, the proposal was deleted from draft Amendment 10.

NSW Agriculture responded that there were no issues or concerns with the proposed realignment of the boundary between zones 1(d) and 2(v) at Clunes.

Department of Land & Water Conservation advised:

"In the absence of a floodplain risk management plan for the village of Nimbin, DLWC believes there is insufficient basis for the proposed changes to the land use zoning.

It is the State Government's Policy that Council prepares a floodplain risk management plan for its area. To date Council appeared to have given this matter a low priority for the village of Nimbin. Council is encouraged to institute the floodplain risk management process for the village of Nimbin as soon as practicable. As a first step it is recommended that a flood study for Nimbin be expedited."

In response, the Department was advised of the circumstances of the proposal, being a desire to remove the misleading village zoning from flood prone land, of the Nimbin Planning Study and its recommendations for that action, and that the suggestion for a Flood Study for Nimbin could be included as a proposal for consideration in next year's budget. The

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Department then advised verbally that it had no objection to the proposed zoning alterations at Nimbin.

The Department further advised in relation to 33 Tweed St., North Lismore:

Council's draft Floodplain Risk Management Plan identified the subject site as 'High Flood Risk' and that the appropriate planning control would be that no new residential development be allowed.

DLWC is concerned that removing the Special Use 5 Zone from part of 33 Tweed St, North Lismore, and replacing it with the Residential 2(f) Flood Liable Zone would permit the establishment of a new residential dwelling at the subject site. This is contradictory to Council's draft Floodplain Risk Management Plan.

In response, the proposed zoning of the land was altered to 1(r) Riverland, which applies also to adjoining land and permits some industrial and commercial uses but would not permit a dwelling to be erected (the lot being less than 40 ha.)

PlanningNSW advised that there was no need for an environmental study to support the plan.

National Parks & Wildlife Service advised that the proposed zonings of new National Parks were consistent with the NPWS estate and to date there have been no further additions to National Parks in Lismore.

Department of School Education advised that it had no objection to the inclusion of the entire Nimbin school site within the 2(v) Village Zone.

Zoning alterations at Nimbin

One alteration proposed was the inclusion of the 'Bush Factory' into the village zone; it is currently within a 1(r) Riverland Zone and 'shops' are prohibited. Inclusion within the 2(v) Zone would have permitted a wider range of uses, including retail, on the site. The Bush Factory is strata titled into 8 separate units in a number of different ownerships, and has recently been required to connect to the Nimbin sewerage system. The body corporate was notified of the proposal to alter the zoning, as were individual unit owners. Two owners objected to the proposed rezoning, the owner of another two units ascertained that current uses would remain permissible but otherwise offered no objection or support for the proposal. On this basis the proposed rezoning of the Bush Factory was deleted from the draft LEP prior to exhibition.

However during the exhibition period another owner of two units objected to the deletion of the rezoning and requested inclusion in the Village Zone. In response the writer was advised that Council would reconsider the zoning of the Bush Factory if supported by the majority, or preferably all, of the unit holders.

Public Exhibition of draft Amendment No. 10.

The draft plan was exhibited for one month from 6 June to 5 July 2002. Owners of all affected properties were notified by letter, which included copies of the draft plan legal instrument, plain English explanation and relevant maps, and were invited to comment. Submissions were received as follows:

1. *Objection to the permissibility of motels in the Rural 1(a) Zone and a request that they be excluded from that zone because they are contrary to LCC policy of maintenance and enhancement of rural Lismore; they are 'disharmonious to rural land ambience'; are not rural*

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development and numerous motels already exist; there are no design controls and the typical motel would not fit in the rural landscape.

Comment: Motels have been permissible with consent in the Rural 1(a) Zone for the last 10 years, but very few have been proposed or developed. Draft Amendment No. 10 proposes that any application for a motel in the 1(a) Zone should become 'advertised development', requiring a public exhibition period and enabling the public to comment on all aspects of a development application including the need for such development. It is considered that this provision should remain in the draft amending plan so as to provide flexibility for the tourism industry and rural landowners. Requiring public exhibition will ensure that interested members of the public have the opportunity for input into the design of the building. Should any serious enquiries be received in Planning Services regarding the development of a motel in a rural area the applicant would be encouraged to participate in pre-lodgement discussions, at which time appropriate building design would be discussed.

2. *Disappointment that the Nimbin Bush Factory was deleted from the draft LEP; need to expand permissible uses and attract tourists.*

Comment: Unit owners are obviously divided about the uses appropriate for this building but reinstatement of the Bush Factory rezoning into the draft LEP at this stage would require re-exhibition of the draft plan and is not appropriate in the absence of support of the majority of unit owners. The validity of attracting tourists to Nimbin (and Lismore generally) is certainly acknowledged, but the site in its present state is unsuitable for tourist attracting uses because of poor access and parking facilities. If the zoning was altered the first application for retail/tourist attracting uses would be required to upgrade access and parking, which would be inequitable if other businesses were also to benefit. The appropriate current and future uses of the building, and facilities to support those uses, should be addressed co-operatively by all unit owners before Council takes further action on the zoning of this site.

Also in relation to Nimbin, no objections to removal from the 2(v) Zone were received from owners of land noted as flood prone.

In summary, there were no issues raised during the public exhibition which would require alteration of the draft plan or re-exhibition.

Consistency of the draft LEP with State/Regional Planning

The draft LEP is consistent with State Environmental Planning Policies, the North Coast Regional Environmental Plan and the Best Practice Guidelines 'LEPs and Council Land – Guidelines for Councils using delegated powers to prepare LEPs involving land that is or was previously owned or controlled by Council'.

Council is able to use its delegated authority to submit the amending LEP directly to the Minister after having obtained advice from the Parliamentary Counsel.

Other Group Comments

Comments from Manager - Economic Development and Tourism Motels in Rural Zones

There has been little demand for increasing the development of motels in rural zones over recent years. This situation may change over the next few years with the opening of the Yelgun to Chinderah freeway and its expected impacts of increased tourism to the Northern Rivers region. This area will become much more accessible from Brisbane and the Gold Coast. I believe that we will see increasing interest in rural tourism facilities particularly in the north-eastern end of the municipality. It is quite reasonable that these sort of developments should be advertised.

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Draft Amendment 10 to Lismore Local Environmental Plan

Nimbin Bush Factory

I agree with the submission, that it is disappointing that this property has been removed from the LEP. It should have its zoning upgraded to allow an increased range of allowable usages. This has potential to incrementally improve the employment opportunities in a village that desperately needs these opportunities. The community will lose out again because of infighting and indecision.

Markets

It is quite logical that markets are given an appropriate definition. At the time of writing this comment I have not seen that definition. Markets should be allowable in 6 (a) Recreation Zones.

B & B Establishments in Pre-existing Houses in 7 (b) Zone.

This seems a logical step that may open some small scale opportunities.

Warehouse Definition

This change in definition appears to broaden the application from wholesale to also include retail applications. This appears to be a reasonable and logical step without a great deal of significance.

Author's Response to Comments from Other Staff

Manager-Economic Development and Tourism has commented that markets should be allowable in the 6(a) Recreation Zone. However, the exhibited LEP amendment did not make any alteration to the status of markets in the zone: they would be prohibited under the current land use table and under cl. 75 Temporary Use of Public Land regular or recurrent country markets are specifically prohibited from establishing without development consent.

The LEP amendment was drafted without including markets in the 6(a) Zone because this zone applies either to sports fields, where markets and associated traffic could damage playing surfaces, and to bushland with habitat values, where markets could be detrimental to the maintenance of those values.

However, in relation to sportsfields, the Manager Parks and Reserves has advised that he would have no objection to the operation of markets in the off field areas of 6(a) zoned sportsfields. This would mean that markets, either recurrent or one-off, could take advantage, with Council's consent, of the infrastructure associated with sportsfields such as parking areas, water, public toilets, shelter, without necessarily affecting playing surfaces.

It is unlikely that an application would be made to hold a market in a bushland area; however if an application was to be received the requirement for consent would ensure that Council would undertake a merit assessment of the proposal and either refuse it or approve it with appropriate conditions.

On this basis it is recommended that the draft amending LEP be altered to permit "markets", with the consent of Council and as advertised development, in the 6(a) Recreation Zone.

The proposed planning provisions for markets attracted no submissions when the draft plan was exhibited and it is considered that the inclusion of markets in the 6(a) zone is of minor impact which would not require re-exhibition of the draft plan nor any additional consultation.

The draft Amendment 10 LEP following this report and the 'plain English' version in the attachments have been altered to include this matter.

Conclusion

Draft Amendment 10 to Lismore LEP seeks to update and clarify certain provisions in the LEP in accordance with current practices.

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Draft Amendment 10 to Lismore Local Environmental Plan

Recommendation (PLA27)

It is recommended that Council adopt Amendment No. 10 to Lismore Local Environmental Plan and forward it to the Minister for Planning with a request that the Plan be made.

Subject/File No: DRAFT AMENDMENT NO. 11 TO LISMORE LOCAL ENVIRONMENTAL PLAN (S/826)

Prepared By: Development Assessment Planner – Angela Jones

Reason: Response to a request to alter Lismore LEP by Newton Denny Chapelle

Objective: To obtain Council's resolution to prepare a draft LEP Amendment to allow alterations and additions to Goonellabah Medical Centre

Management Plan Activity: Strategic Planning

Background:

Newton Denny Chapelle on behalf of Zeelake Pty Ltd has requested the proposed amendment to the Lismore LEP to permit alterations and additions to the Goonellabah Medical Centre at 162-166 Ballina Road, Goonellabah known as Lot 3 DP 595145 and Lot 61 DP 262478.

Clause 28 of the Lismore LEP currently permits a maximum of five (5) practitioners to operate from the existing Goonellabah Medical Centre, which is on Lot 3 DP 595145. A recent Development Application (DA 02/314), which was withdrawn due to the land use being prohibited, proposed an extension and alterations of the existing facilities which would have resulted in eight (8) practitioners operating from the site.

The extension and alterations comprised of three (3) new consulting rooms, two (2) offices, an internal courtyard garden, procedure room and an extended verandah. The proposal will also provide an additional 12 car parking spaces for staff on the eastern side of the existing building which will create an additional access to Ballina Road.

It should be noted that if the proposed amendment to the Lismore LEP is gazetted, then a Development Application would be required for the proposed extension and alterations. As the subject site will be gaining an additional access from Ballina Road, approval pursuant to Section 138 of the Roads Act will also be required with the concurrence of the Roads and Traffic Authority.

The proposed amendment to the Lismore LEP involves altering the third item in Schedule 4 (clause 28) to allow for no more than eight (8) practitioners on Lot 3 DP 595145 and Lot 61 DP 262478.

A draft plan map following this report indicates the subject land.

Manager - Finance & Administration Comments

Not required.

Public Consultations

Public consultations will be undertaken after the draft amendment has been prepared and exhibition certificate has been issued.

Other Group Comments

City Works

The City Works Group has no objection to the proposed amendment. With regard to future development of the site, it should be noted that the preferred option would be for the site to maintain only one access to Ballina Road and that the parking areas be linked internally.

Author's Response to Comments from Other Staff

As required by S62 of the Environmental Planning and Assessment Act, the RTA will be consulted prior to the formulation of the draft plan for exhibition.

Conclusion

Should Council proceed with the preparation of the amendment, Council must consult with those public authorities, which it considers may be affected by the draft Plan.

If consultation raises issues detrimental to the continuation of this LEP amendment, a further report will be furnished to Council prior to the draft amendment being placed on exhibition.

Recommendation (PLA29)

- 1 That pursuant to Section 54 of the Environmental Planning and Assessment Act 1979, Council resolve to prepare a draft LEP Amendment to rectify the LEP 2000 as outlined in this report.
- 2 That Council inform the Director-General of Planning NSW of its decision to prepare a Local Environmental Plan.
- 3 Council agree that, should no issues arise during consultation which would significantly alter the proposed draft plan, the draft plan can be placed on public exhibition without further reporting to Council.

Subject/File No:	DRAFT AMENDMENT TO DCP NO.26 – INDUSTRIAL DEVELOPMENT STANDARDS (BB:S545)
Prepared By:	Strategic Planner – Bruce Blackford
Reason:	Agreement on proposed relocation of East Street, South Lismore
Objective:	Public exhibition of draft amendment to DCP No.26
Management Plan Activity:	Strategic Planning

Background:

In 1996 Council consented to an application by Bennett Properties Pty Ltd to fill Lots 1, 2 and 15 in Section 6 in DP 1691 on the southern side of Snow Street, South Lismore. In the same year it also consented to an application by Wyrain Pty Ltd for an industrial subdivision on the northern side of Snow Street. The two developments were linked by the fact that they both proposed a relocation of (unformed) East Street further to the west.

Council supported the relocation as it provided better access to the Wyrain development. However the landowner (Kumasi P/L) on the opposite (eastern) side of East Street objected to the relocation at the time. After some considerable period of negotiation involving all parties, an agreement was reached which will allow the road realignment to proceed. All parties, including Council, have now signed the agreement

As part of the negotiations Bennett Properties made several concessions in an effort to ensure that an agreement was reached. These concessions impacted upon the lot width available to Bennett Properties. The concessions were:

- a) That the reserve width of the 'new' East Street be about 1m wider than the 'old' East Street reserve.
- b) That Bennett Properties transfer to Kumasi P/L a strip of land 5m wide by 70.4m long.

At the time of the negotiations Council recognised the constraints imposed by the reduced lot width on Bennett Properties' land and agreed to assist them by facilitating a reduced building line setback from the 'new' East Street. It was proposed that the setback be reduced to 3m, provided direct access to East Street was denied and future access to the site was from Three Chain Road or Snow Street.

The land owned by Bennett Properties is zoned 4(a) Industrial under the Lismore Local Environmental Plan 2000. Consequently DCP No.26 – Industrial Development Standards applies. Clause 2.1 of the DCP provides for a minimum six (6) metre setback from the street frontage except for corner allotments where the DCP allows variations to the setback requirement on the minor street frontage to be considered on their merits.

Although the DCP provides some flexibility in terms of setback requirements on corner allotments, the proposed reduction from six (6) metres to three (3) metres in this case would represent a significant variation from the DCP standard. To provide certainty for the landowner, as well as ensuring that direct vehicular access from a future development to East Street is prohibited, it is proposed that a minor amendment to DCP No. 26 be made to reflect the outcome of the negotiations. A copy of the proposed amendment is included as an attachment.

Manager - Finance & Administration Comments

Not required.

Public Consultations

There is a statutory requirement that draft amendments to DCPs be publicly exhibited for a minimum period of twenty eight (28) days. This provides affected landowners and other members of the public with the opportunity to make a submission to the draft amendment.

City Works Comments

City Works Group were involved in the negotiation of the abovementioned agreement. The proposed amendments were necessary to facilitate the relocation of East Street to a preferred location. The relocated position of East Street provides greater functionality in regard to road geometry when considering a road link from Three Chain Road through the Wyrain estate to Wilson Street. The reduction in the boundary setback combined with a restriction on access from this street is considered appropriate given the benefits offered by relocating the road to this position.

Author's Response to Comments from Other Staff

Not necessary.

Conclusion

The proposed amendment to DCP No. 26 reflects the outcome of negotiations with affected landowners with respect to the proposed relocation of East Street, South Lismore.

Recommendation (PLA25)

That Council place the draft amendment to DCP No. 26 on public exhibition for a period of twenty eight (28) days.

Subject/File No: REVIEW OF DEVELOPMENT CONTROL PLAN 41 – NOTIFICATION AND ADVERTISING OF DEVELOPMENT APPLICATIONS (S739)

Prepared By: Manager Planning Services – Helen Manning

Reason: To improve the operation of Council's notification and advertising procedures.

Objective: To facilitate the development assessment process and appropriate community consultation.

Management Plan Activity: Strategic

Background:

Development Control Plan 41 Notification and Advertising of Development Applications was part of a package of development control plans required to be adopted by the alteration to the Environmental Planning and Assessment Act in 1998. The other DCPs are No. 39 Exempt Development and No. 40 Complying Development.

No problems have been reported with the operation of DCPs 39 and 40, but problems have arisen with the operation of DCP 41 with the result that a comprehensive review has been undertaken.

Rather than amend the current DCP 41 by preparing a draft amendment, it is proposed to request Council to repeal DCP 41 as dated June 1999, and replace with a new DCP 41 dated with the adoption of the new DCP. It is considered that this procedure will be simpler to follow than the preparation of an amending DCP which, given the extent of the alterations proposed, would be very complicated and difficult to follow.

However, the initial step proposed in this report is for Council to endorse the reviewed DCP for public exhibition. Following public exhibition and any subsequent alterations to the new DCP, Council will be requested to repeal the current DCP 41 and adopt the new one in its place.

Councillors may find the current DCP 41 dated June 1999 in their Development Manuals. The reviewed DCP 41, dated August 2002, is in the attachments to the business paper.

Contents of current DCP 41

The DCP lists the majority of uses defined within the LEP and specifies whether they require notification or advertising.

'Notification' is defined as written advice of lodgement of a development application, including a copy of the DA, sent to 'affected persons', being those who own or occupy land adjoining the site of the DA, or who own or occupy 'neighbouring land'. This last is defined as any land which in the opinion of Council may be detrimentally affected by a proposed development.

'Advertising' is where Council, in addition to writing to those persons required to be notified, places an advertisement in a local newspaper advising of the lodging of a development application and specifying a time period in which a person can make a submission regarding the application.

Proposed Alterations to DCP 41

The DCP has been reviewed to ensure that it accords with the Local Environmental Plan, which includes a category of 'Advertised Development'. The current DCP 41 does not require advertising of some uses which the LEP specifies must be advertised, and it requires notification or advertising of some uses which are prohibited, and for which a DA could not be accepted.

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Review Of Development Control Plan 41 – Notification & Advertising Of Development Applications

The necessity for advertising boundary adjustments has been deleted, following concerns from landowners and consultants that advertising these minor applications unnecessarily increases the assessment time. Other forms of subdivision having potential impacts will still require advertising.

'Markets', the definition of which is to be introduced to the LEP, have been included in the DCP.

Uses which can be expected in a zone, such as commercial premises in the Business Zone, have been removed from the requirement for advertising, but may still require notification of nearby owners.

Unnecessary definitions, which are not required by the text of the DCP, have been deleted.

A new clause has been added which provides that for any use which does not fall clearly within the land uses listed in the DCP, the Manager Planning Services will determine whether notification or advertising is required, having regard to heads of consideration listed in para 5.1 of the DCP. This list currently does not include 'impacts on the environment' so this has been added.

Manager - Finance & Administration Comments

Mr Santin has advised that comments are not required.

Public Consultations

As required by the Environmental Planning and Assessment Regulation, the draft DCP 41 dated August 2002 will be advertised for 28 days for public comment. Following receipt of submissions, the draft DCP may be amended and will be reported back to Council for adoption. It will not come into effect until this adoption.

Other Group Comments

Not requested: the proposal has no impact on other Groups.

Author's Response to Comments from Other Staff

Not required.

Conclusion

Endorsement of the reviewed DCP 41 (August 2002) for public exhibition will assist in streamlining the development assessment process, ensure that only significant applications are advertised, and save resources by removing unnecessary advertising costs.

Recommendation (PLA28)

It is recommended that Council endorse for public exhibition Draft DCP 41 Notification & Advertising of Development Applications (August 2002).

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Subject/File No: SECTION 356 DONATIONS
S164

Prepared By: Tricia Shantz

Reason: Miscellaneous Section 356 – Policy Guidelines

Objective: To inform Council of the Section 356 Funding for 2002/2003

Management Plan Activity: 1.5

Background:

Council has allocated \$30,500 in its 2002/2003 budget for Miscellaneous Section 356 Community Donations. In accordance with Council policy, applications were sought from community groups and a total of thirty two (32) applications totalling \$62,779 were received with a further two applications coming in via the Management Plan process.

The following projects received the most votes from Councillors:

a) Bexhill Uniting Church	\$2,200
b) Northern Rivers Community Transport	\$2,200
c) LINC Television Inc.	\$1,800
d) NSW Sports Council for the Disabled – North Coast Region	\$1,500
e) Caring is Sharing	\$2,200
f) Summerland Early Intervention Programme	\$2,200
g) Girl Guides Association of NSW – Lismore District	\$2,000
h) Goonellabah RSL Cricket Club	\$2,200
i) Woodburn Chamber of Commerce	\$2,000
j) Cedar Guitar Country Music Awards	\$1,700
k) Stoney Chute Rural Fire Brigade	\$2,200
l) Wyrallah Rural Fire Service	\$2,200
m) The Channon Rural Fire Brigade	\$2,000
n) NSW Fire Brigades	\$500
o) Boatharbour Rural Fire Service	\$2,200

SUB-TOTAL **\$29,100**

There is an amount of \$1,400 remaining to be allocated. The next two projects each received five votes.

- | | |
|--|---------|
| a) Ngulingah Local Aboriginal Land Council | \$2,200 |
| The project is to landscape and install tables and chairs in the outside back area of the building. This will enable it to be used as a meeting space. It will extend the office space to outside. A BBQ will be placed there for community gatherings. Currently, the space is vacant and unused. This space will be well used as many groups meet here; TAFE, Multicultural groups, etc. | |
| b) Lismore Women & Children's Refuge | \$2,000 |
| Funds will be used to improve the facility for non-resident women to access support at the refuge. Indoor: blinds, floor rug, CD player. Outdoor: chairs, table, pots, plants. The facility is used for groups for residents and non-residents; for provision of counselling for non-resident women seeking support from refuge staff, in addition to counselling sessions provided by the Outreach Worker at the Women's Health Centre. | |
-

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S356 Donations

There are a couple of options available to Councillors. These are:

1. Fund one of these projects with the remaining \$1,400
2. Fund both projects for \$700 each.

Manager - Finance & Administration Comments

This is in accordance with the 2002/2003 budget.

Public Consultations

N/A

Other Group Comments

N/A

Author's Response to Comments from Other Staff

N/A

Recommendation (COR23)

- 1 That the 2002/2003 miscellaneous Section 356 donations be provided to the following fifteen (15) projects:-

a)	Bexhill Uniting Church	\$2,200
b)	Northern Rivers Community Transport	\$2,200
c)	LINC Television Inc.	\$1,800
d)	NSW Sports Council for the Disabled – North Coast Region	\$1,500
e)	Caring is Sharing	\$2,200
f)	Summerland Early Intervention Programme	\$2,200
g)	Girl Guides Association of NSW – Lismore District	\$2,000
h)	Goonellabah RSL Cricket Club	\$2,200
i)	Woodburn Chamber of Commerce	\$2,000
j)	Cedar Guitar Country Music Awards	\$1,700
k)	Stoney Chute Rural Fire Brigade	\$2,200
l)	Wyrallah Rural Fire Service	\$2,200
m)	The Channon Rural Fire Brigade	\$2,000
n)	NSW Fire Brigades	\$500
o)	Boatharbour Rural Fire Service	\$2,200

- 2 That the following two (2) projects each be allocated \$700:

- a) Ngulingah Local Aboriginal Land Council
- b) Lismore Women & Children's Refuge

Subject/File No: LISMORE NEIGHBOURHOOD CENTRE
(P6621)

Prepared By: Manager Client Services – Lindsay Walker

Reason: To inform Council of progress in this matter

Objective: To obtain Council resolution to proceed with redevelopment of old Lismore Library to accommodate the Neighbourhood Centre.

Management Plan Activity: Community Services

Background

It has been recognised for some time that the expansion of the Lismore Shopping Centre will require that the Council owned building currently occupied by the Neighbourhood Centre be sold for redevelopment. This in turn will require that the Neighbourhood Centre be relocated.

During the negotiations for the sale of the site the developer accepted the value of the community service provided by the Neighbourhood Centre and agreed to pay significantly more than the “market value” for the property, on the clear understanding that Council use the funds to re-establish the Neighbourhood Centre in an appropriate location.

An estimation of the value of the community service provided can be determined by comparing the \$175,000.00 paid for each of the other two Council owned lots sold in McKenzie Street with the \$405,000.00 paid for the Neighbourhood Centre site.

Over the past years Council and the Neighbourhood Centre have considered the suitability or otherwise of various sites for the required relocation. Although some have seemed appropriate, various circumstances have always conspired to frustrate relocation in the past.

It is considered that this circumstance has now changed following the preparation of contracts for sale between McConaghy and Council.

Accordingly Council resolved to relocate the Lismore Library to ‘B’ Block on the Art in the Heart site. Council also allocated funds in this financial year for the relocation of the Neighbourhood Centre to the old Library site.

It is proposed that although Council will retain ownership of the Library site, it will provide facilities that will make it suitable for occupancy by the Neighbourhood Centre. At the time of the Council budget formulation a rough estimate of the cost of converting the Library was made and \$50,000.00 was set aside for this work.

Since that time detailed measurements of the building have been undertaken and a more accurate estimate of costs is now possible.

Proposed Building Work

The current Library building is effectively a two storey open space, which has very limited internal partitioning. Any future tenant of the building, be it the Neighbourhood Centre or otherwise, will require individual office spaces and meeting rooms.

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Lismore Neighbourhood Centre

With this usage in mind a floor plan has been developed which will allow the building to function as a commercial rentable space and will at the same time satisfy the requirements of the Neighbourhood Centre. The proposed work will also involve reworking the toilets to provide a disabled toilet area, which is in line with Councils current Disability Action Plan.

The current building estimate for the proposed work is \$95,000.00 and a Development Application and Construction Certificate application for the proposal will be lodged with Councils Planning department in the normal manner.

Manager - Finance & Administration Comments

It is clear from the information presented in this report, that we have an 'obligation' to support the relocation of the Neighbourhood Centre. After looking at a number of options to achieve this outcome, the best, for a number of reasons, is their relocation to the existing Library site in Bounty Street. Unfortunately, this will cost approximately \$105,000 for which we have \$50,000 in the 2002/03 Budget.

In reviewing our position, it would appear that we have no room to manoeuvre as: -

- a) the Neighbourhood Centre must relocate so that the Lismore Shopping Centre development can proceed. This must be effected by December 31, 2002 to satisfy the formal agreement;
- b) the proceeds from the sale of the Neighbourhood Centre site is critical to the funding for both these works and the renovation of the new Library building;
- c) if we pursue an alternate site for rental, then the long term ongoing costs are likely to be well in excess of the \$105,000 proposed for these works, and
- d) if we pursue an alternate site for purchase, then the purchase price is likely to be well in excess of the \$105,000 proposed for these works.

As such, we need to allocate an additional \$55,000 to these works.

From a funding perspective, the preferred and most painless option is to fund this shortfall from additional rate revenue that has been received in 2002/03. This suggestion is reluctantly offered as we face some uncertainty with costings on other capital projects and liability claims that may require funding in the near future.

Other Group Comments

Manager - Community Services

The Lismore Neighbourhood Centre has been operating from its present venue since 1981, providing an extensive range of services to the Lismore community. The Neighbourhood Centre holds a strong grass roots community profile, and is run by a small crew of paid workers and a large contingent of volunteers, providing support, assistance and a variety of programs to the community on a minimal budget. In particular, the Centre uses its community human resources to help people and develop the community. No other community umbrella organisation caters for the very diverse needs of its community and community groups. The Neighbourhood Centre needs suitable and appropriate facilities in order to carry out its services and programs.

Programs such as the Community Visitors' Scheme, Financial Counselling Service, Community Settlement Scheme, Community Dispute Resolution Service, Over 50s Group etc are in danger of folding due to unresolved accommodation difficulties. The Centre manages numerous grants and auspices small grants for unincorporated groups, advocates on behalf of individuals and groups

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Lismore Neighbourhood Centre

within the community, and provides free computer use, legal and taxation advice etc. In short, the Centre provides an invaluable service to Lismore and district, and should be actively supported by Council with the provision of adequate and serviceable accommodation in order to conduct its extremely worthwhile community service.

Public Consultations

NA.

Author's Response to Comments from Other Staff

Not required.

Conclusion

- Council has long recognised its moral obligation to continue to support the Neighbourhood Centre.
- Council has persuaded McConaghy holdings of this obligation and has obtained a sale price for the Neighbourhood Centre site, which is substantially over market value.
- It is timely to dovetail the relocation of the Neighbourhood Centre in with that of the Lismore Library.
- Council has a responsibility to carry out work on its property, in this case the old Lismore Library, that serves it well into the future and is not seen only as a short term expenditure.
- Council should increase the budget allocation for the work involved in reconfiguring the internal area of the old Lismore Library.

Recommendation (GM57)

1. Council, subject to consent being issued for a land use Development Application, resolve to relocate the Neighbourhood Centre to the existing Library site.
2. Council retain ownership of the existing Library site and enter into a long term lease with the Neighbourhood Centre. Such lease to commence with the same rental payment as is currently being paid for the McKenzie Street property, but to include clauses which ensure that any increase in sub-leasing revenue which derives from the improved premises afforded by the work being undertaken on the existing Library site be shared between Council and the Neighbourhood Centre.
3. Council increase its budget allocation for the proposed refurbishment of the existing Library to a maximum of \$105,000.00.

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Subject/File No: LAURIE ALLAN CENTRE - RENTAL CHARGES
(P15856)

Prepared By: CONTRACTS OFFICER – CHRIS ALLISON

Reason: To inform Council of a request to waive rental paid by the Westpac Life Saver Rescue Helicopter for the hire of the Laurie Allan Centre

Objective: To inform Council of the effects of loss of income

Management Plan Activity: Client Services Unit – Community Facilities

Background

In July 2001 Westpac Life Saver Rescue Helicopter requested that Council waive the weekly rental for the hire of the Laurie Allan Centre for Saturday evenings to conduct Housie. The Westpac Life Saver Rescue Helicopter indicated that under the terms of their operating licence from the Department of Gaming, the Westpac Life Saver Rescue Helicopter are required to keep expenditure below 12.5% of gross income and due to increasing costs it is proving difficult for the service to meet these requirements in order to maintain their licence.

At the Council meeting August 14, 2001, Council resolved to reduce the weekly rental Westpac Life Saver Rescue Helicopter for the 2001/2002 to \$50.00 per week.

On July 15, 2002, Council received a further request from the Westpac Life Saver Rescue Helicopter to again review the weekly rental charged for the Laurie Allan Centre and asked that the rental be set at \$50.00 per week for the reasons outlined above.

Should Council agree to this reduction in rent, it is expected to reduce the expected income for the Laurie Allan Centre by \$1010.00 for the current financial year. Given hiring trends over the past twelve months, it is unlikely that this shortfall will be made up from increased casual hirers and Council will need to fund the shortfall from the working fund surplus.

Manager - Finance & Administration Comments

The reduction in rental charge for the Westpac Life Saver Recuse Helicopter from \$72.20 to \$50.00 per week will result in the operating deficit for the Laurie Allan Centre being increased by approximately \$1,000. As it is not possible to reduce operating expenses by a similar amount, if approved, this will decrease Council's working fund surplus to \$29,000.

Public Consultations

N/A

Other Group Comments

N/A

Author's Response to Comments from Other Staff

N/A

Conclusion

The Westpac Life Saver Rescue Helicopter provides a very valuable service to the whole of the Northern Rivers community and has been supported by Council in a number of ways over the years. This request is reasonable given the importance of the service to the community.

Given the situation faced by the Westpac Life Saver Rescue Helicopter is likely to continue, it is proposed that Council resolve to set the annual fee at \$50.00 (adjusted annually for CPI).

Recommendation (GM56)

That the weekly rental paid by the Westpac Life Saver Rescue Helicopter for the hire of the Laurie Allan Centre be set at base a of \$50.00 per week for the 2002/2003 period and adjusted by CPI annually in accordance with Council's pricing policy.

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Subject/File No: PROVISION FOR CLEANING SERVICES AT VARIOUS COUNCIL ASSETS – T22023

Prepared By: CONTRACTS OFFICER - Chris Allison

Reason: Council consideration of the cleaning contract

Objective: To obtain Council approval to award contract for provision of cleaning services

Management Plan Activity: Client Services

Background

The current contract for the provision of cleaning services for various Council assets/locations expires August 31, 2002. Client Services unit, on behalf of the various asset managers, prepared the tender documents for the next three year period with an option to extend the contract for a further two (2) years.

Tenders were advertised in the Sydney Morning Herald and Northern Star. Tender documents were issued to fifteen (15) companies, with seven (7) tenders being received by the close of tender on 2:00 pm Wednesday June 12, 2002.

The assets included in the tender are as follows:

Administration Offices & Council Chambers	Laurie Allen Community Centre
Dog Pound	Old Municipal Offices
Molesworth House	East Lismore Treatment Works
Waste Facility Offices	Gingerbread House Day Care
Works Depot - Brunswick St	Economic Development Unit
Lismore City Library	Goonellabah Library
Public Toilets Lismore – CBD	Works Depot - Block B
Goonellabah Community Centre	Lismore Art Gallery
Tourist Information Centre	Water & Sewerage Depot
Nimbin Village Streets & Toilets	

Tenderers were able to tender on all or some of the 19 assets in this contract and each asset was to be assessed individually. The contract may be awarded as separable parts to one or more tenderers. Tenderers are required to provide costs for each asset and to indicate the hours required to clean each asset.

Tender Examination

The tenders received are summarised below

Tenderer
ADF Group
Jungle Patrol Community Safety
Allcorp Services Qld
Mr. C Cleaning
W & W Ma's Cleaning Service
Ballantine Cleaning Services
Tempo Services

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Provision for cleaning services at various Council assets – T22023

The tender submissions from ADF Group, Allcorp Services Qld, Mr. C Cleaning, Ballantine Cleaning Services and Tempo Services, were for all assets. W & W Ma's Cleaning Service tendered for ten (10) assets and Jungle Patrol Community Safety submitted a tender for the cleaning at Nimbin only.

The tender documentation (Clause B7) defined five (5) areas by which each tender would be assessed: Price, Capability, Relevant Experience, Compliance with Quality & Safety Plans and Management & Financial. The tenderers were required to address each of these criteria in their tender. Attachment A shows the weighted result for each criteria.

Each tender was evaluated in accordance with the selection criteria by the Contracts Officer and an initial recommendation prepared. A summary of tenders for each asset was then referred to the relevant Asset Manager for review and comment on the initial recommendation.

The Manager Parks & Recreation has requested that the cleaning of the public toilets in Lismore be withdrawn from this contract to allow for further consultation in regard to improving the level of service.

With the exception of the Manager Parks & Recreation and the cleaning of Nimbin Village, all of the asset managers support the appointment of Tempo Services to undertake the provision of cleaning services. Tempo Services are the current contract cleaners and have generally provided a high level of service. The indicative hours provided by Tempo Services for cleaning the individual assets are considered realistic and Tempo Services have scored highest in the overall evaluation of the tenders excluding the price.

With regards to the cleaning of the Nimbin Village, last year Council awarded the cleaning contract to Jungle Patrol Community Safety for a twelve-month period. At the time, although the Jungle Patrol Community Safety had not previously undertaken similar works, it was felt that this would allow a degree of community ownership of the village, which would hopefully provide for a cleaner and safer environment. The appointment of Jungle Patrol Community Safety has proven very successful with the standard of cleaning in the Nimbin Village improving over the past twelve months.

Principal Accountant's Comments

Consultation has been undertaken with the respective budget managers with confirmation that they can manage the new tendered prices within their existing budgets. This, together with Tempo's sound history in providing this service should ensure that Council gets the best value for money in awarding the tender for cleaning.

Public Consultations

N/A

Other Group Comments

Manager Parks & Recreation's Comments

Nimbin cleaning tenders:

The Jungle Patrol have increased their tendered price from last year, however the level of service and quality of cleaning has been the highest that we have experienced at Nimbin in the last five (5) years. Some internal financial adjustments and a minor increase in our budget have now made it possible to accommodate this increase.

As mentioned earlier in this report the Jungle Patrol are a Nimbin based organisation attempting to improve the street scene in Nimbin by providing local employment opportunities and thus giving local ownership of the public facilities in Nimbin. This program appears to be working very well to date with better supervision of the toilets and other public spaces. I should point out that the administration office of the Jungle Patrol is located within the grounds of the NCDCA and only metres from the public toilets. This has been a real benefit in recent times in particular with increasing the level of service to the toilets. I would recommend retaining Jungle Patrol Community Safety to undertake the cleaning works in Nimbin.

Lismore public amenities:

In the light of problems experienced with different contractors in recent years I am considering alternative options at present in an attempt to improve and sustain an increase in the level of service in the medium to long term. I would not recommend accepting any tenders for this work at present until I have had an opportunity to cost alternative options that will provide Council with some guarantee of better service. It is proposed to extend the current contract on a month by month basis until the alternative options have been investigated and evaluated.

Author's Response to Comments from Other Staff

N/A

Conclusion

Although Tempo Services have not provided the lowest tendered price, when the indicative hours to clean the various assets are considered in relation to price, Tempo have provided the best value tender. As the current contractor Tempo Services are familiar with the work requirements and the Asset Managers support the re-appointment of Tempo Services.

The Jungle Patrol Community Safety have demonstrated a high level of commitment to the works over the past twelve months and the level of cleaning has improved.

Recommendation (GM52)

1. The contract for the provision of cleaning services for the facilities stated, excluding the Lismore Public toilets and cleaning of the Nimbin Village for the period to June 30, 2005 be awarded to Tempo Services.
2. The contract for the provision of cleaning services for the Nimbin Village for the period to June 30, 2005 be awarded to Jungle Patrol Community Safety.
3. The Mayor and General Manager be authorised to execute the contracts on Council's behalf and attach the Common Seal of the Council.

LISMORE CITY COUNCIL - Meeting held August 13, 2002

Subject/File No: TENDERS FOR SPRAYED BITUMINOUS SURFACING WORKS
T22026

Prepared By: CONTRACTS OFFICER – CHRIS ALLISON

Reason: To inform Council of tenders received for the 2002/2003 sprayed Bituminous Surfacing Program

Objective: To obtain Council approval to award the Tender

Management Plan Activity: Client Services/Roads

Background

Tenders for the 2002/2003 Sprayed Bituminous Surfacing Program were recently invited.

The Client Services Unit on behalf of City Works prepared the tender documents

Tenders were advertised in the Northern Star and the Sydney Morning Herald. Tender documents were issued to four (4) companies, with two (2) tenders being received by the close of tender on 2.00pm, Thursday, June 27, 2002.

TENDERER
Boral Asphalt
Pioneer Road Services

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

To enable a comparison of the rates received, two typical projects for this Council were selected and costs calculated based on the tendered rates (refer Appendix A), see tables below.

A. Major Works Program (10 Days)

Contractor	Total Cost (Inclusive GST)
Boral Asphalt	\$ 178,231.90
Pioneer Road Services	\$ 213,150.23

B. Minor Works Program (2 Days)

Contractor	Total Cost (Inclusive GST)
Boral Asphalt	\$ 14,957.58
Pioneer Road Services	\$ 19,155.89

The rates tendered by Boral Asphalt result in the lowest costs for both projects. In addition, when the other evaluation criteria specified in the tender are applied (Capability, Relevant Experience & Quality and Safety Plans) Boral Asphalt is the highest ranked tenderer, refer Attachment B.

Principal Accountant's Comments

The preferred supplier has a proven track record and is the lowest cost option. As such, Council is getting more value for money for ratepayers' funds.

Public Consultations

Not required.

Other Group Comments

Manager – Roads & Infrastructure Comments

Boral have provided a satisfactory service in the past. Boral's depot is located in Lismore, which provides advantages due to increased flexibility and availability of service.

I endorse the recommendations of this report.

Author's Response to Comments from Other Staff

Not required

Conclusion

Boral Asphalt have provided the lowest conforming tender and have ranked first in the evaluation criteria. Boral Asphalt have undertaken the bituminous resurfacing works for Council for a number of years. There are advantages to Council in contracting with a local company as costs are minimised due to the fact that there is no site establishment fee charged by Boral Asphalt for any of the works.

Due to 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

Recommendation (GM53)

1. That Council adopt the following order of priority for the engagement of bitumen sealing contractors for major and minor works:
 1. Boral Asphalt
 2. Pioneer Road Services.

LISMORE CITY COUNCIL - Meeting held August 13, 2002

Subject/File No: TENDERS FOR PAVEMENT STABILISATION WORKS
T22027

Prepared By: CONTRACTS OFFICER – CHRIS ALLISON

Reason: To inform Council of tenders received for pavement stabilisation works during the 2002/2003 year

Objective: To obtain Council approval to award the Tender

Management Plan Activity: Client Services/Roads

Background

Tenders for the Pavement Stabilisation Works for the 2002/2003 period were recently invited.

The Client Services Unit on behalf of City Works prepared the tender documents

Tenders were advertised in the Northern Star and the Sydney Morning Herald. Tender documents were issued to four (4) companies, with three (3) tenders being received by the close of tender on 2.00pm, Tuesday, June 25, 2002.

TENDERER
Stabilised Pavements of Australia
Pavement Salvage Pty Ltd
Stabilex (NSW) Pty Ltd

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

To enable a comparison of the rates received, two typical projects for this Council were selected and costs calculated based on the tendered rates (refer Attachment A), see tables below.

C. 15,000m² Program (Five (5) Working Days)

Contractor	Total Cost (Inclusive GST)
Stabilised Pavements of Australia	\$ 40,300.00
Pavement Salvage Pty Ltd	\$ 51,850.00
Stabilex (NSW) Pty Ltd	\$ 52,950.00

D. 4,000m² Minor Works Program (2 Days)

Contractor	Total Cost (Inclusive GST)
Stabilised Pavements of Australia	\$ 11,260.00
Pavement Salvage Pty Ltd	\$ 18,080.00
Stabilex (NSW) Pty Ltd	\$ 18,520.00

The rates tendered by Stabilised Pavements of Australia result in the lowest costs for both projects. In addition, when the other evaluation criteria specified in the tender are applied (Capability, Relevant Experience & Quality and Safety Plans) Stabilised Pavements of Australia is the highest ranked tenderer, refer to Attachment B.

Principal Accountant's Comments

The concept of adopting a priority listing for preferred suppliers should ensure Council gets the best value for money and is supported

Public Consultations

Not required.

Other Group Comments

Manager – Roads & Infrastructure Comments

Stabilised Pavements of Australia Pty Ltd have provided satisfactory service to Lismore City Council for several years. There is a good working relationship with both management and field staff. Often priority service is afforded to Lismore City Council due to this long standing business arrangement.

I endorse the recommendations of this report.

Author's Response to Comments from Other Staff

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. Stabilised Pavements of Australia have provided the lowest conforming tender and have ranked first in the evaluation criteria and have 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.

Recommendation (GM54)

2. That Council adopt the following order of priority for the engagement of stabilised pavement contractors for major and minor works:
 1. Stabilised Pavements of Australia Pty Ltd
 2. Pavement Salvage Pty Ltd
 3. Stabilex (NSW) Pty Ltd.

LISMORE CITY COUNCIL - Meeting held August 13, 2002

Subject/File No: TENDERS FOR 150MM & 225MM DIAMETER WATER MAIN REPLACEMENT, KYOGLE ROAD & CASINO STREET, LISMORE - T22029

Prepared By: Contracts Engineer - Ravi Ariyasinghe

Reason: To inform Council of tenders received for the replacement of 150mm & 225mm diameter water mains at Kyogle Road & Casino Street, Lismore

Objective: To obtain Council approval to award the Tender

Management Plan Activity: Strategic Plan Link 6.5, 6.4, 2.2

Background

Tenders have been called for the 150mm & 225mm diameter water main replacement in sections of Kyogle Road & Casino Street in Lismore as part of the 2002/03 water main replacement program.

These water mains were identified as needing replacement because they were in poor service condition.

The Client Services Unit on behalf of Lismore Water prepared the tender documents

Tenders were advertised in the Northern Star and the Sydney Morning Herald. Tender documents were issued to five organisations, with three tenders being received by the close of tender on 2.00pm, Tuesday 2 July 2002.

Tender Examination

The tenders received are summarised below:

TENDERER	TENDER PRICE	CORRECTED TENDER PRICE	ESTIMATED PRICE FOR RESTORATION & RECONNECTIONS
Camglade Pty Ltd	\$ 171,784.50	\$ 173,216.00	\$ 52,540.00
Gradwell Excavation Pty Ltd	\$ 207,510.00	\$ 207,502.40	\$ 39,030.00
PB Civil Pty Ltd	\$ 226,470.00	\$ 226,462.38	\$ 95,500.00

The prices shown above are **exclusive** of GST.

The tender price corresponds to the total amount inserted by the tenderers in the schedule of prices.

On examination of the tenderers' schedules of quantities and prices, it was observed that the tenderers had made some arithmetical errors in the schedule. The corrected tender price includes rectification of these errors. This amount does not include restoration of bitumen and concrete surfaces and reconnection of water meters. These items were listed as rate only items in the schedule of prices.

LISMORE CITY COUNCIL - Meeting held August 13, 2002

T22029 - Tenders for 150mm & 225mm diameter water main replacement

The estimated price for restoration and connections for each tenderer has been prepared using the respective rates provided by the tenderers.

An evaluation panel consisting of Ravi Ariyasinghe (Contracts Engineer), Janaka Weeraratne (Asset Manager, Lismore Water) and Chris Allison (Contracts Officer) undertook the assessment of tenders.

The tender documentation (Clause B7) defined four areas by which each tender would be assessed:

- i. Total Price
- ii. Knowledge of Local Conditions
- iii. Capability, Quality & Safety, and
- iv. Management.

The tenderers were required to address each of these criteria in their tender. Attachment A shows the weighted result for each criterion. The weighted assessment shows that Camglade Pty Ltd's tender has provided good value for this project.

Referee Check

Council has contracted Camglade Pty Ltd for several previous projects of a similar nature. The works under each contract have been performed to a high standard and Camglade Pty Ltd has a good knowledge of local conditions.

Principal Accountant's Comments

There is adequate funding provided in the 2002/03 budget. The tender process has ensured that a competitive price has been negotiated for the projects scheduled.

Other Group Comments

Asset Manager - Lismore Water

Camglade Pty. Ltd. has previously performed similar works very satisfactorily for Lismore Water and the recommendation to award the tender to Camglade Pty. Ltd. is concurred to.

Public Consultations

Not required.

Author's Response to Comments from Other Staff

Not required.

Conclusion

The tenderer has performed similar work satisfactorily for private developers and Lismore City Council in the past. The tenderer is considered to have technical and managerial abilities for completing the work satisfactorily. It is recommended that the water main replacement at Kyogle Road & Casino Street be awarded to Camglade Pty Ltd for the amount of \$173,216.00 excluding GST plus rate only item costs.

Recommendation (GM50):

4. The contract for the water main replacement at Kyogle Road & Casino Street is awarded to Camglade Pty Ltd for the amount of \$173,216.00 excluding GST plus rate only item costs.
5. The Mayor and General Manager are authorised to execute the Contract on Council's behalf and attach the Common Seal of the Council.

LISMORE CITY COUNCIL - Meeting held August 13, 2002

Subject/File No: TENDERS FOR 100MM & 150MM DIAMETER WATER MAIN REPLACEMENT, VARIOUS LOCATIONS, LISMORE & NIMBIN T22030

Prepared By: Contracts Engineer - Ravi Ariyasinghe

Reason: To inform Council of tenders received for the replacement of 100mm & 150mm diameter water mains at various locations, Lismore & Nimbin

Objective: To obtain Council approval to award the Tender

Management Plan Activity: Strategic Plan Link 6.5, 6.4, 2.2

Background

Tenders have been called for the 100mm & 150mm diameter water main replacement in sections of Hamley Road, Hunter Street, Tweed Street, Leicester Street, Dibbs Street & Bruxner Crescent in Lismore and Thorburn Street in Nimbin as part of the 2002/03 water main replacement program.

These water mains were identified as needing replacement because they were in poor service condition.

The Client Services Unit on behalf of Lismore Water prepared the tender documents

Tenders were advertised in the Northern Star and the Sydney Morning Herald.

Tender documents were issued to five organisations, with two tenders being received by the close of tender on 2.00pm, Tuesday 2 July 2002.

Tender Examination

The tenders received are summarised below:

TENDERER	TENDER PRICE	CORRECTED TENDER PRICE	ESTIMATED PRICE FOR RESTORATION & RECONNECTIONS
Camglade Pty Ltd	\$ 253,265.00	\$ 253,665.00	\$ 68,610.00
Gradwell Excavation Pty Ltd	\$ 307,133.25	\$ 306,583.25	\$ 46,750.00

The prices shown above are **exclusive** of GST.

The tender price corresponds to the total amount inserted by the tenderers in the schedule of prices.

On examination of the tenderers' schedules of quantities and prices, it was observed that the tenderers had made some arithmetical errors in the schedule. The corrected tender price includes rectification of these errors. This amount does not include restoration of bitumen and concrete surfaces and reconnection of water meters. These items were listed as rate only items in the schedule of prices.

The estimated price for restoration and connections for each tenderer has been prepared using the respective rates provided by the tenderers.

LISMORE CITY COUNCIL - Meeting held August 13, 2002

T22030 - Tenders for 100mm & 150mm diameter water main replacement

An evaluation panel consisting of Ravi Ariyasinghe (Contracts Engineer), Janaka Weeraratne (Asset Manager, Lismore Water) and Chris Allison (Contracts Officer) undertook the assessment of tenders.

The tender documentation (Clause B7) defined four areas by which each tender would be assessed:

- i. Total Price
- ii. Knowledge of Local Conditions
- iii. Capability, Quality & Safety, and
- iv. Management.

The tenderers were required to address each of these criteria in their tender. Attachment A shows the weighted result for each criterion. The weighted assessment shows that Camglade Pty Ltd's tender has provided good value for this project.

Referee Check

Council has contracted Camglade Pty Ltd for several previous projects of a similar nature. The works under each contract have been performed to a high standard and Camglade Pty Ltd has a good knowledge of local conditions.

Principal Accountant's Comments

There is adequate funding provided in the 2002/03 budget. The tender process has ensured that a competitive price has been negotiated for the projects scheduled.

Public Consultations

Not required.

Other Group Comments

Asset Manager - Lismore Water

Camglade Pty. Ltd. has previously performed similar works very satisfactory for Lismore Water and the recommendation to award the tender to Camglade Pty. Ltd. is concurred to.

Author's Response to Comments from Other Staff

Not required.

Conclusion

The tenderer has performed similar work satisfactorily for private developers and Lismore City Council in the past. The tenderer is considered to have technical and managerial abilities for completing the work satisfactorily. It is recommended that the water main replacement at various locations in Lismore & Nimbin be awarded to Camglade Pty Ltd for the amount of \$253,665.00 excluding GST plus rate only item costs.

Recommendation (GM51)

6. The contract for the water main replacement at various locations in Lismore & Nimbin be awarded to Camglade Pty Ltd for the amount of \$253,665.00 excluding GST plus rate only item costs.
7. The Mayor and General Manager be authorised to execute the Contract on Council's behalf and attach the Common Seal of the Council.

Subject/File No: REPLACEMENT OF COUNCIL PLANT
V244 (JCB Backhoe used by Urban Roadworks) AND
V252 (JCB Backhoe used by Lismore Water)
(CS:VLC:T22022)

Prepared By: Fleet Manager - Col Starr

Reason: To inform Council of the replacement purchase of major plant items.

Objective: To seek Council's approval for the purchase of two (2) new Backhoe / Loaders

Management Plan Activity: 1.12 - Plant Operations

Background

Tenders closed on May 30, 2002 for the supply of two (2) new Backhoe / Loaders and the sale of -

- V244 - 1989 JCB 3CX Backhoe / Loader and
- V252 – 1993 JCB 3CX Backhoe / Loader.

Council currently owns and operates nine (9) Backhoe / Loaders (soon to be eight) in the following sections of Council –

- **Roadworks – Urban:** Currently operates three (3) machines (all 3CX) and upon purchase of one from this tender, there will be a downsize to two (2) machines only.
- **Roadworks – Rural:** Currently operates two (2) machines (both 4CX – Big Wheel and 4Wsteer); the larger machines purchased for the rural area due to their longer road travel requirements.
- **Lismore Water:** Currently operates two (2) machines (all 3CX). Compatibility between these machines is key criteria for selection. One of these machines is being replaced in this tender.
- **Parks & Recreation:** Currently operates one (1) Backhoe / Loader (3CX) but is one of the older machines in the fleet due to low utilisation within that Department.
- **Crematorium & Lawn Cemetery:** Currently operates one (1) Backhoe / Loader (3CX) and is the oldest of the LCC fleet of Backhoes, mostly due to the very low utilisation and low priority of the operational availability of this plant item.

Reliability is critical for both of the machines being tendered as Council is leaning towards owning the minimum of machines and relying on surplus to be sourced by external contractors.

Back-up will be another essential selection tool and Lismore City Council has history of back-up support from suppliers.

Backhoe / Loaders Tendered

Listed below are the Backhoe / Loaders tendered with Suppliers' details. Full technical and tender evaluation details are also listed in the attachment marked as **Attachment 'A' Tender - 22022**.

LISMORE CITY COUNCIL - Meeting held August 13, 2002

Replacement Of Council Plant – V244 and V252 (JCB Backhoes)

Backhoe / Loader	Supplier
1. VENERI 9.23	CJM Agencies of Sydney NSW.
2. FERMEC 860	Chesterfield of Brisbane Qld.
3. FERMEC 960	Chesterfield of Brisbane Qld.
4. NEW HOLLAND LB110	Tracforce of Brisbane Qld.
5. CATERPILLAR 428D	Gough & Gilmour of Grafton NSW.
6. JOHN DEERE 315SG	Hitachi Construction Machinery of Brisbane Qld.
7. JCB 3CX-P18	CEA of Brisbane Qld.
8. CASE 580SM	McDonald Murphy of Brisbane Qld.
9. KOMATSU WB97R-2	Komatsu of Brisbane Qld.

An evaluation panel comprising Messrs Col Starr (Fleet Manager), Chris Allison (Contracts Officer), Kevin Allen (Urban Works Supervisor) and three (3) plant operators assessed the tenders in part or in full, as per the criteria set out in the tender documents.

The evaluation criteria determined the suitability of all Backhoe / Loaders for capability, quality, safety, operational functionality and conformity to minimum specifications given.

The results of these evaluations are also shown in **Attachment 'A'** of this report.

Field trials were held of those Backhoe / Loaders available to Council; being –

- Veneri 9.23
- Fermec 960
- New Holland LB110
- Caterpillar 428D
- John Deere 315SG
- JCB 3CX-P21
- Case 580SM
- Komatsu WB97R-2

The Fermec 860 tendered was not available for trial due to lack of availability at the time of the trials. The JCB 3CX-P18 model was also not available for trial due to the run-out of this model. Consequently, the newer model (JCB 3CX-P21) was trialled as it was the only model now available.

The full details of the trials conducted are listed in the attachment.

Key Points to Consider

- Purchase best possible unit capable of completing tasks, as required, when required.
 - Only replace with a Backhoe/Loader which will give maximum performance as required by both Departments where required but still be small enough to work in the confined work areas which are common to both users of these machines.
 - Proven back-up support from Supplier and Manufacturer.
 - Operator comfort with 'Ergonomic Design' while in operation.
 - Ability to keep machinery working with minimal maintenance and repair time.
-

Replacement Of Council Plant – V244 and V252 (JCB Backhoes)

Full consultation with the Council Departments which use these machines, including the Operators, has shown that the machines which are designed as Backhoe/Loaders are more beneficial in their applications than the machine which is a loader with a backhoe attached (refer attachment for full details).

All of the machines tendered are new models so all makes were trialled and the results thereof has showed that some are unsuitable for the applications required - most were suitable but one brand and model was the most suitable for all of the tasks, as reflected in the recommendation below.

Principal Accountant's Comments

Both items of plant have sufficient funding held within their respective plant groupings. In addition, each machined has more than paid for its replacement cost over the term of its useful life. As these plant items are utilised for a number of years, the proposal to purchase the make/model with the best all-round value is supported.

Other Group Comments Not required

Conclusion

The Backhoe / Loaders are an important link in both the roadworks and Lismore Water operations of Lismore City Council. Their versatility is important, especially when used in the often confined working areas within the urban regions.

The purchase of one Backhoe to replace two for the Urban Roadworks Section highlights the need for a reliable machine capable of varying work practices. Uniformity within the Lismore Water section is a priority, within reason, as this Section has several Operators who use either of their two machines, during both the day and night.

Rehabilitation costs for both the Roadworks and Water Departments were taken into consideration. Unfortunately, not all of these costs are recorded separately but an approximate per annum cost has been given. This cost, however, is a conservative figure and is often exceeded.

Staff Involvement

Acceptance of any proposed machine purchase by operating staff is important as it enhances a long operating life with minimal break-downs. Keeping this fact in mind, staff have inspected the available Backhoe / Loaders and have agreed unanimously with the recommendation.

Public Consultations N/A

Author's Response to Comments from Other Staff Not required

LISMORE CITY COUNCIL - Meeting held August 13, 2002

Replacement Of Council Plant – V244 and V252 (JCB Backhoes)

Recommendation (WOR5)

That Council purchase the following machines –

- One (1) only JCB 3CX-P21 as tendered (T22022 Item (a) by Construction Equipment Australia (CEA), Sumner Park, Qld, at a cost of **\$142,798.00** (includes \$10,619.00 GST), and accept its 'Trade in offer' of **\$24,200.00** (Includes GST) **for V244** (Urban Roadworks)
and
- One (1) only JCB 3CX-P21 as tendered (T22022 Item (b) by Construction Equipment Australia (CEA), Sumner Park, Qld, at a cost of **\$136,110.00** (includes \$8,210.00 GST), and accept its 'Trade in offer' of **\$44,000.00** (Includes GST) **for V252** (Lismore Water).

Note: Change-over cost to Council (including GST) is

- a) **V244: \$118,598.00** **and**
- b) **V252: \$ 92,110.00**

Change-over cost to Council after Input Tax Credit is

- a) **V244: \$107,979.00** **and**
- b) **V252: \$ 83,900.00**

(Anticipated delivery of the Backhoe / Loaders is 2-3 weeks from placement of Purchase Order)

Subject/File No: MANAGEMENT PLAN REVIEW 2001-2002 – JUNE QUARTER 2002

Prepared By: General Manager's Office

Reason: Requirement of the Act

Objective: Information and Annotation of Councillors

Management Plan Activity:

Background:

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

This report, which is prepared in a new format, includes information that relates to the performance of programmes and activities highlighted in the Plan for completion during the quarter ended June 2002.

Recommendation:

That the report be received and content noted.

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

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

Communications and Community Relations

- Communications Strategy – progressive implementation, including:-
 - Continued implementation of media plans of all managers and programme officers, including new work and reporting procedures, supported by training.
 - Proactive media planning and discussion with staff.
 - Published May/June Community Link
- Internet – Published Winter iteration of website and oversaw continued development of Internet and Intranet.
- Community Relations –
 - Progressed discussion with external consultant on benchmarking community survey of attitudes to council services.
- Issue management – maintained daily pro-active media schedule, including maintenance of positive media profile on issues and exceptionally high media coverage of events (greater than 98%)
- Project management of Local Government Week

Client Services

- Continue to assist with negotiations for sale of Council land to Lismore Square.
- Continue to manage Riverbank Redevelopment project/ensure liaison with Levee Committee.
- Continue to manage the LCCvSteltech case, including some statement / evidence collation.
- Continue to oversee Skyline Road proposals.
- Complete site clean up of OLHS.
- Consider options for the better management of Council's Reserve Trusts.

Human Resources

- The 2002 round of skills assessments have commenced. Due to the extensive time and resource commitment given to documenting and implementing this process in 2001, the exercise for this year is a much-simplified one.
- An appropriate performance management system for Council staff will be an early topic of discussion with our incoming General Manager.
- Our systems and strategies on injury management are showing results with a number of return to work plans in place, encouraging staff to take up opportunities for rehabilitation back into the workplace.
- A Salary Sacrifice procedure, reflecting the new clause in the 2001 award, has been introduced. Staff is offered the opportunity to achieve tax-effective benefits by entering an agreement with council to receive part of their gross salary as a benefit (eg superannuation) rather than as salary.
- All staff have been provided information on our increased responsibilities in relation to OH&S, and also an increased focus by Workcover on employers addressing any forms of harassment or bullying in the workplace. To address this, we are working closely with supervisors and with the OH&S committee. Additionally, we have received a very positive response to a harassment survey circulated recently. Survey feedback will be analysed and appropriate training strategies devised.

Economic Development / Tourism

Visitor Information Centre

- Visitation numbers were 3,768, a 12.6% increase from June 2001
- Sales revenue: \$3,875, or \$133 per day, 33% above our target
- Social History Display – Launch

Tourism

- Promotion at the Byron Visitor Centre carried out during Easter school holidays.
- Completion of the Short Breaks programme packaging and promotion run in SE Qld.
- Participation in the Qld 4WD, Touring, Caravan and Camping Show in Brisbane from 5-11 June. The Lismore region produced its own stand display which was very well received
- Participation in the Byron Visitor Centre's "Byron In Winter" promotion with the aim to raise awareness amongst Byron visitors of the hinterland's attractions.
- Launch of the Lismore Rainbow Region brand and new Lismore region imagery, at the social history display function
- Participation in the new Northern Rivers Conference Planner with significant representation from Lismore venues/operators including the Lismore Visitor Information Centre, Lismore Workers Club and Lismore City Hall

Economic Development/Projects

- Completion of Women in Business Regional Mentor program
- Wilsons River Project - Signage for overall project planned and installed, funding obtained from planning NSW for concept designs, new contract negotiated with Federal Government, media plan completed, framework document for theming developed, plans for Riverside Park completed
- Funding submission for 3 year marketing funding for Herb Festival completed
- Funding of \$23,700 attracted for youth component of Herb Festival
- Funding submission for library completed
- Development of Three Year Marketing Strategy in conjunction with Lismore Unlimited

Events

- Forged links with Lismore Turf Club re cross promotion of events
 - Assumed management role of "Herbie Parade" to be held August 17 in conjunction with Northern Rivers Herb Festival – complete with road closures, promotion, traffic control etc
 - Commenced meetings of Masters Games Organising Committee – major tasks being recruiting sports and sponsors with a view to reporting matters to Council in Oct 2002
 - Completed bidding documents in conjunction with Showground management – re "Solos" motorhome group...approx 200 motorhomes for 10 days.
-

GROUP: CORPORATE & COMMUNITY SERVICES

Management Plan Review
Period ending June 2002.

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

Finance and Administration

- *2002/03 Management Plan, fees and charges and budget* - following on from a workshop in May, Council at a special meeting on 25/6/02 adopted the above statutory requirements for 2002/03. This process was well received and the adoption of a \$30,000 budget surplus will give some flexibility throughout the year.
- *Electronic display of agenda's at Council meetings* – the three month trial concluded in May and following an evaluation by councillors and staff, it was agreed to continue with this concept. A projector will be mounted on the ceiling of the chambers, which will be of benefit to all users of the facility.
- *Rates and Charges* – recovery of outstanding arrears is ongoing. The amount outstanding as at 30/6/02 was \$1,410,087, which is an increase of \$5,875 on the amount due as at 30/6/01. Taking account that rates and charges levied in 2001/02 was in excess of \$22.2m, this is a most satisfactory result. Council has recently changed mercantile agents used for recovery of debts, to a local business – Energy Collection.
- *Television Black Spots Program* – the DA for the monopole and associated equipment at Robinson's Lookout was submitted on 12/4/02 and to date has not been determined. This is due to the (late) requirement to lodge a Koala Management Plan, which is now awaiting input from Planning NSW and NPWS. Fortunately, with the assistance of Ian Causley MP, we were able to obtain the relevant ministerial approval and Deed of Grant (without the normal 50% up-front contribution), which has allowed the equipment to be ordered, using Council funds. The consultants are now in a position to proceed as soon as the DA is approved and at this stage, it is anticipated that the new transmitter will be operational by mid September.

Information Services

- *Council Informer – Intranet* – an implementation plan for progressing the development and implementation of Informer (internal information net) completed, with the design of the new site also completed and due for testing in July.
- *Network* – upgrade of internet connection from ISDN technology to ADSL to improve speed of internet access and delivery and receipt of e-mail, upgrade of wireless communications between Chambers and Wyreema reservoir and then to Wyrallah Road, Visitor Information Centre and Economic Development Unit.
- *CIVIL (core computer system)* – Graphical User Interface (GUI) software successfully implemented Council wide. Post implementation review held in June, with minor problems identified and referred to CIVIL software for resolution.
- *Records Management* – completed management policy, strategic plan for period July 02 to June 05, service level agreements between records management and other staff and commenced development of new subject index based on NSW State Records requirements.

Management Plan Review – Corporate and Community Services: Period ending June 2002

Community Services

- *Lismore Lake* – DLWC still assessing Council's application for a permanent pumping licence. They will be considering in conjunction with NPWS any environmental impacts in relation to threatened birds as part of the assessment process. There has been continued opposition to allow powerboats to use the lake with regular letters to newspapers as well as a petition of approx. 600 postcards.
 - *Art in the Heart* – the site clean up is now complete with all surplus buildings removed. Tenders for the refurbishment of B Block have now closed and the tender was let at the Special Council meeting on 24/7/02. It is anticipated that the library will relocate to this site during the Christmas/New Year break. Signs featuring an artist's impression of the completed precinct have been erected on site in Keen and Magellan streets. It is expected that this will result in an increased public awareness and interest.
 - *Crime Prevention Plan Evaluation* – SCJAR consultants associated with SCU conducted an independent review of the Crime Prevention Plan and program. Council at its meeting on June 11, 02 endorsed the evaluation report, it was then presented to public on June 25, 02.
 - *Aboriginal Community* – Reconciliation Week commenced on May 26, 02 with the opening of the Sorry Day Elders luncheon, attended by some 89 persons. Very positive feedback received from all parts of the community regarding activities and ideology of Reconciliation Week. This event and NAIDOC week, which commenced July 8, 02 involved considerable planning by council staff.
-

GROUP: PLANNING AND DEVELOPMENT

Management Plan Review
Period ending June 2002.

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

- Selection of new Manager-Environmental Health and Building delayed pending commencement of new General Manager
 - Koala Management Plan: Steering Committee met 12 June. Determined to maintain draft KPoM over entire study area, but explore having different components for rural and urban areas. Next meeting 24 July.
 - LEP 2000:
 - General amendment for 2001: Gazetted, currently being integrated to LEP 2000.
 - General amendment for 2002 (Amt 10): on public exhibition to July 4.
 - "Art in the Heart" rezoning (Amt 9): Council endorsed draft plan for exhibition, on exhibition from June 20 to July 18.
 - Urban Development Strategy: Council determined at June Meeting to endorse draft Strategy for public exhibition. Exhibition to commence at end July (to coincide with Local Government Week), document also to be placed on web site.
 - Review DCP's:
 - DCP 17 Tree Preservation Order: adopted at Council's May meeting.
-

LISMORE CITY COUNCIL - Meeting held August 13, 2002

Management Plan – June Quarter 2002

- DCP 18 Off Street Car Parking: Council endorsed exhibition of draft amendment regarding shopping centre car parks. To be exhibited in July.
- DCP 41 Advertising & Notification of DAs – reviewed, to be reported to Council

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

- Implement Existing Studies & Strategies:
 - Rural Housing Strategy: Draft LEP amendment to implement strategy to be altered in regard to rural land sharing community provisions, and resubmitted to Parliamentary Counsel.
 - New DCP for Rural Land Sharing Communities: on exhibition to July 19.
 - Floodplain Management Plan has been re-exhibited until July 19. LEP & DCP (7) amendments will follow.
- Monitoring of Development Applications: Average Processing time/application 44.3 days for the quarter (standard – 40 days)

Environmental Strategies

- Recycling Review: Councillor workshop on 13 June 2002 followed by approval of new recycling contract at Council Special Budget Meeting 25 June 2002. Media release issued, radio interviews and newspaper coverage to update community. Interim measures clarified with Ballina Shire Council and Richmond Waste. Investigations into construction of transfer station commenced.
- Undertake annual waste audit - 2002 waste audit carried out during June with assistance of 'Full Circle Environmental Solutions'. Over 4 tonnes of waste was sorted into 45 categories using NSW EPA guidelines. This year a larger cross section of businesses were audited as organics service continues to be expanded into this area.

Building

- Swimming Pool Survey – Survey not currently meeting performance targets (48/quarter) although some previous pool fencing inspection follow-ups have been undertaken.
 - Fire Safety Measure Program 1 Fire Order issued arising from Building Certificate inspection, which raised concerns for safety of occupants.
 - Inspection of Boarding Houses, Common Places of Lodging, Places of Public Entertainment, Public Halls, caravan parks: No inspections undertaken during quarter due to temporary staff shortage occasioned by restructure.
 - Monitoring of Development Applications: Average Processing time/application 19 days for the quarter (standard – 25 days)
 - Environmental Audits: on-going activity since 1995 involving inspection of industrial and commercial activities and assessment of performance to environmental management standards. Successful Stormwater Grant for the Region has enabled employment of stormwater projects officer (Sharyn Hunnisset) based in Lismore City Council. She will continue environmental audit program over next twelve months. Program will involve educating premises owners regarding cleaner production processes and lowering stormwater impacts of business.
 - Sun Protection: Discussions have been held with Parks and Reserves to determine this year's project - shading of Nesbitt Park (cricket shelters) and skate park shelters. Development Applications have been approved for sites, construction to commence shortly.
 - State of the Environment Report: 2002/03 is comprehensive reporting year. The year 2000 comprehensive report is currently being converted into an electronic version, accompanied by a summary flyer. A program called SOE Author is being utilised. Water monitoring for the comprehensive report commenced in April.
-

- Management Guidelines: workload generated from audit activities. Prior to expanding audit program number of MO properties under audit at any one time is being controlled so as not to dominate program. Further inspections of properties that have nominated failures are continuing.

GROUP: BUSINESS AND ENTERPRISE

Management Plan Review
Period ending June 2002

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

Lismore Regional Airport

- Hazelton Airlines have now officially been sold to Australia Wide Airlines LTD. The services and regional staffing are to remain as they are at present.
- General Aviation pavement options for reconstruction are being assessed for cost and operational compliance.
- An incident occurred involving a small aircraft, which was damaged due to a heavy landing. No one was injured in the incident.
- There are 17 obstruction beacons that surround the airport, four of which are located on private land. One of these property owners has contacted the airport in regard to firstly, the beacon being located on his land and any compensation for the up keep of the track that leads to the site. Access to these sites will need to be formalised.

Northern Rivers Quarry & Asphalt

- The first stage of the quarry management re-structure has been completed with new manager to commence from July 1, 2002.
- Good quality 5mm aggregate being produced from new screen deck for Councils Pavliner. Sales have also been made to Richmond Shire and Pristine Waters have committed to purchases in the near future.
- Finalized review of the Quarry Business Plan. The new manager to develop next phase of the plan.
- Roadbase production trials have seen a significant improvement in product quality and subsequently high sales levels.
- Asphalt and Pre-coat operations have returned profits for each of the last four months.

Lismore Memorial Gardens

- GeoLINK appointed to develop Memorial Gardens Master Plan;
- Pathway reconditioning completed (textured);
- '2002-'2005 Business Plan to be introduced first quarter of 2002-2003 F/Y.

Lismore Water

- **Capital works Program**

Tenders have been called for the 2002/03 financial year water mains replacement program. Tenders will be awarded in August. This will enable the contractors to complete most of the works before the summer wet-weather sets in.

The sewer renewal program is also underway. A Councillor/media information session was held to demonstrate the latest sewer relining technology being used by Lismore Water.

- **Nimbin Water Supply:** The Nimbin Water Supply Committee met in May and resolved to further investigate drought security of the supply. The committee will consider the outcomes of this study in September.
- **Clunes Wastewater Committee:** The Clunes Wastewater Committee met to discuss the final options report prepared by consultants Geolink. The committee will meet again on July 22 and will have a full day options evaluation session on August 5.

Management Plan Review – Business and Enterprise Group: Period ending June 2002

- **Occupational Health & Safety Matters:** Four staff attended a two-day workshop on preparation of work method statements (WMS) conducted by the Water Directorate. These staff members will now develop WMS for Lismore Water. WMS are required to be in place by September 2002, under new legislation.
- **Ultraviolet Disinfection Facility for East Lismore Treatment Plant:** Quotations have been called from three consultants for preparation of Design and Construct tender documents for the above facility. The EPA requires Lismore Water to install the facility by December 2003.
- **Other issues**
 - The courts have allowed Council and the LGSA to proceed with the appeal against the Turf Farm judgement.
 - Council called for EOI for the management of the Airport tea tree plantation. Due to the poor quality of the responses, staff are assessing alternatives. Oil harvested to date is yet to be sold.

Northern Rivers Waste

- Near completion of the construction of Leachate Interception Trench at the Wyrallah Road Waste Facility;
- Completed the Annual Waste Audit of Organic and Waste services in urban area of Lismore.

Property

- Renegotiate lease of accountant in 165 Molesworth Street to facilitate expansion of SCU;
 - Sell three vacant lots at Bristol Circuit.
-

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

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

Parks & Recreation:

- Nimbin toilet block upgrading continuing.
- New pavement constructed in Spinks Park.
- Construction of amenities sheds at Coronation Park.
- Construction of spectator facilities at Riverview Park.

Emergency Services:

Lismore SES Unit provided -

- community education exercise on May 16
- public education display on June 19 & 20
- Total No. of people hours where assistance provided for the period to 30/6/02: 702 hrs

Bush Fire Services:

- Districts required to prepare Service Delivery Model and Business Plans.
- Training Courses for Basic Firefighter and Village Firefighter completed. The increase in members was as a result of the January Fires.
- Work is progressing well on the extensions to the Control Centre - expected completion date of September 2002.

Management Plan Review - City Works Group:

Period ending June 2002

Urban Roads:

- Keen Street reconstruction from Bernstein to John Streets.
- Wilson Street reconstruction from railway crossing to Casino Street.
- Installation of twin cell drainage pipes - 188 Casino Street.
- Pineapple Road Ring Road complete.
- Disabled access from Challenge Foundation to Walker Street.
- Walker Street footpath from College Road to Nielson Street.
- Slow point construction at Clunes.

Rural Roads:

- Completed Koonorigan and Caniaba Road construction.
- Completed Pelican Creek, Woodlawn and Rosebank Road reconstruction.
- The Channon Primary School, Larnook Public School and Coffee Camp Public School bus bay provided.
- Cawongla landslip restoration complete.
- Whian Whian Carpark constructed for Rous Water.
- Heavy patching on Coraki Road complete.

Bridges:

- Hollingsworth Creek Bridge under-deck cleaning and resurfacing complete.
- Commenced reconstruction of McKinnon's Bridge at Boatharbour Road.
- Workshop retaining wall complete.
- College Street and Walker Street footbridges complete.
- Completed flood restoration works to Seccombe, Budgen's Mill and McMullen Bridges.
- Deck replacement on Cullen Bridge (Stony Chute Road) and Webster Creek Bridge complete (Stony Chute Road) complete.

Workshop and Fleet Operations:

- 'Sign Shop & Workshop Manager' single position placed on hold pending start of new General Manager. The Fleet Manager has been caretaker of both Fleet and Workshop Manager positions until restructure complete.
- Excavation and retainer wall completed for driveway extension at Workshop. Road pavement on hold until site dries out.
- Fleet and Workshop Management Plan completed and adopted by Council.

Traffic, Enforcement, Street Lighting and Road Safety:

- Stage 4 – Oliver Avenue street lighting complete.
-

- Street lighting upgrade investigation commenced for Keen Street (Albert Park School to Trevan Road).
- Additional safety camera installed in the Rowing Club Carpark.
- Draft 'PAMP' plan complete.
- "Drive to Suit Conditions" and "Buckle Up Every Time" campaign.
- Wade Park – Road Safety Park commenced.

Survey, Design and Subdivision Control:

- Kellas Street, Lismore Heights, Reconstruction-Ross Street to New University Access Road.
- Fredericks Road, Caniaba - Crest realignment 800m west of Struthers Road.
- Wyrallah Road, Wyrallah, Rehabilitation - Ferry Road 1.5km South.
- Parmenter's Quarry, Coffee Camp - Remediation Survey.
- Rowing Club Carpark Access, Lismore - to suit new levee alignment.

Subject/File No: JUNE 2002 QUARTERLY BUDGET REVIEW STATEMENT
(GB: S779)

Prepared By: Principal Accountant – Gary Boyd

Reason: Clause 7, Local Government (Financial Management) Regulations 1993

Objective: To gain Council's approval to amend the 2001/02 budget to reflect actual or anticipated results.

Management Plan Activity: N/A

Background

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

The purpose of this review is to give Council an indication of the final working fund result for 2001/02. At this point in time, the completion and audit of the Financial Statements is still at least six weeks away. While I am confident that there is unlikely to be a significant change in the reported working funds position, it should be acknowledged that the figures stated in this report are "indicative" only.

As distinct from previous reviews, this review has been completed at program level and only significant variances have been reported. A more informative report will be provided as part of the Financial Statements.

General Fund

The 2001/02 Budget provided for a working fund surplus of \$30,000. The September review amended the result to a working fund deficit of \$15,900. The December review reported a surplus of \$100,600. The March review detailed a deficit of \$55,400. This review shows an expected working funds balance deficit of \$14,400.

For Council's information, listed below are the details of the activities with significant variances.

Health and Building

As was the case in the March review, additional revenue has been recognised for this department. Consequently a net amount of \$41,000 has reduced the working funds deficit reported in the March review. The additional revenue is most likely due to a combination of increased activity in the building sector and a concerted effort by building staff to acquire a significant proportion of this business.

Client Services - Property

\$60,000 has been transferred from the library redevelopment reserve to fund demolition and fencing costs and design work for the library relocation.

Human Resources

A total of \$215,000 has been transferred from the ELE reserve to fund severance payments, which have occurred during the year.

Traffic, Enforcement and Lighting

The transfer of paid parking patrol officers to local government, which was due to occur in 2001/02, has been deferred to 2002/03. Consequently, \$90,100 in expected revenue and an offsetting combination of operating and capital expenses has been removed from the budget.

LISMORE CITY COUNCIL - Meeting held August 13, 2002

June 2002 Quarterly Budget Review Statement

The RTA has confirmed details of bus shelter/safety funding for 2001/02 totalling \$92,000. In addition, \$28,000 in previously unexpended grants has been allocated to fund bus shelter works.

RTA Works

Further changes to the program of works as approved by the RTA have been incorporated into the current budget. This has resulted in a net increase in budgeted works of \$363,400 across a variety of programs.

Water and Sewerage Funds

There have been no changes to the Water and Sewerage funds budgets in the final quarter.

Manager - Finance & Administration Comments

Included in the body of the report.

Public Consultations

Not required.

Other Group Comments

Included in the body of the report where relevant.

Author's Response to Comments from Other Staff

Not applicable.

Conclusion

Change in Net Assets

The adopted 2001/02 Management Plan showed a surplus for the "Change in Net Assets" of \$938,000. Based on the September, decrease of \$15,000, December, increase of \$538,000 and March, decrease of \$273,000 Quarterly Reviews this amount was increased to \$1,188,000 at the end of March, 2002. This review increases the surplus by \$167,000 to give a total "Change in Net Assets" of \$1,355,000 for 2001/2002.

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

Recommendation (COR20)

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

LISMORE CITY COUNCIL - Meeting held August 13, 2002

Subject/File No: 2002 ANNUAL LOCAL GOVERNMENT ASSOCIATION CONFERENCE
(02-8142:S569)

Prepared By: Administrative Services Manager – Graeme Wilson

Reason: Need for Council authorisation

Objective: To determine delegates/observers and motions.

Management Plan Activity: Councillors

Background:

The 2002 Annual LGA Conference will be held in Broken Hill from October 27-30, 2002. This is the prime policy making forum of the Association and it is in Council's interest to be represented.

Delegates/Observers

Council is entitled to send 3 voting delegates and as many observers as it requires. Council policy No. 1.2.1 states that *"The Mayor and General Manager shall, where practicable, attend the annual conference of the Local Government Association (NSW), with Council resolving each year the number of additional delegates/observers that will attend."*

As accommodation is in short supply, preliminary enquiries have been made of councillors to determine interest in attending. As a result, reservations have been made for Councillors Gates, Suffolk and Swientek and the General Manager.

Council will also be represented by Councillors Gallen and Irwin (Association Executive) and Councillor Hampton (Rous County Council). Council will need to determine at this meeting its voting delegates and observers.

Motions for the Conference

Information on motions for the conference has been previously circulated to councillors. Should possible motions be submitted, they will be circulated as soon as possible. This will again need to be determined at this meeting.

Manager - Finance & Administration Comments

Not requested.

Public Consultations

Not requested.

Other Group Comments

Not requested.

Author's Response to Comments from Other Staff

Not required.

Recommendation (COR21)

That the Mayor and Councillors Suffolk and Swientek attend the conference as voting delegates, with the General Manager attending as an observer.

LISMORE CITY COUNCIL - Meeting held August 13, 2002

Subject/File No: ALGA – REGIONAL CO-OPERATION & DEVELOPMENT FORUM 2002 (S44)

Prepared By: Administrative Services Manager - Graeme Wilson

Reason: Attendance at the Forum requires Council approval.

Objective: To determine attendance

Management Plan Activity: Councillors

Background:

Council has received expressions of interest from Councillors Hampton and Swientek to attend the subject Forum. A copy of the program is attached for the information of Councillors. The Forum will be held in Alice Springs from November 3-6, 2002.

As this Forum is “interstate” and the cost per person will exceed \$1,500 Council approval to attend is required. The relevant extract from Council’s “Expenses & Facilities Policy” is detailed below:

“Where the cost of the travel is expected to exceed \$1,500 for transport, accommodation and out of pocket reimbursement of expenses per person, a detailed report should be provided outlining:

- *who is to take part in the travel*
- *the objectives to be achieved in undertaking it, including an explanation of what community benefits will accrue to undertaking the visit*
- *details of costs, including any amounts expected to be reimbursed by participants.”*

The estimated cost to attend the Forum will be \$1,800 - \$2,000 per attendee with the variation due to uncertainty around travel arrangements.

Council, by perusing the agenda, should be able to determine the benefit of attending the Forum. Funding is available within the current budget.

Manager - Finance & Administration Comments

Not requested.

Public Consultations

The attendance at the Forum is within policy guidelines.

Other Group Comments

Not requested.

Author’s Response to Comments from Other Staff

Not applicable.

Recommendation (COR22)

That Councillors Hampton and Swientek be authorised to attend the ALGA Regional Co-operation and Development Forum.

Subject/File No: ATTENDANCE AT THE AUSTRALIAN AIRPORTS ASSOCIATION CONFERENCE (CWK:CD:S370)

Prepared By: Craig Kelly – GROUP MANAGER BUSINESS & ENTERPRISE

Reason: Councillor attendance at an Interstate Conference

Objective: To obtain Council authorisation for Cr Crowther to attend the Australian Airports Association Conference in Adelaide, South Australia (Policy No. 1.2.2.).

Management Plan Activity: Airport

Background:

The Australian Airport Association (AAA) Conference will be held in Adelaide, South Australia from November 10, 2002 to November 14, 2002. It is customary for the Chairman of the Airport Advisory Panel and either the Group Manager Business and Enterprise and/or the Airport Manager to attend.

The conference is the single largest gathering of airport owners in Australia and represents a substantial lobby group to aviation policy makers. A copy of the conference agenda is attached.

The expected cost of attendance at the conference is estimated to be \$3,000. This amount is to be allocated to Councillor Professional Development (A/c 2055.2).

Through attendance at the Conference it is expected that the Chairman of the Airport Advisory Panel remains abreast of the most current developments in airport operation and safety. This assists in the overall management of the facility and informs other members of the Airport Advisory Panel of the current view of best practice.

Conclusion

Attendance at the AAA Conference is considered to be necessary and consistent with prior years.

Recommendation (ENT13)

That Council authorise the attendance of Cr John Crowther to the Australian Airports Association Conference in Adelaide, South Australia.

Subject/File No: ROADS ADVISORY COMMITTEE
GW:LC:S745,S36

Prepared By: Manager Administrative Services

Reason: Committee Vacancy

Objective: To appoint a new Committee Member

Management Plan Activity:

Background:

A vacancy occurred on the Roads Advisory Committee with the resignation of Sonia Atkinson (Nimbin Area).

Advertisements were placed in the Lismore Echo calling for nominations for this vacancy. The following organisations were also contacted in this regard:

- Nimbin Chamber of Commerce
- Nimbin Community Development Association
- Nimbin Neighbourhood Centre.

As a consequence only one nomination was received, being from Mr C Smith. A copy of his nomination is attached.

Manager - Finance & Administration Comments

N/a.

Public Consultations

The vacancy was advertised.

Other Group Comments

N/a.

Author's Response to Comments from Other Staff

N/a.

Conclusion

N/a.

Recommendation (COR23)

That Mr C Smith be appointed to the Roads Advisory Committee for the remainder of this term.

LISMORE CITY COUNCIL - Meeting held August 13, 2002

MINUTES OF THE TRAFFIC ADVISORY COMMITTEE MEETING HELD JULY 17, 2002

AT 10.00 AM.

(WMacD:VLC:S374)

Present: Mr Bill Moorhouse (*Chairperson*), Councillors Bob Gates, John Hampton, Mervyn King and Frank Swientek, Messrs Thomas George, MP, Mike Baldwin (*Roads and Traffic Authority*), John Daley (*Lismore Unlimited*), Snr Const Greg Pike (*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 Councillors Chant and Gallen were received and accepted and leave of absence granted.

Minutes of Traffic Advisory Committee Meeting – June 19, 2002

Members were advised that the Minutes of the meeting held on June 19, 2002 were adopted by Council at its meeting of July 9, 2002.

Item No. 7 (TAC79/02) – Bruce’s Bus Service – Walkway at Larnook School

The Committee noted Council’s concerns.

(02-5826:P5826)

Disclosure of Interest: Nil

Correspondence:

1. **Nimbin Central School;** drawing attention to problems surrounding the School bus bay and requesting measures be taken by Council to make it safer. As a result of an on-site inspection with the Police Representative it was felt that pedestrian crossings across the access roads to the School carparks could not be justified. However, it was noted that the School could pursue the possibility of installing traffic calming facilities such as speed bumps on its own driveways if desired.

TAC95/02

RECOMMENDED that -

- a) Bus Zone signs (7.30am-9.30am and 2.30pm-5.00pm School Days) be installed around the cul-de-sac
- b) 40 kph School Zone signs and patch be erected near the start of the road leading down to the School, just south of Thorburn Street
- c) a line be painted around the footpath on the cul-de-sac, approximately 300mm-500mm in from the face of the kerb
- d) the footpath extension proposal be referred to Council’s Roads Infrastructure Department for inclusion in a future works programme. (02-7877:P20212)

2. **Summerland Christian College;** requesting line-marking of Pineapple Road and that the speed limit for the School Zone be reduced to 40 kph.

It was noted that arrangements had already been made to install new 40 kph School Zone signs on Pineapple Road. Due to the predominately rural nature of the roadside development along Pineapple Road, the Committee could not agree to a reduction in the general speed limit down to 50 kph. However, the existing 100 kph signs on the back of the School Zone signs would be changed to 80 kph in line with the speed limit coming off the Highway.

TAC96/02

RECOMMENDED that the College be advised in accordance with the above.

(02-7561:R6550,S352)

3. **Northern Rivers Community Transport Inc**; drawing attention to the problem of insufficient disabled parking in the vicinity of the intersection of Conway and Molesworth Streets and the "AMP Corner", and requesting consideration of improvements to these two areas.

Mr MacDonald advised that he had spoken with the writer of the letter and she had suggested that at least one (1) additional disabled parking space was required in Conway Street beside the existing space on the southern side of Conway Street in front of Conway Plaza. Whilst no objection was raised to the additional bay on-street, it was proposed that the three (3) existing disabled bays in the Fredericks Carpark be removed as these were rarely used.

TAC97/02 **RECOMMENDED** in accordance with the above. (02-7522:S352)

4. **Thomas George, MP**; requesting on behalf of Mrs Joan Vale that the Committee consider the problem of traffic calming devices at the northern approach to Clunes. The Committee noted Mrs Vale's concerns and agreed that measures to date did not necessarily reduce vehicle speeds, particularly the northern end of the Village where there was no speed camera. It was suggested that the area required closer investigation as to other options available. Mr Baldwin undertook to investigate and report back.

TAC98/02 **RECOMMENDED** that the above be noted. (02-7761:S352)

5. **Thomas George, MP**; requesting on behalf of Ms Susan Moffitt that the Committee further investigate the unsafe and unsatisfactory pedestrian refuge on Ballina Street near the City Hall.

It was noted that the area in question had been identified in the draft PAMP as requiring a significant upgrade and this was still being pursued with the RTA. Mr George advised that he had shown the site to the Hon Carl Scully, MP, Minister for Roads, during a recent trip and he would follow up on whether or not Mr Scully had referred the issue for further investigation. In the meantime it was noted that Council's Design Services Section was currently investigating the upgrading of the existing pedestrian refuge by way of a wider centre median.

TAC99/02 **RECOMMENDED** that the writer be advised in accordance with the above. (02-7761:S352)

6. **K Slade**; drawing attention to the extremely dangerous situation which has developed since the recent widening of Dunoon Road near the Lismore Freight Services Depot and requesting that the double white unbroken lines be extended a further 100m and the speed limit be reduced from 80 kph to 60 kph.

An onsite meeting had been held with Mr Slade when it had been agreed that an extension of the existing 60 kph would be unlikely to resolve the current problems. It was suggested that the existing double white centre line along Dunoon Road adjacent to Mr Slade's property, located just above the Showground, be extended a further 100m downhill in order to prohibit motorists from overtaking in this area.

TAC100/02 **RECOMMENDED** in accordance with the above. (02-6990:S352,R3407)

7. **Fr M Rowe**; requesting Council reconsider his request for appropriate signage to indicate that cyclists regularly use Woodlawn Road.

TAC101/02 **RECOMMENDED** that a 'Cyclist' warning sign be erected near the start of Woodlawn Road, north of Alexandra Parade. (02-6926:R6017,R4251,R4210)

General Business

8. **Entrance to Bau Farm – No. 675 Ballina Road, Alphadale**
Mr Jeff Campbell had expressed concern for motorists' safety due to heavy vehicles turning into Bau Farm.
As the area was situated within a 100 kph zone and traffic was generally travelling fairly fast over the crest just to the east of Bau Farm when coming into Lismore, it was suggested that a 'Trucks Entering Over Crest' warning sign be erected on the eastern side of the crest for west-bound traffic.
- TAC102/02 **RECOMMENDED** in accordance with the above. (R4807)
9. **Intersection of Bruxner Highway and Atfield Street, South Gundurimba**
Mr Richard Mackney had raised his concerns regarding the dangers of entering Atfield Street, South Gundurimba, from the Bruxner Highway.
An inspection of the site had revealed that there was evidence of a number of skid marks on the approach to the above intersection indicating that there was a problem when motorists propped to turn into Atfield Street from Lismore. It was suggested that a letter be addressed to the residents of the South Gundurimba Village to assess their agreement or otherwise to closing Atfield Street at its intersection with the Highway. It may be possible to still permit left-turn movements from Atfield Street if this was considered necessary by residents.
- TAC103/02 **RECOMMENDED** that a letter be addressed to the residents of the Village outlining the above proposal and requesting feedback for further consideration. (R4807,R4822)
10. **Club Lane, Lismore – One-Way Traffic Movements**
A plan was tabled at the meeting showing a proposal to convert Club Lane into a one-way street (west-bound) with direct entry into the Kirkland Riviera Carpark. This would provide another entry option for motorists seeking parking and would negate the need for motorists, particularly drivers of large vehicles, to reverse out onto Molesworth Street from the lane.
- TAC104/02 **RECOMMENDED** that the above proposal be both advertised and referred to adjoining property owners seeking comment prior to further consideration. (R7305)
11. **Road Safety Officer's Annual Activity Report – Period Ending June 2002**
Mrs Johnson spoke briefly on the various activities outlined in the report.
- TAC105/02 **RECOMMENDED** that the contents of the report be noted. (S596)
12. **Spring Avenue, Goonellabah – Parking Facilities**
Mr Ron Campbell of No. 29 Spring Avenue had requested Council consider the installation of additional parking signs at end of Spring Avenue.
Mr MacDonald advised that he had met with Mr Campbell to discuss the current problems of motorists disobeying existing 'No Standing' signs at the end of Spring Avenue. As a result, it had been agreed to erect new and additional 'No Parking' signs around the turning area in an effort to keep the area clear.
- TAC106/02 **RECOMMENDED** in accordance with the above. (R6519)
13. **No. 95 Conway Street, Lismore – Driveway Obstruction**
Rexell had advised that staff were having problems with vehicles being parked in their driveway making it difficult for delivery trucks to negotiate. As a result of an

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MINUTES OF TRAFFIC ADVISORY COMMITTEE MEETING HELD JULY 17, 2002 (Cont'd)

onsite inspection, it was proposed to paint 'No Parking' on the concrete at the start of the driveway.

TAC107/02 **RECOMMENDED** in accordance with the above.

(R7307)

14. **Woodlark Street Pedestrian Crossing**

This issue was discussed at length with an onsite inspection and meeting with business people following the Traffic Advisory Committee meeting. It was agreed that reinstating the marked pedestrian crossing was the least preferred option in upgrading the existing facility. This would have a significant impact on traffic flows around the 'Main Block' and would likely bring traffic to a standstill for prolonged periods. Whilst there appeared to be general support for a 'Shared Zone' option which would allow for greater clarity in signposting within the zone, it was agreed that the views of the community needed to be taken into account in developing any solution. Business owners spoken to onsite also generally agreed that a marked pedestrian crossing was not necessarily the most appropriate solution. Whilst pedestrian lights were certainly an option to consider, there was the potential that this would significantly increase vehicle speeds along Woodlark Street when motorists were driving in 'green light' conditions and also may encourage pedestrians to seek alternative crossing points such as between cars parked in the centre rank.

TAC108/02 **RECOMMENDED** that the issue be referred to Council's Design Services Section to develop a plan to upgrade Woodlark Street into a more pedestrian friendly environment; taking into account any feedback received from the community.
(R7329,S342)

15. **Ballina Road, Goonellabah – Proposed Pedestrian Lights**

The Chairperson advised that the RTA proposed to install pedestrian lights to replace the existing marked pedestrian crossing and 'Lolly Pop' person on Ballina Road, adjacent to the Goonellabah Public School. Whilst there was some uncertainty about where this proposal had emanated, it was generally agreed that lights in this location would not necessarily be the best option, bearing in mind that Primary School children would be left with the responsibility for pressing the buttons to activate the lights and make their own decisions on safely crossing when all vehicles were stopped. It was felt that a more appropriate solution would be to remove pedestrians from the road totally by way of an underpass. It was noted, however, that \$100,000 had been allocated for lights which would be considerably less than that required for an underpass.

TAC109/02 **RECOMMENDED** that investigations be made into the potential of constructing an underpass in lieu of installing pedestrian lights.

Note: An onsite meeting with the Goonellabah School Principal and representatives of the Education Department to discuss the various options also resulted in their support for an underpass as the preferred option. (R6408,S342)

16. **Pedestrian Access Mobility Plan (PAMP)**

Mrs Johnson tabled a draft copy of the PAMP for information and comment. Development of the plan had included significant consultation with the community and was an accurate reflection on their needs and current travel paths.

TAC110/02 **RECOMMENDED** that the plan be forwarded to the RTA for comment and approval.
(S596)

This concluded the business and the meeting terminated at 12.15 pm.

CHAIRPERSON

TRAFFIC & LAW
ENFORCEMENT CO-ORDINATOR

DOCUMENTS FOR SIGNING AND SEALING

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

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

Recommendation:

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

S88B Instrument – DA01/558 – Figtree Village Estate, Clunes

The Subdivision Certificate and Final Linen Plan Release was approved on June 25 2002. The subject 88B Instrument releases an easement for a sediment trap which was placed on a previous stage of the development and is no longer required.

(D01/558)

CONFIDENTIAL MATTERS - COMMITTEE OF THE WHOLE

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

- a) personnel matters concerning particular individuals;
- b) the personal hardship of any resident or ratepayer;
- c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business;
- d) commercial information of a confidential nature that would, if disclosed:
 - prejudice the commercial position of the person who supplied it, or
 - confer a commercial advantage on a competitor of the council, or
 - reveal a trade secret;
- e) information that would, if disclosed, prejudice the maintenance of law;
- f) matters affecting the security of the council, councillors, council staff or council property;
- g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

Recommendation:

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

Item 1: Professional Indemnity Claim

Grounds for Closure -

Section 10D(2): Section 10A (2)(g)

**MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE CITY OF LISMORE
HELD IN THE COUNCIL CHAMBER, GOONELLABAH ON TUESDAY, JULY 9, 2002 AT
6.03PM.**

Present: His Worship the Mayor, Councillor Gates; Councillors Baxter, Chant, Crowther, Gallen, Hampton, Irwin, King, Roberts, Suffolk and Tomlinson, together with the Acting General Manager (Col Cooper); Group Managers - City Works, Planning & Development, Business & Enterprise; Manager-Client Services, Manager-Community Services, Manager-Communications & Community Relations, Contracts Officer, Administrative Services Manager and Team Leader-Administrative Support.

162/02 **Apologies/
Leave of
Absence:** An apology for non-attendance on behalf of Councillor Swientek was received and accepted and leave of absence granted.
Leave of absence was granted to Councillor Roberts for the special meeting to be held on July 24, 2002 and Councillor Gallen for the next two weeks.
(Councillors Irwin/Baxter)

163/02 **Minutes:** The minutes of the ordinary meeting held on June 11, 2002 were confirmed.
(Councillors Crowther/Chant)
The minutes of the special meeting held on June 25, 2002 were confirmed.
(Councillors Hampton/King)

PUBLIC ACCESS SESSION:

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

Ms Gail Allen re Mayoral Minute – Swimming Pool Strategy

(See Minute No. 165/02)

Ms Allen expressed the opinion that a new aquatic centre was an essential part of the future prosperity of Lismore. She supported the joint venture concept.
(P6768, T22004)

Mr A Andrews re Mayoral Minute – Swimming Pool Strategy

(See Minute No. 166/02)

Mr Andrews decried the apparent reversal of a decision on the Memorial Baths by a majority of councillors. He claimed broad community support for the current site and asked that a referendum be held on this matter.
(P6768, T22004)

Mr Bruce Lewis re Notice of Motion – 40 Zadoc Street

Mr Lewis advised he was unaware of the road widening proposal when he purchased the property. He claimed the land was unsaleable and its redevelopment was not possible.
(02-7163: P10629)

Mr B Robinson – Report - Provision for Security Services of Various Council Assets

(See Minute No. 168/02 and 169/02)

Mr Robinson asked that this matter be deferred to allow the CBD security program to be reviewed and then separately let and costed.
(T22024)

CONDOLENCES:

Family of the Late Fletcher Roberts

We mourn the loss of Fletcher (Bluey) Roberts who was much loved and respected by the Lismore Community. Fletcher passed away at the age of 80 at the Lismore Base Hospital surrounded by family and friends. He was born at Cabbage Tree Island and lived in Lismore for about 50 years.

Fletcher was always willing, when health permitted him, to do the welcome to Bundjalung country at official functions.

He was a champion for Aboriginal rights and on many occasions sought funding for Aboriginal projects. For much of his life he was chairman of the Bundjalung Tribal Society.

Fletcher must have had a sad life as his wife and four of his five boys predeceased him.

Family of the Late Doug Hessling

We mourn the loss of Doug Hessling who for many years was a surveyor from Terania Shire and on amalgamation was a surveyor for Lismore City Council.

Doug's work as a surveyor was, respected by his peers, with a well known surveyor remarking at his funeral that one never had to check his work.

164/02 The Mayor moved that Council's expressions of sympathy be conveyed to the families of Fletcher Roberts and Doug Hessling and the motion was carried with members standing and observing the customary moment's silence.
(S75)

DISCLOSURE OF INTEREST:

S459

Councillor Gallen declared an interest in the Notice of Motion re Zadoc Street.

MAYORAL MINUTE:

Swimming Pool Strategy

A MOTION WAS MOVED that the minute be received and Council advise the Southern Cross University (SCU) that it is interested in pursuing a joint venture for a major swimming complex. The Mayor and the General Manager or Acting General Manager initially be part of the negotiating team with the view of reporting back to the September 2002 meeting with a recommendation or, if necessary, a special meeting be called.
(Councillors Gates/Crowther)

AN AMENDMENT WAS MOVED that the minute be received and –

- 1 Council advise the Southern Cross University (SCU) that it is interested in pursuing a joint venture for a major swimming complex. The Mayor and the General Manager or Acting General Manager initially be part of the negotiating team with the view of reporting back to the September 2002 meeting with a recommendation or, if necessary, a special meeting be called.
- 2 In the meantime while these negotiations are taking place staff report on the following options: Goonellabah, South Lismore, joint venture with SCU and a modest Memorial Baths proposal.

(Councillors Gallen/Baxter)

On submission to the meeting the amendment was DEFEATED.

Voting Against: Councillors Irwin, Roberts, Tomlinson, Chant, Hampton, Suffolk, Gates and Crowther.

- 165/02 **RESOLVED** that the minute be received and Council advise the Southern Cross University (SCU) that it is interested in pursuing a joint venture for a major swimming complex. The Mayor and the General Manager or Acting General Manager initially be part of the negotiating team with the view of reporting back to the September 2002 meeting with a recommendation or, if necessary, a special meeting be called.
(Councillors Gates/Crowther)
Voting Against: Councillors Gallen, King and Baxter.
(P6768,T22004)

NOTICE OF MOTIONS:

40 Zadoc Street

DISCLOSURE OF INTEREST:

S459

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

- 166/02 Formal notice having been given by Councillor Irwin it was **RESOLVED** that this matter be referred to Council's legal adviser to ascertain whether it will subject itself to legal action and if it is legally possible without adverse impact on Council, that the requirement for resumption of 2 metres of land by Council on redevelopment of 40 Zadoc Street be removed.
(Councillors Irwin/Chant)
Voting Against: Councillor Hampton.
(02-7163: P10629)

Poll – Number of Councillors

Formal notice having been given by Councillor Irwin it was **MOVED** that this Council organise a deliberative poll of 200 residents to determine the number of councillors to recommend to the community at the 2003 election referendum.
(Councillors Irwin/Tomlinson)

On submission to the meeting the motion was **DEFEATED**.

Voting Against: Councillors Gallen, King, Chant, Baxter, Hampton, Suffolk, Gates and Crowther.
(02-4786: S44)

REPORTS:

Goonellabah Recreation Centre

- 167/02 **RESOLVED** that the report be received and -
- 1 That Vantage Project Management be advised of Council's continued commitment to the Goonellabah Recreation Centre, together with its inability to provide a firm date for the commencement of the work pending current Aquatic Centre considerations.
 - 2 That Vantage Project Management be requested to continue to make their previous land swap proposal available to Council for a further 18 months.
 - 3 That Council conduct a workshop to explore further opportunities available to advance this project.
 - 4 That Council staff undertake small scale public consultation to ascertain the appropriateness of the current design.
- (Councillors Crowther/Hampton)
Voting Against: Councillors Gallen, King and Baxter.
(P22522)

Provision for Security Services of Various Council Assets

168/02

RESOLVED that the report be received and -

- 1 The matter be deferred for two months pending further information to Councillors on the \$107,000 special business levy and what it covers and further discussions between the General Manager and Lismore Unlimited on the nature of the Street Beat activities .
- 2 That the former contract be rolled over on a monthly basis.
(Councillors Irwin/Hampton)

A FORESHADOWED MOTION WAS MOVED that a Memorandum of Understanding be drawn up between Council and Lismore Unlimited on both the method of increasing the special levy on the businesses in the CBD and the formula of how it is divided between promotion, budget and citysafe program and exactly what the citysafe program is to cover.

(Councillors Irwin/King)

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

169/02

RESOLVED that a Memorandum of Understanding be drawn up between Council and Lismore Unlimited on both the method of increasing the special levy on the businesses in the CBD and the formula of how it is divided between promotion, budget and citysafe program and exactly what the citysafe program is to cover.

(Councillors Irwin/King)

(T22024)

Hepburn Park – Soil Condition and Sewerage System

170/02

RESOLVED that the report be received and -

- 1 That Council staff continue with the ground renovation and topdressing of the remaining areas of the ground next spring.
- 2 That Council staff undertake a fertiliser programme to address the nutrient deficiency of the soil.
- 3 That if there is no improvement to the turf surface within the expected timeframe, staff introduce a ground spelling/closure programme on a rotation basis.
- 4 That the LDSA Committee seek resolution on the matter of when the irrigation works will be undertaken.
- 5 That the existing septic system be retained for the time being.

(Councillors Gallen/Baxter)

(S744)

Development Assessment Panel – Minor Alterations to Composition and Operations

171/02

RESOLVED that the report be received and -

- 1 A representative of the Business & Enterprise Group (Lismore Water) be included on the Panel in Policy 5.2.2;
- 2 That Policies 1.2.14 and 5.2.2 be altered as follows:
The definition of 'significant development' for determination by Council be altered to include:
 - a) All development applications over \$2.5 million in value; and
 - b) Development applications generating objections of a significant nature.
'Objections of a significant nature' comprise those which, while valid under S79C of the E P & A Act, cannot be addressed by means such as conditions of consent, negotiated alterations to the proposal, mediation or by other means.

- c) Policy 5.2.2 - Modus Operandi (3) to read *“Roll Over Lists of applications received and dealt with shall be circulated to councillors weekly and list the number of submissions and the number of signatures on petitions”*.
- d) Policy 5.2.2 - Special Issues (1) – after the word *“minor”* insert *“does not address issues considered significant in submissions received during the original processing of the development application”*, and delete the last sentence.
- e) Policy 1.2.14 (2) *“The information sessions shall be held no later than 8 days prior to the matter being considered at a Council meeting or being determined by delegated authority”*.

(Councillors Robert/Irwin)
(S371)

Art in the Heart Committee of Council

172/02 **RESOLVED** that the report be received and -

- 1 Rohan Shearn, Jill Jameson, Jan Davis, Bronwyn Larnar, Lorraine Vass, Marion Forwood, Adele Wessell, Ellen Shead, Jon Haigh, Phillipa Howells, Rob Garbutt, Steven Welstead, Emma Newman and Jyllie Jackson be appointed to the Art in the Heart Advisory Panel.
- 2 The Plan of Management for the Art in the Heart Advisory Panel be adopted.
- 3 Councillors Tomlinson, King and Irwin be appointed to the Committee.

(Councillors Roberts/Chant)
(P26243)

Lismore Regional Airport Business Plan

173/02 **RESOLVED** that the report be received and noted and Ambidji Frontec be commended on the Plan.

(Councillors Crowther/King)
(P25804)

Quarry Business Plan Review

174/02 **RESOLVED** that the report be received and noted and the staff be congratulated on the safety projects they have initiated.

(Councillors Irwin/Roberts)
(Q1)

COMMITTEE RECOMMENDATIONS:

Traffic Advisory Committee 19/6/02

175/02 **RESOLVED** that the minutes be received and the recommendations contained therein be adopted.

(Councillors Gallen/Roberts)

DOCUMENTS FOR SIGNING AND SEALING:

176/02 **RESOLVED** that the following documents be executed under the Common Seal of Council:-

Transfer Granting Easement

Easement over Council's water supply reserve land (Lot 2, DP 726489) to Rous Water for construction of a main to supply our High Street No. 4 reservoir.
(02-7216: P21166)

Mortgage Deed – Commonwealth Bank of Australia

Council's Loan Program – borrowing requirements for 2001/2002
(02-7399: S780)

Deed of Assignment – Balinfern Pty Ltd – Car Hire Counter, Lismore Airport

Car hire business servicing patrons of Lismore Airport from 4/12/00 to 3/12/05.
(02-7502: P25804)
(Councillors Hampton/Irwin)

CONFIDENTIAL MATTERS - COMMITTEE OF THE WHOLE:

177/02 **RESOLVED** that Council now exclude the press and public and meet in Committee of the Whole to consider the following matter:-

Organic Waste Resource Recovery and Marketing Agreement - Lismore City Council and Tryton Waste Services Pty Ltd

(Councillors Irwin/Hampton)

RESUMPTION OF OPEN COUNCIL:

When the Council had resumed its former sitting, the Acting 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 a commercial matter

AND IT NOW RECOMMENDED

Item 1:

That Council amend Clause 8.1(a) of the Organic Waste Resource Recovery and Marketing Agreement as detailed in the report, subject to an increase of a further \$5 per tonne on kerbside organic recycling, with green waste being retained at the amount outlined in the report.

178/02 **RESOLVED** that the Acting General Manager's report of Council meeting in Committee of the Whole be received and adopted.
(Councillors Irwin/Suffolk)

This concluded the business and the meeting terminated at 9.20 pm.

CONFIRMED this 13TH day of AUGUST, 2002 at which meeting the signature herein was subscribed.

MAYOR

MINUTES OF THE SPECIAL MEETING OF THE COUNCIL OF THE CITY OF LISMORE HELD IN THE COUNCIL CHAMBER, GOONELLABAH ON TUESDAY, JULY 24, 2002 AT 6.04PM.

Present: His Worship the Mayor, Councillor Gates; Councillors Baxter, Chant, Crowther, Hampton, Irwin, King, Suffolk, Swientek and Tomlinson, together with the Acting General Manager (Col Cooper); Group Managers- City Works, Planning & Development, Acting Group Manager-Business & Enterprise (Anu Atukorala); Manager-Client Services, Manager-Finance & Administration, Contracts Officer, Administrative Services Manager and Team Leader-Administrative Support.

179/02 **Apologies/** Apologies for non-attendance on behalf of Councillors Roberts and
Leave of Gallen were received and accepted and leave of absence granted.
Absence: (Councillors Irwin/Hampton)

PUBLIC ACCESS SESSION:

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

Mr A Andrews re Rescission Motion

Mr Andrews expressed disappointment at the proposal to investigate a joint venture with the SCU. He thought the Memorial Baths upgrade was going to happen and that this was what the majority of the citizens of Lismore wanted.
(02-7920: P6768)

MAYORAL MINUTES:

Council's Submission on Co-Generation Plant at Broadwater

A MOTION WAS MOVED that the minute be received and Council –

- 1 Send a complimentary submission congratulating the Sugar Co-operative on their initiative to reduce greenhouse gases.
- 2 Further investigate a special levy as detailed in the minute as a fairer alternative means of raising the necessary finance.
- 3 Raise with the Sugar Co-operative the alternative levy to gauge its acceptance or otherwise.
- 4 Subject to the Co-operative's acceptance, the original submission be withdrawn.

(Councillors Gates/Crowther)

On submission to the meeting the MOTION was DEFEATED.

Voting Against: Councillors Irwin, Tomlinson, Chant, Baxter, Hampton and Suffolk.
(R5802)

RESCISSION MOTIONS:

Goonellabah Recreation Centre

Formal notice having been given by Councillors Swientek, Baxter and Gallen it was MOVED that Council rescind the decision to defer proceeding with Goonellabah Recreation Study at the meeting of July 9, 2002.

(Councillors Swientek/Baxter)

On submission to the meeting the MOTION was DEFEATED.

Voting Against: Councillors King, Chant, Hampton, Suffolk, Gates and Crowther.
(02-7931: P22522)

Swimming Pool Strategy

Formal notice having been given by Councillors Swientek, Baxter and Gallen it was MOVED that Council rescind the Mayoral Minute of July 9, 2002 regarding the Swimming Pool Strategy.

(Councillors Swientek/Baxter)

On submission to the meeting the MOTION was DEFEATED.

Voting Against: Councillors Irwin, Tomlinson, Chant, Hampton, Gates and Crowther.

(02-7920: P6768)

NOTICE OF MOTIONS:

Swimming Pool Strategy

Formal notice was given by Councillor Swientek that -

- 1 Council review the Memorial Baths proposal and commit to replace the existing pools with a more affordable proposal to ensure a facility is available on the existing site and hence provide an accessible facility for North, South, Central and East Lismore.
- 2 Council commence the design and construction of a new 25m x 8 lane pool with expandable footprint on the Goonellabah Town Centre site using Section 94 levies and approximately \$1 million aquatic reserves.
- 3 Council conduct a poll of residents seeking their endorsement for the above strategy as soon as legally possible and also poll residents about the reduction of the number of councillors as per previous resolution.

The Mayor ruled the motion out of order.

(02-8276: P24978,P6768)

Replacement of the Memorial Baths

Formal notice having been given by Councillor Irwin it was MOVED that to ensure that the broad community of Lismore receives factual information about the provision of aquatic facilities to replace the Memorial Baths and understands exactly what benefits they might receive from the possible options that Council is considering:

- 1 Council staff develop a comparative analysis of the social, sporting and economic benefits for residents and the costs, both capital and operational, of the following options:
 - a) 50m outdoor pool only;
 - b) 50m outdoor pool and heated 25m indoor pool and leisure pool;
 - c) 50m outdoor pool, heated 25m indoor pool, gymnasium and aerobics area;
 - d) each of these options at the Memorial Baths site, Goonellabah and with the SCU as a joint venture partner.
- 2 Council staff provide examples of the social, sporting and economic benefits, and the financial impact, of stand-alone aquatic facilities and combined wet and dry facilities in other locations.
- 3 When this information is available Council embark on a public education and consultation process that includes the following:
 - a) 2 page spreads covering all the options in both the Northern Star and the Echo, with a coupon for residents to complete and return to Council indicating the option that they prefer. Those coupons to include the names and addresses of the respondents;
 - b) a well-advertised public information evening at City Hall, where all the options are provided and members of the community can ask

questions and have them answered. At the end of the information evening community members complete a survey, which includes details of their names and addresses, indicating the option that they prefer.

- 4 That the Council makes a commitment to work together to implement the community's choice.
(Councillors Irwin/Tomlinson)

AN AMENDMENT WAS MOVED that providing the SCU Council indicates it is prepared to enter into a joint venture within 2 months, Council is prepared to embark on a public education and consultation process and in the interim staff prepare the details as detailed in the notice of motion and if the SCU does not agree, Council proceed as detailed in the notice of motion.
(Councillors Chant/Crowther)

On submission to the meeting the amendment was DEFEATED.

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

On submission to the meeting the motion was DEFEATED.

Voting Against: Councillors Swientek, King, Baxter, Hampton, Suffolk, Chant, Gates and Crowther.
(02-8246: P6768)

REPORTS:

Provision for Renovation of B-Block – Relocation of Lismore Branch of Richmond-Tweed Regional Library

180/02 **RESOLVED** that the report be received and -

- 1 The contract for the renovation of B Block to house the relocation of the Richmond-Tweed Regional Library be awarded to Bennett Industries Pty Ltd.
- 2 The General Manager be authorised to negotiate with Bennett Industries Pty Ltd to finalise the contract amount to the maximum total funding available as identified in this report and in this memo.
- 3 The Mayor and General Manager be authorised to execute the Contract on Council's behalf and attach the Common Seal of the Council.
- 4 That Council not borrow more than can be funded by a maximum annual repayment of \$136,000 over a 15-year period.
- 5 That the Art Gallery Building reserve contribute \$20,000 towards this development.
- 6 That the Magellan Street footpath works estimated to cost \$30,000 as required by the development consent for this project, be funded from the Footpath Construction allocation.
- 7 Should the grant application for funding through State Libraries be approved, the borrowed amount be reduced by the amount eligible to be used for fittings included in the renovations contract.
- 8 That staff quantify the infrastructure costs that are applicable to the whole site and that only the pro rata costs for the library redevelopment be included in the annual library program.

(Councillors King/Baxter)

Voting Against: Councillor Swientek.
(T22033)

Draft Amendment No. 9 to LEP 2000 – “Art in the Heart” Rezoning

181/02 **RESOLVED** that the report be received and Council –

- 1 Alter Draft Amendment No. 9 to Lismore Local Environmental Plan 2000 as recommended in Mr. Scott's report.

- 2 Adopt Draft Amendment No. 9 as altered on the basis of the submission received.
- 3 Exercise its delegations under S.69 of the Act to submit the draft plan directly to the Minister for making.
(Councillors Irwin/King)
Voting Against: Councillor Swientek.
(S710)

This concluded the business and the meeting terminated at 7.57 pm.

CONFIRMED this 13TH day of AUGUST 2002 at which meeting the signature herein was subscribed.

MAYOR

