



Ordinary Meeting

An ORDINARY MEETING of LISMORE CITY COUNCIL will be held at the COUNCIL CHAMBERS, Oliver Avenue, GOONELLABAH on **December 12, 2006** and members of Council are requested to attend.

Paul G. O'Sullivan
General Manager

December 5, 2006



Agenda

Opening of Meeting and Prayer (Mayor)

Apologies and Leave of Absence

Confirmation of Minutes
November 14, 2006

Disclosure of Interest

Public Access Session
Geoffrey Foley – Lismore Regional Gallery and Exhibition Centre

Public Question Time

Condolences

Mayoral Minutes

Notice of Rescission Motions

Notice of Motions

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

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Strategic Plan Summary

Lismore regional city

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

Notice of Motion

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

That Lismore City Council investigate full shade cover over the 25m heated pool at the Memorial Baths and that the nature of the shade take into account the cost of the shade itself as well as the longer term health and financial implications for effective use of the pool. Further that a report be brought back to Council in March 2007 detailing the preferred option.

Councillor Tomlinson

Councillor Tomlinson's comment

1. The 25m pool is now only partly shaded with swimmers subject to full sun until the afternoon. The pool is used extensively in the mornings by people with disabilities and children in learn to swim classes particularly in summer.
2. The result is we are encouraging pool use by the most vulnerable section of our community during the hottest part of the year and the hottest part of the day at a time when they are wearing very little clothing.
3. The north coast is the Melanoma capital of Australia, a deadly cancer triggered by exposure to the sun. We should not provide facilities, particularly new facilities, that contribute to this disease.
4. Council has a moral, if not legal, duty of care to provide adequate protection from the sun at its own facilities.
5. Appropriate shade structures would meet this requirement although a more enclosed structure would cut heating bills and encourage greater use of the facility throughout the year.

Staff Comment

Staff have recently investigated the shade structures that were voted in the current budget. During this process there was a further discussion in regard to the merit or otherwise of installing additional shade, particularly over the 25m pool. Of particular focus was the current exposure of the learn to swim classes to the morning sun.

While there is merit in providing partial shade over this pool for the summer months it would serve no real benefit during winter and may add to Councils heating costs if this pool is open over winter. It should also be recognised that some patrons enjoy swimming in an 'outdoor' pool.

Given the above it would seem that there would be value in providing significant, but not necessarily total shade for the 25m pool in a manner that is detachable in the winter. It should also be recognised that whatever is proposed for the shade should be sympathetic to the current structures at the pool.

Notice of Motion

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

That Council staff prepare a report on measures that could be taken to enhance the main approaches to Lismore and avoid poorly designed development in these areas.

Councillor Ekins

The approaches to any city create an important first impression for tourists and visitors. Very often these areas are neglected and characterised by ad hoc and ribbon development. Lismore needs to be mindful of this and take steps to ensure that the entrances to the city are aesthetically pleasing and not degraded by unplanned development. It should also explore how these areas could be enhanced to create a positive impression for people entering the city.

Staff Comment

Executive Director Development and Governance

Staff recognise the value in enhancing the City entrances and providing guidance to developers on appropriate techniques. The most appropriate vehicle to achieve the outcome may be a DCP however the report that would arise if this Notice of Motion is successful will fully explore the options.

Notice of Motion

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

That Council, as part of the current LEP review prepare a community based Heritage Study for the Village of Eltham.

Cr Ekins

The Eltham community foundation and Richmond River Historical Society have prepared information on the history of Eltham Village, historical and current images and original plans for the Eltham railway cottage to present at the next meeting of the NSW national trust urban preservation committee.

The committee suggests the Eltham village be listed as a heritage precinct.

Staff Comment

A Development Control Plan (DCP) is unlikely to meet the objectives of the Eltham community in regard to identification of heritage values, and a more appropriate means is suggested.

Development Control Plans are intended to provide guidelines for development and have effect only when development consent is required. Under the Lismore Local Environmental Plan the Eltham locality is in rural zoning and given its flood prone nature is likely to remain so. This means that development opportunities are limited and there can be little justification for preparing a DCP if development is not anticipated. In addition, it is State Government policy that heritage items are identified with local environmental plans, rather than within DCPs.

Identification and protection of heritage values in Eltham could more effectively be achieved by undertaking a heritage study of the area, and if buildings or sites were to be identified as having local, regional or State heritage significance, then including them in Schedule 1 (or a locality in Schedule 2) of the Lismore Local Environmental Plan.

An application has been made for grant funding from the Department of Planning to undertake a Local Environmental Study as a basis for the reviewed Local Environmental Plan to be completed by March 2009, and the amount applied for should be sufficient to include the Heritage Study review. If the full amount is received then the Eltham locality could be included in the community consultation required to identify items of significance to the community. The end result of this process would be that, if heritage items or a conservation area were to be identified in the Eltham locality, they could be included in the reviewed Lismore Local Environmental Plan, subject to agreement by the Heritage Office and Minister for Planning.

Such community consultation would involve a heritage consultant being available within the community at specified times to discuss heritage matters. The reviewed draft LEP would be required to be publicly exhibited for at least a month, or longer if Council so resolved.

Notice of Motion

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

That Council approve the public screening of 'A Place in the Sun'.

Councillor Jenny Dowell

Background

The film 'A Place in the Sun' was commissioned by LCC in 1978 as a promotional tool for Lismore. The Promotions and Development Committee reported that North Country Flix was making a movie of the 1978 Septemberfest and it was proposed that copies of this film be sent to 'TV stations in all capital cities as well as to Yamato Takada' (approved by Council, July 6, 1978).

In September, the Committee recommended that 'the Terania Creek Basin be included in the promotional film by North Country Flix as a tourist attraction' (approved by Council, September 28, 1978).

At the November 30, 1978 meeting, the Town Clerk, Byron Stevens, reported that 'about 3 hours of film' was ready to be sent to Melbourne for editing and that 2 people were invited to see the "rushes". There is no record that this viewing occurred.

The December 18, 1978 meeting was told that several people from The Channon markets 'will be appearing in the film' in a discussion relating to the future of the markets.

The Promotions and Development Committee recommended on February 20, 1979 'that the documentary film be made available, after processing in Melbourne, to the Committee and a screening be arranged for viewing by Council, and it be made available to service clubs for screening; also that the Summerland Coast Tourist Authority be asked if it intends to have a display at the Newcastle and Brisbane Shows and, if so, whether it would be possible to have within their stand an area put aside for the screening of the North Coast Flix film promoting Lismore and district to be operated by Lismore City Council'. (approved March 1, 1979)

The last mention of the film found in Council minutes was on May 7, 1979 when Council resolved to Suspend Standing Orders 'to permit a discussion on the promotional film 'A Place in the Sun' produced by North Country Flix, which had been viewed by all members of the Council immediately preceding this meeting'. Following discussion it was RESOLVED on the motion of Alderman Ryan and McGee that the additional amount required to pay the account from North Country Flix be and is hereby voted for expenditure; that the amount be paid accordingly and that the film be shown publicly at the Centenary Gymkhana'. (Saturday, June 2)

In Mayor William Blair's June 8, 1979 report of the Centenary Celebrations (approved by Council June 14, 1979) there is no mention of the film. 'A well-organised Gymkhana with an emphasis on our social history was presented at the Lismore Showgrounds in the afternoon. This was attended by many thousands and comprised a number of ring events and social history, crafts, displays and exhibitions. Two of the more popular items were the Slab/Bark Hut specially built for the occasion and the saw pit in operation'.

Comment

In discussions with the film-makers and 1978 Councillors and staff, it has been confirmed that the growing discomfort with the 'hippie' image of the film, led to a desire to hide it from view and resolve that the film never be shown. It has been stated that, such was the discomfort; Council also resolved not to record that it had resolved that the film was not to be shown.

Today, we should be aware that the film was being made and discussed alongside the future of The Channon markets, the plan to log Terania Creek Basin and the planning issue of multiple occupancies, all topics featured in many of the Council meeting debates during the 70's as the community as a whole grappled with the 'new settler' movement.

Although this motion may not technically be necessary as there was not a recorded resolution to ban it and Council is no longer the owner, this motion covers any possibility that there is, hidden in some official document an earlier motion that 'A Place in the Sun' was never to be seen.

Staff Comment – General Manager

The intent of the Notice of Motion is clear however it does appear to be superfluous given the absence of any Council determination to the contrary. To be clear, I can identify no impediment to the film being publicly screened by those possessing it and Council's approval is not necessary.

Notice of Motion

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

That Council

1. Lobby the Federal Government to ratify and implement the Kyoto Protocol,
2. Undertake as soon as practical, a media campaign to inform our community of Lismore's Local Action Plan and Council's progress towards reducing greenhouse gas emissions through our participation in the International Cities for Climate Protection program.

Councillor Jenny Dowell

Councillors have received a letter from a local student, requesting that Council demonstrate its commitment to the reduction of greenhouse gases (GHG) by signing the Kyoto Protocol. To date, 166 countries have signed the Protocol, covering 55% of greenhouse gas emissions. The United States of America, the largest producer of GHG, and Australia, the largest per capita producer of GHG, remain the two Annex 1 (developed) countries that have not signed the Protocol.

The student, having seen Al Gore's film 'An Inconvenient Truth', is following his suggestion that individual communities become proactive rather than bemoan the inaction of governments that have not signed the Protocol. In USA 319 local Mayors have signed a Mayors' Agreement to meet or beat the targets set in the Kyoto Protocol at a local level. In Australia, some local government areas are also starting to take this action.

At the Local Government Association's Annual Conference last month, delegates voted unanimously in support of a motion from Wingecarribee Council that the 'LGA seek support from all Councils in NSW to individually and collectively lobby the Federal Government to ratify and implement the Kyoto Protocol'.

Part 1 of this Motion demonstrates Lismore Council's commitment to that LGA resolution.

The screening of 'An Inconvenient Truth', the release of the Stern Report, discussion on the drought in our Eastern States and proposals for water-sharing, recycling and desalination have coincided to put climate change firmly on the top of the national agenda. At a local level, Lismore City Council is progressing towards a reduction in greenhouse gas emissions of 20% of the 2001 level by 2012, through its participation in the International Cities for Climate Protection (CCP) program.

The November meeting of Council endorsed our Local Action Plan, thereby achieving Milestone 3 of the CCP program and approved the formation of an inter-departmental Energy Group to monitor implementation of the LAP (Milestone 4). As stated in the Report, 'The reduction of greenhouse gas emissions in the Lismore region will have many far-reaching and diverse benefits. In addition to curbing the effects of global warming and climate change, Lismore City Council and the community will have the opportunity to lead the way in achieving real improvements in air quality at the local level.....Lismore's participation in the CCP program will help to create awareness of sustainable living so that the natural assets of our region can be enjoyed by generations to come.' (CCP Report November 06, p3)

While there are designated actions in the plan to inform our community of Council's GHG reductions and to develop an educational program on GHG issues, there is also a need to promote Council's progress on CCP more generally and to promote the local Plan itself. In doing so, Council is assuring all our residents who are concerned about climate change and global warming that Council is proactive in addressing the issue.

Part 2 of the motion calls for a promotional campaign to demonstrate Council's commitment and progress to date.

Staff Comment

Lismore City Council is unfamiliar with the subtleties surrounding the Kyoto Protocol and is not well informed about the detail surrounding the Australian Government's decision to not ratify the document. It is perhaps more productive for Council to pursue local strategies and initiatives.

In this regard Lismore City Council is a regional leader, being active in the following areas;

1. Lismore City Council joined the Cities for Climate Protection (CCP) program in June 2004. Council made a commitment to reduce greenhouse gas emissions from Council and Community operations. Council has completed Milestones 1, 2 and 3 of the 5 step program.

Milestone 1 & 2 profiled the greenhouse gas emissions and sources of greenhouse gases for the Lismore Local Government Area and forecast future emissions if no action is taken to control emissions. An emissions reduction goal of 20% was adopted by Council which gave a tangible goal for development of the Local Action Plan, Milestone 3, to work towards these goals by 2012.

The Lismore City Council Local Action Plan (LAP) was adopted at the November 2006 Council meeting. The LAP details practical measures and actions that Council plans to investigate and implement in an effort to reach the greenhouse emission reduction goal of 20% by 2012. The LAP will go on public exhibition in December 2006.

2. Lismore City Council heads the innovative Northern Rivers Group on Energy (NRGe). The group was established in 2005 and incorporates the Councils of Tweed, Byron, Ballina, Kyogle, Richmond Valley and Clarence Valley. The group's aim is to reduce greenhouse gas emissions on a local and regional scale by facilitating the implementation of energy saving initiatives throughout Northern Rivers communities. The group meets regularly and successful activities to date include:

- Establishment of a regional Street lighting Assessment Program which commenced in July 2006, with the aim to implement a retrofit program of latest technology in energy efficiency lights.
- Distribution of energy saving lights and water packs to residents of Lismore, Byron and Ballina in May 2006, and across all member council LGA's in August 2006.
- Successful Australian Government Community Abatement grant funding for the 'Sustainable Christmas' project for Lismore, Byron and Ballina residents, with the aim to promote greenhouse gas savings among residents over the Christmas period and beyond.
- Walk to Work Day – Lismore Council staff participated in the National Walk to Work Day.

Notice of Motion

This work by Lismore City Council has been recently recognised by the Federal Government by being one of just four Australian Councils selected to be showcased in a new publication “10 years of local greenhouse action”, produced by the Australian Government, which was launched at ICLEI-A/NZ’s Leading Edge Action on Climate Change recognition event and briefing breakfast at the National General Assembly of Local Government in Canberra on November 28, 2006. The huge savings in methane gas generation as a result of diverting organic waste to the worm farm was the topic of the case study.

These examples are pertinent to the second part of the Notice of Motion and can be publicised through the local media.

Notice of Motion

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

That Lismore City Council seek support from neighbouring local governments drawing on Rocky Creek Dam water to consult with their communities with a view to establishing the same water restrictions that Lismore has imposed regarding outdoor water use on an odds and evens basis.

Councillor Swientek

Staff Comment

1. The Notice of Motion is not appropriate on the grounds that it is patronising towards other Councils and it is factually inaccurate.
2. Lismore City Council has not “imposed water restrictions”. Council has introduced an active strategy to conserve the potable water supply.
3. Lismore’s decision is not exclusive to the Rocky Creek Dam source – it will also apply to Nimbin.
4. The report to Council’s November meeting made the point that Lismore City Council’s proposition was discussed by the member Councils in 2004 and rejected.
5. It is a given that the neighbouring Council supplied from Rocky Creek Dam have the ability to determine their own strategies for water management and the recent fluoridation debate highlights that situation.
6. Lismore’s odds and evens strategy is based on an expectation that, coupled with a comprehensive public awareness campaign, outdoor water use will be reduced.
7. Until the results of the strategy are known via the mid 2007 evaluation it will be more beneficial for Lismore to concentrate its resources on its own community rather than taking on a broader agenda.
8. Lismore’s publicity of odds and evens will inevitably spillover into the adjoining Council areas but the aspirations of other communities will be managed by those neighbouring Councils

Notice of Motion

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

That Lismore City write to the Prime Minister and our local federal member Mr Ian Causley expressing Council's opposition to the establishment of a nuclear power plant in this Council area or in this region.

Further, that Council write to our neighbouring local government authorities indicating our opposition and action in relation to the establishment of nuclear power station(s) within our boundaries and/or in this region and seeking their position on this important matter.

Councillor Swientek

Report

Subject	Goonellabah Recreation Centre
File No	P22522 and S736
Prepared by	Manager Community Services Manager Assets and Support Services
Reason	Council resolution required
Objective	1. To determine the nature and scope of the components within the Centre. 2. To determine the tender.
Strategic Plan Link	Quality of Life
Management Plan Activity	Community Services

Overview of Report

This report provides an assessment of components and size of the Goonellabah Recreation Centre. The report also outlines the tendering process and seeks approval from Council to negotiate with the preferred tenderers and to report the outcome to Council in February 2007.

Background

1. Nature and scope of components within the Centre

At the October 2006 Council meeting, it was resolved *that Lismore City Council reassess the components and appropriate size of the Goonellabah Recreation Centre*, particularly in relation to the number of indoor courts proposed, and the type and size of leisure water to be included, if appropriate. In order to provide an expert analysis of this project in comparison with other similar developments, Council engaged the services of Strategic Leisure Group consultants to provide advice on the dry and wet facilities proposed. Council staff and a representative from Strategic Leisure Group presented research findings in detail to a Councillor Workshop on 13 November 2006.

1.1 Dry facilities

As part of the reassessment process all major stakeholder groups (Futsal, Basketball, Netball) were contacted in relation to the provision of a 2, 3 or 4 court indoor complex. A summary of discussions is detailed in Public Consultation below. In brief, support for a 2, 3 or 4 court model was indicated by these groups.

Strategic Leisure Group were provided with previous studies, reports and current demographic data associated with the recreation centre and addressed the following areas in their report: overview of previous research and participation data, indicative financial analysis, management models, and comment on facility mix. An extract from the report regarding the facility mix follows:

Based on the research information supplied to us and our experience in leisure planning and management, a combination of indoor courts, flexible programming space, health and fitness area, water space, café/ kiosk and outdoor areas appears to be an appropriate facility mix for the Goonellabah Recreation Centre. For a community of 14,000, a three or four court facility appears to be an overprovision and is more consistent with a regional scale facility servicing predominantly sporting needs rather than a multi-use facility servicing a broad range of community sport, recreation and health and fitness needs.

With a finite budget, money allocated to additional indoor sports courts will reduce the capacity

of the facility to incorporate facilities for other community needs or reduce its capacity to incorporate high level fit-out components. A facility mix which provides the Goonellabah community with a functional, visually attractive, multi-purpose facility with quality fit-out and componentry that is both realistic and affordable and meets the primary needs of the catchment is consistent with Council's Guiding Principles for the Centre and good recreation planning.

If ultimately Council chooses to re-evaluate the previous research undertaken in the late 1990s and now believes the Goonellabah site may be better suited to serve as Lismore's major indoor sport venue, then planning for the development of more than two sports courts may be considered. However, based solely on the information reviewed by this paper, it appears unlikely that more than two courts will be viable in the medium term.

Further, considerable discussion and review around the need for a third and possibly fourth indoor court ensued, particularly relating to the requirements of basketball, and can be summarised by the following extract from the Strategic Leisure Group's report:

Planning for the demand for basketball at any new centre should be treated with caution. The existence of an ageing 2 court facility leased by the Lismore Basketball Association will likely impact on the planning and overall performance of the any new centre. This is considered to be relevant because:

- Demand for basketball at the new centre will be diminished by the existence of current training and competitions played at the old venue.
- There is potential for the current association to lose significant membership to any new competition if one was established at the new centre and thereby creating friction between the centres.
- If basketball is not given significant opportunities to be played at the new centre it is thought to be unlikely the centre would sustain more than a two court facility mix in the short to medium term ie 1 – 6 years.
- If more than two courts are developed, it is forecast, the existing 2 court basketball venue will be unsustainable in the short term/ and or will cannibalise the basketball participation rates at both centres.

Public consultation

FUTSAL – Ian Bentall

- Futsal runs 14 teams per court per night, 6 players per team.

	Number of teams 2005	Number of teams 2006	Number of teams anticipated 2007
Lismore	9	41 (60-65% are juniors)	60-70
Alstonville	7	29	40-50

Number of teams

- Explosion of interest following Australia's success in the FIFA World Cup. Lot of juniors (under 16) now want to play.
- Futsal would support a 3 court facility.
- Have no problem with Aura Sports 2000 flooring.
- Fees are generally \$5 - \$6 per game. Men and women play 2 x 20 minute halves; juniors play 2 x 15 minute halves.
- 2 seasons: October – March; April – September.
- Currently 41 teams – would require 2 nights x 2 court facility (56 teams) or 1 night x 3 courts (42 teams) or 2 nights x 3 courts (84 teams).

BASKETBALL – Cheryl Amor

2 court facility in Keen Street has high evening usage:

Monday	4pm – 8pm
Tuesday	4pm – 8pm
Wednesday	4pm – 10pm
Thursday	4pm - 9pm
Friday	4pm – 8pm
Weekends	training

- No real difference between 2 and 3 courts. 3 court centres are not regional facilities.
- Having basketball relocated to the 2 court Goonellabah facility would mean other sports could not access the facility due to the demands of basketball.
- Would need a 4 court facility to adequately share court time.
- Would use a 3 court facility as a split venue for representative competition games, approximately 5 or 6 times per year. Tamworth, Port Macquarie and Coffs Harbour are regional centres with 4 or 5 courts.

NETBALL**Lismore District Netball Association – Lyn Webster**

- Do not want to run a competition as an association. Happy to stay where they are. Currently use 8 courts, from 9.00am – 5.00pm on Saturdays.
- Would only use the facility in wet weather and wouldn't be able to schedule in advance
- Would use the facility for representative training
- Support the need for the facility. The Centre's management could run its own competition and teams would sign up. Could cater for mixed and men's competition which the Association can't run.

Lismore Skating And Putt Putt – 5-a-side netball competition (3/4 sized courts x 3)

- Competition one night per week
- Numbers vary, currently 24 teams, but this tends to drop over winter
- Players like the indoor courts for training
- Has concrete flooring
- Competition extends from 6.00pm – 9.15pm, approximately \$5 per game
- Players come from all over Lismore, including Goonellabah
- No additional demand from this group

Summary

Council staff, together with Strategic Leisure Group, have worked on the development options for this facility for some time. When planning and constructing public recreation facilities it is essential that there is adequate provision for the current and future needs of the community. The primary objective for this facility has been the provision of an indoor recreation facility for Goonellabah that addresses the needs of the community, particularly young people.

An extensive analysis of demographic information, existing facilities, current and projected usage patterns, and similar facilities across Queensland and New South Wales has resulted in a clearer picture for the centre and the most suitable facility mix. The user groups who are potentially key tenants of the centre are Futsal, basketball, and netball. Secondary tenants might be badminton, volleyball, martial arts and other fitness groups. It is not intended that the Recreation Centre presents as competition for the existing sports (ie basketball and netball), who have consistently confirmed their association with their current facilities and do not wish to relocate their operations to Goonellabah at this point.

A Business Plan was reviewed at the November Councillor workshop which presented an analysis of 2, 3 and 4 court options based on anticipated hiring requirements, and with regard to the original objectives for this facility, it is recommended that Council proceeds with the existing tender specifications for a two court facility with a clear design specification that allows for future expansion to a third and possibly fourth court in the future. Staff will explore opportunities to value add to the proposed fitness centre amenities, such as steam room and spa options.

1.2 Wet facilities

In order to reassess the components and appropriate size of the Recreation Centre, in relation to the water element, Council staff undertook a survey of Goonellabah residents regarding the type of leisure water preferred, potential use and preparedness to pay. 158 surveys were completed, and a summary of the key findings is outlined below:

1. Preferred type of leisure water:

Outdoor leisure water	51%
Indoor leisure water	37%
Water park	25%

2.

Age of respondents	Percentage of total survey
0 - 15	39%
16 - 25	22%
26 - 45	23%
46 - 65	15%
66+	2%

3. 65% of respondents indicated a very high need for a pool / leisure centre in Goonellabah
4. 76% of respondents also swim at the Memorial Baths, 65% use the Lismore Lakeside Pool, and 17% attend the Summit Fitness Centre.
5. 94% of respondents were prepared to pay to use the leisure water (\$2 per visit most common).

In order to provide an independent and expert assessment of this community's needs in conjunction with a review of other public aquatic facilities in New South Wales and Victoria, Strategic Leisure group provided the following analysis of aquatic centres.

As part of this review, Strategic Leisure Group sought the University of South Australia, CERM Performance Indicator ® Unit's assistance in generating additional specific performance indicators from existing "wet and dry" centres in operation in New South Wales and Victoria that met the following criteria:

- Indoor Sports Courts
- Indoor Aquatic Facilities
- Identified Catchment populations of between 15,500 and 56,000 (the median centre serving a current population of 32,945).
- A footprint of between 1,260 m² and 2,975 m²

CERM identified six (6) facilities that met these criteria and provided a specific report that detailed the reported performance of these centres; of interest to this review was the following:

- 1** = Specific Group 7 Centres described above
- 2** = All Group 7 CERM reporting Centres: April 2005 Report
- 3** = Group 3 Centres (Dry Indoor Centres only with less than 3000 m²): April 2005 Report
- 4** = Group 5 Centres (Dry Centre with Outdoor Pools): April 2005 Report

Indicator	1	2	3	4
Visits per m ² of total floor space	86	87	49	29
Expense recovery	80%	93%	82%	58%
Catchment multiplier (attendance)	5.4	5.9	1.8	1.3
Energy cost per m ² of total floor space	\$30.97	\$38.00	\$7.00	\$14.00
Surplus / (-) Subsidy per visit	(-\$1.29)	(-\$0.32)	(-\$0.33)	(-\$1.97)
Secondary spending	\$0.31	\$0.41	\$0.40	\$0.72
Total receipts per m ² of total floor space	\$448	\$413	\$133	89
Fees per visit	\$4.79	\$3.98	\$2.94	\$2.47

Based on this information a number of inferences can be made:

1. Combined wet and dry indoor facilities attract significantly greater attendances than centres that feature only dry or dry with outdoor pools.
2. Wet and Dry Indoor facilities can cover more of the operating costs compared to indoor centres that have outdoor pools.
3. Wet and dry Indoor facilities attract significantly more community visitation than indoor centres that also have outdoor pools.¹
4. Dry centres and dry centres with outdoor pools consume less energy than indoor wet and dry facilities.²
5. The fees per visit by patrons at wet and dry indoor centres and just dry centres are greater than indoor centres that operate outdoor pools.

Based on a conservative estimate of 100 visits per day, the Business Plan identifies potential annual income of approximately \$100,000, and potential expenditure of \$215,000, arriving at a worst case scenario annual deficit of approximately \$115,000.

Summary

Based on community consultation, advice from Strategic Leisure, other councils and current tenderers, it is recommended that indoor leisure water is included in Stage 1 development of the facility. However, it is also recommended to contain the leisure water to approximately 600m² in order to contain both capital and operating costs. There is a strong need to provide recreational water in Goonellabah, together with green space to accommodate families and informal gatherings and activities, however extending the building envelope to accommodate such a large body of water would be cost prohibitive. An attractive and functional alternative can be achieved by providing an indoor leisure pool with the capability of opening external walls to link a large, fenced and landscaped outdoor area. As noted in the business plan and Strategic Leisure's report, an indoor facility has the capability for all year round usage, is a major drawcard for membership combined with gym/aerobics, is much more readily managed and maintained, and significantly adds to the operating viability of the centre.

¹ Presumably because they close sections of the facility during winter (pool is operated seasonally)

² Presumably because the outdoor pool does not open throughout the year and therefore the pumps do not operate and the water may not be heated.

The tender documentation required cost estimates for 1,000m² of leisure water, which the tenderers addressed to various levels of satisfaction. Further consultation with facility managers, swimming pool manufacturers and consultants has provided reasonable estimates for the provision of 600m² of leisure water, with beach entry access and graduated water levels, incorporating a combined lap swimming/program area. The water, associated plant, wet amenities and operable walls could be delivered for approximately \$3 – 4 million.

2. Tender to Design and Construct the Goonellabah Recreation Centre

Tender Assessment

Tenders for the design and construction of the Goonellabah Recreation Centre were called on 12 August 2006 and closed on 17 October 2006. Four (4) tenders were received by the closing date.

A tender assessment process was undertaken in accordance with a Tender Evaluation Plan that was prepared prior to the close of tenders on 17 October 2006. The Tender Evaluation Plan is available for perusal by any interested Councillor by making contact with the Manager Assets and Support Services.

A number of measures were implemented to ensure transparency, consistency and relevant expertise was a part of the process. This included the appointment of a dedicated Probity Officer to oversee the process, a consultant Architect to provide expert advice to the panel and an independent external person from the Department of Commerce as a member of the panel.

Upon completion of the tender assessment process a Tender Assessment Report was produced. The report documents the process that was actually followed to assess the tenders, in particular any variances from the Tender Evaluation Plan, and makes recommendations on awarding a contract. The report is a lengthy document and is available for perusal by any interested Councillor by making contact with the Manager Assets and Support Services.

In summary the Tender Assessment Report has identified a preferred tenderer for the project, but recommends that Council not accept any of the tenders received and negotiate with the preferred tenderer to resolve a number of issues prior to awarding a contract.

Preferred Tenderers

In conducting its assessment the panel, through the evaluation process, ruled out two of the tenders received as unsuitable or representing an unacceptable risk to Council. The remaining two tenders were both considered acceptable. The first acceptable tenderer for the work is Lahey Constructions. The second acceptable tenderer is SPANTECH. A summary of the assessment of all tenders received is attached to Councillors' business papers.

In identifying Lahey Constructions as the first preferred tender for the two court facility without pool, the Tender Assessment Panel concluded that they had the best proposal overall for the following reasons:

- Their proposal was architecturally designed and is considered aesthetically pleasing and fits well into the existing landscape on the site. It was considered superior to the second preferred tenderer on this criterion.
- Their tendered price was the most competitive, although there was only a relatively small difference to that of the second preferred tenderer.
- Their proposal received the best overall rating in the assessment process.

Lahey Constructions are a medium sized building construction company based in Kempsey NSW. They have undertaken a broad range of construction projects in the past including industrial, commercial, retail, educational, health and residential projects. They are also a best practice accredited contractor with the NSW State Government. Lahey Constructions has nominated Thomson Adsett as their architectural consultants that will undertake the design development process to the point of lodging a development application.

SPANTECH are a QLD based company that utilises conventional and unique (patented) construction techniques to provide large indoor spaces for a range of purposes including defence, commercial, industrial and recreational uses. Of particular relevance is that SPANTECH earlier this year completed the indoor sports hall and pool at Trinity Catholic College in Lismore. SPANTECH's consultant Architect is Mr Stephen Johansson of the Facility Design Group.

Risk Assessment

As part of its assessment process the Tender Assessment Panel identified a number of risks that need to be addressed prior to awarding a contract for the works to either of the preferred tenderers. Most of these risks arise as a result of the way in which the request for tender was conducted – i.e. as a design and construct exercise, and in particular, the lack of certainty about the inclusion and design parameters for the proposed pool/water component of the project.

The risks identified with the tender from Lahey Constructions and recommended strategies to address those risks are as follows:

Issue	Level of Risk	Recommended Strategy to Address
Size of foyer	Medium	To be addressed during design development stage prior to lodgment of the development application.
Layout of foyer	Medium	To be addressed during design development stage prior to lodgment of the development application.
Size of amenities upstairs and downstairs	Medium	To be addressed during design development stage prior to lodgment of the development application.
Size of gymnasium area	Medium	To be addressed during design development stage prior to lodgment of the development application.
Ceiling height in gymnasium and youth hall	Low	To be addressed during design development stage prior to lodgment of the development application.
Potential inclusion of pool in the complex	High	Council to determine whether a pool is to be included in the project, and its configuration, and receive a firm price for its construction prior to awarding a contract.
Potential inclusion of additional playing courts in the complex	High	Council to determine whether additional playing courts are to be included in the project and receive a firm price prior to awarding a contract.
Potential inclusion of additional playing courts in the complex at a future date	Medium	If Council determines not to provide additional courts at the time of awarding the contract, but considers that such courts are likely to be provided in the future, consideration should be given to conducting earthworks and ground preparation ready for future expansion.

Issue	Level of Risk	Recommended Strategy to Address
Project cost – especially with suggested and potential design modifications outlined above.	Medium	A firm price to be provided by the tenderer for design modifications prior to Council entering a contract. Council should enter negotiations to deal with this issue rather than award the contract as tendered.
Construction period not identified.	Medium	The tenderer to provide a firm construction period prior to Council entering a contract. Council should enter negotiations to deal with this issue rather than award the contract as tendered.
Security deposit not nominated by Council.	High	Council to determine an appropriate level of security deposit required for construction and agree with the contractor prior to awarding a contract.

The risks identified with the tender from SPANTECH and recommended strategies to address those risks are as follows:

Issue	Level of Risk	Recommended Strategy to Address
Size of foyer	Medium	To be addressed during design development stage prior to lodgment of the development application.
Layout of foyer	Medium	To be addressed during design development stage prior to lodgment of the development application.
Functionality of youth hall – only one entry point which means when room separated into two, that patrons must enter through one room to get to the other.	Medium	To be addressed during design development stage prior to lodgment of the development application.
Upstairs amenities – patrons in aerobics area must pass through gymnasium to use amenities.	Low	To be addressed during design development stage prior to lodgment of the development application.
Lighting in main court area – may require lights to be utilised in daylight hours	Medium	To be addressed during design development stage prior to lodgment of the development application.
Potential inclusion of pool in the complex	High	Council to determine whether a pool is to be included in the project, and its configuration, and receive a firm price for its construction prior to awarding a contract.
Potential inclusion of additional playing courts in the complex	High	Council to determine whether additional playing courts are to be included in the project and receive a firm price prior to awarding a contract.
Potential inclusion of additional playing courts in the complex at a future date	Medium	If Council determines not to provide additional courts at the time of awarding the contract, but considers that such courts are likely to be provided in the future, consideration should be given to conducting earthworks and ground preparation ready for future expansion.

Issue	Level of Risk	Recommended Strategy to Address
Project cost – especially with suggested and potential design modifications outlined above.	Medium	A firm price to be provided by the tenderer for design modifications prior to Council entering a contract. Council should enter negotiations to deal with this issue rather than award the contract as tendered.
Construction period not identified.	Medium	The tenderer to provide a firm construction period prior to Council entering a contract. Council should enter negotiations to deal with this issue rather than award the contract as tendered.
Security deposit not nominated by Council.	High	Council to determine an appropriate level of security deposit required for construction and agree with the contractor prior to awarding a contract.

Negotiation

The issues identified are significant and need to be resolved prior to entering a contract. If Council was to enter a contract prior to resolving these issues, the contractor would be in a position of strength in the negotiation process. In effect these matters could become variations to the project and Council could potentially be disadvantaged in the negotiation process.

Whilst the Tender Assessment Panel has identified a preferred tenderer and recommended that Council enter negotiations with that company only, a second preferred tenderer has also been identified as suitable to conduct the work. Given that Council has now (assuming the recommendations within this report are adopted) identified a firm proposal for the provision of water facilities within the complex, it is considered worthwhile to continue discussions with both the preferred tenderer and the second preferred tenderer.

It is therefore recommended that Council not accept any tenders and enter into negotiations with both Lahey Constructions and SPANTECH to resolve their respective issues. Upon resolution of those issues, the matter would be reported back to Council for a decision on awarding the contract.

Conclusion

The development of a multi-purpose indoor recreation facility has long been identified as a need for the Goonellabah and wider community. The proposed facility mix will provide a range of recreational opportunities for people of all social and economic backgrounds and will address the existing needs of the community in the short term and possibly medium term.

There are a range of issues that need to be finalised prior to entering into a contract for design and construction of the facility. These matters are such that to enter a contract prior to their resolution may place the successful tenderer at a commercial advantage in any negotiations. As such it is recommended that Council enter negotiations with both of the preferred tenderers to resolve these issues and report back to Council on the outcome of those negotiations prior to awarding a contract.

Comments

Financial Services

Financial comment will be included in the report to Council following the finalisation of negotiations.

Recommendation

1. Nature and scope of components within the Centre

That Council:

- 1.1) proceed with the process for the design and construction as specified for a 2 court indoor complex, with provision to expand to a third court in future if required.
- 1.2) endorse the inclusion of indoor leisure water, with provision for 600m² water including beach entry and learn to swim area, wet amenities, storage and operable walls allowing indoor/outdoor access.

2. Tender to Design and Construct the Goonellabah Recreation Centre

That:

- 2.1) In accordance with clause 178 (1) (b) of the Local Government (General) Regulations 2005, and as provided in the tender document, Council decline to accept any tenders for the Design and Construction of the Goonellabah Recreation Centre.
- 2.2) In accordance with clause 178 (3) (e) of the Local Government (General) Regulations 2005, Council enter into negotiations with the preferred tenderers, Lahey Constructions and SPANTECH to resolve issues as outlined in the report.
- 2.3) Negotiation of said issues will be undertaken with reference to the Goonellabah Recreation Centre Project Team and user groups.
- 2.4) In accordance with clause 178 (4) (a) and (b) of the Local Government (General) Regulations 2005 the reasons Council will not call fresh tenders for the works and will enter into negotiations are:
 - The tenders received are not unsatisfactory, but require finalisation of some issues prior to entering into a contract.
 - Discussions about those issues, if conducted after a contract has been awarded, would confer a commercial advantage to a successful tenderer.
 - A satisfactory result can be achieved through negotiation of the relevant issues.
 - Two tenders have been identified through the tender assessment process as potentially satisfactory.
 - To call fresh tenders would unnecessarily delay the project.

Report

Subject	Lismore Regional Gallery and Exhibition Centre
File No	S857 and S921
Prepared by	Executive Director – Development and Governance
Reason	Report public comment on exhibition of Business plan
Objective	Obtain Council resolution to advance development on Cultural Precinct site
Strategic Plan Link	Quality of Life
Management Plan Activity	Development of Cultural Precinct

Overview of Report

This report provides a review of submissions received following the public exhibition of the Business Plan – Ideas and Recommendations for the Cultural Precinct, and provides an option and recommendation for the future staging and funding of the site.

Background

Following extensive public consultation a Draft Master Plan for the Cultural Precinct site was prepared in 2004. This draft was publicly exhibited and submissions were included in a review that led to Council adopting a Development Control Plan (DCP 49) for the site in November 2005. This DCP (attached as an Appendix) identified the mix of land uses which would be appropriate to the site as well as providing guidance in regard to pedestrian circulation, vehicular circulation and car parking, design principles, building heights and landscaping.

The DCP, while providing a framework for the development of the site did not provide specific guidance as to how the overall site development should be either staged or funded. To assist Council with options for the development of the site, two additional documents have been prepared:

1. **Architectural schematics and costings**

Architectural line drawings accompanied both the 2004 Master Plan report and the 2005 DCP reports by external consultants. Both of these documents were publicly exhibited and the comments that were generated provided valuable information which was used in the most recent development of a set of architectural schematics by local architect Phil McMaster. These plans also incorporated comment provided by all of the potential building occupants and led to a design that was innovative, functional, environmentally responsible and iconic. Following their development the building plans were costed by Rider Hunt, Quantity Surveyors.

The cost of a four storey gallery and exhibitions centre that would include all of the proposed elements, including the museum would be approximately \$16 million.

2. Business Plan – Ideas and Recommendations

To provide economic input and guidance into the future development of the whole site Tsikleas Andrews Property Solutions were engaged to prepare a Business Plan. This draft Business Plan was completed in August 2006 and placed on public exhibition. The plan provided guidance in regard to all of the elements of the precinct, but canvassed two options for the Regional Gallery and Exhibition Centre.

Option 1 retained all of the elements of the Regional Gallery and Exhibition Centre with the exception of the Museum floor. This option provided funding to address elements of the current Museum building at 165 Molesworth Street that require attention and assumed that the Richmond River Historical Society (RRHS) would continue to occupy this building for its extensive collection. This option would reduce the cost of the proposed Cultural Precinct building by approximately \$4 million (source – *Rider Hunt*).

Option 2 proposed that the RRHS collection be relocated to the proposed Cultural Precinct building together with the Regional Gallery and other occupants.

In order to gauge the ongoing financial impact associated with the development of the main public building within the Cultural Precinct, an indicative operating budget outlining potential revenue and expenditure for the Lismore Regional Gallery and proposed Lismore Regional Museum follows.

Lismore Regional Gallery

Proposed Revenue

Grants	100,000
(Programming \$50,000; project initiatives)	
Sundry income	
(includes travelling exhibitions, shop sales, donations, sponsorship, venue hire, memberships etc)	
	<u>91,500</u>
Total	191,500

Proposed Expenditure

Staff salaries (includes Director, Curator, Administration Officer, Education Officer, Grants programming cost, Contract staff (exhibitions))	271,000
Operating expenses	<u>324,500</u>
(includes grants expenditure, building maintenance and repair, consumables, promotion, exhibition costs, rates, collection conservation and insurance, cleaning, communications, support costs etc)	
Total	595,500
Less Revenue	<u>191,500</u>

Total operating expense **\$404,000**
(Less existing Gallery operating budget of \$354,000)

Additional annual operating funds required **\$50,000**

Lismore Regional Museum

Proposed Revenue

(Includes grants, travelling exhibitions, donations, sponsorship etc.	62,000
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Proposed Expenditure	
Staff salaries	217,000
(includes Director, Curator, Administration Officer, grants Programming cost)	
Total Operating expenses	
(includes grants expenditure building maintenance and repair, consumables, promotion, exhibition costs, rates, collection conservation and insurance, cleaning, communications, support costs etc)	191,500*
Total expenses	408,500
Less Revenue	<u>\$62,000</u>
Total operating expense	\$346,500
Additional annual operating funds required	\$346,500

Note: The Museum would require at least one professional staff member to be appointed preferably two years prior to moving in to the new building (ie Director at \$86,000pa (includes oncosts))

* Compared to the operating budgets of other regional centres such as Newcastle and Wagga Wagga whose museum budgets are significantly higher than the gallery budgets, this is a very conservative estimate.

Comments

Financial Services

The construction of the Lismore Regional Gallery and Exhibition Centre on the Cultural Precinct at an estimated cost of \$12,000,000 has been factored into the Major Capital Works Schedule on the basis that significant matching funds from grants or other external sources are received. Considering this project is one with long term benefits to the Lismore community, it is reasonable that Council's share of costs would initially be borrowed and repayments made over a twenty year period. The annual repayment costs would be approximately \$108,800 per annum per million dollars in borrowings.

Calling for expressions of interest for the lease or sale of the accommodate area now is supported as the proceeds can be used to either offset the amount of borrowings required or meet loan repayment costs. A range of funding options will need to be pursued to meet Council's contribution towards this project including a special rate variation application to the Minister for Local Government seeking an increase above rate pegging for this project.

In regards to increased operating costs for the new facility and support for the Richmond River Historical Society at the current location, these requests will need to be considered as part of the recurrent budget deliberations during the annual preparation of the management plan.

Other staff comments

Community Services

Community members and interest groups continue to support and encourage the development of this project. It is vital that Council delivers a clear direction and commitment regarding future development to secure the financial commitment of partners such as Southern Cross University and potential government and other investors.

Public consultation

The public exhibition of the Business Plan – Ideas and Recommendations brought forward submissions by two of Council's Policy Advisory Groups (PAGs) and several other interested parties.

The submissions are summarised below:

Richmond River Historical Society (RRHS)

Concerned about the priorities that may be used in implementing goals of project – provision of a cultural centre for the city, encouragement of cultural tourism, revitalisation of commercial activity, parking facilities. RRHS is concerned that 'culture' is only allocated to such a small proportion of the site and that the building will be so far set back from the street.

There is a concern that parking will be inadequate, the library already struggles, and with the cultural centre and commercial and government departments coming to the CBD it will put a further strain on CBD parking.

Option 1 - Economical to finish project in one operation

Optimistic estimate of \$200,000 for Municipal Building works

Current housing has inadequate storage and was not designed as a museum, rather office space. Security is inadequate; multiple rooms cause issues with safety of displays. Access issues – 26 stairs to top floor research and archives, and area for archival research is cramped at present.

Arts Northern Rivers

Existing gallery is severely limited due to building condition and space constraints. Recommend that Council adopt the option which will ensure development of a new Art Gallery. If option 2 cannot be supported in the immediate future, it would support Option 1. Possibilities include the integration of exhibition and education programs and collection management between the library, new gallery and museum.

If Option 1 is taken up, provision should be made for future staged development and the inclusion of the museum on site and also the importance of installing a passenger lift in the existing museum building.

Lismore Regional Gallery

Encourage Council to adopt Option 2. However if Option 1 is taken up, request the consideration of a staged construction of cultural centre. A new building should be constructed to allow for stage 2 to occur. Recommendation for stage 1 would include the art gallery, artist residency, studios, café, retail, public space and public art. Council may also consider relocating CBD office to new facility. This model has been very successful at Puke Ariki with their VIC in the foyer.

Concern does include the position of the cultural centre – the building needs to have visible site lines from the street to be effective – would recommend street access. The entrance to the Cultural Centre off Keen should have a café and synergistic retail, but the gallery must have a street presence and be prominent in the mix. Centre requires exhibition space, signage, public art fronting Keen – the centre could even overhang Keen. Creative industries and art components should be the prominent driving force in the precinct. Anchor tenants are vital. A motel would be a good synergistic contributor to the precinct, as recommended.

SCU

University has a preference for option 2 but recognises the possibility and practicality of developing in a staged manner. Overarching concern is to secure a suitable solution in the immediate future for Visual Arts, and we believe Option 1 can do this. University would like to be able to run its 'NextArt' gallery in association with the Regional Gallery – envisage separate space available to show program of experimental and student exhibitions.

The eventual co-location of the Regional Gallery, Historical Museum and University Gallery bring benefits including enriched exhibition outcomes and enriched research possibilities. The Visual Arts Dept of the University responds positively to the news of a possible motel development on the site and notes the very positive model of cooperation undertaken in Hobart.

Arts and Culture Policy Advisory Group

Unanimously in support of Option 2, the ACPAG considers this option to be the only option. Cultural Precinct will contribute directly to the much needed revitalisation of the CBD and will generate additional business activity with the community.

NORPA

NORPA found in general, the plan aimed at paving the way for the commencement of the construction of the gallery in the most cost effective and economically viable way – the gallery is the prime focus of the cultural precinct.

The following concerns are noted:

- *the increase in size of retail space on Keen to 1000m² with just a pedestrian access to the multi storey car park – if retail space is to be increased, this should be discussed further, and should be in another area so as not to detract from the art gallery entrance.*
- *Residence could be above the additional retail areas, however there is no mention of parking – understorey car parking would be unattractive (there needs to be vehicular access to the Art Gallery)*
- *Residential units mentioned on the top floor of art gallery were not intended for public sale – but for artists in residence purposes.*
- *NORPA is not opposed to the selling off of commercial components however strong guidelines and architectural standards must be set – design consistency is imperative.*
- *Encourage policy to encourage investment by businesses who have a synergy with the creative industries on site.*
- *Important that the Art Gallery or Cultural Centre be an iconic building.*
- *NORPA also accepts the recommendation that the Museum is accommodated elsewhere due to the enormous saving which would make the construction of the precinct more viable.*

Left Bank Café

Support for Option 1 – which is more affordable and realistic. Certain that if the new gallery is built, the new museum would follow shortly thereafter.

Jan Davis – SCU

SCU remains committed to a timely progress for the project and needs to be involved closely in future discussion about space allocation, orientation etc to ensure that the University needs are met. A street level (flood risk) location as indicated in the current plan is suitable for university activities. SCU is cognisant that proximity to a street entrance is an advantage, and recognises that an effort has been made to enhance this effect in the plan.

EDPAG

THE EDPAG believes Lismore should be aiming to create a unique drawcard for the town - an 'exhibition centre' that includes an art gallery, historical exhibition area, children's interactive centre and a multi use exhibition area is required. The following points are noted:

- *The plan should not be focused on commercial offices and felt that CBD growth should be left to the private sector. However EDPAG believes there are strong reasons for the Council to relocate to the CBD, amalgamating services to the one location, placing it in the heart of this key community asset.*
- *Synergistic benefits are evident for having a 4½ star motel within the complex and should be encouraged.*
- *Carparking requirements are best handled by a multi storey car park – a fee should be considered for some component of this parking.*
- *Opportunity for businesses should not be limited to shops that complement the complex, and a policy should be in place that permits other types of business to conduct viable operation within the complex.*

- *Quality, user-friendly public space is necessary, there are many opportunities available to utilise the outdoors space and indoor multi purpose exhibition area for markets and exhibitions.*
- *It is recognised that there may be benefit in providing new purpose-built accommodation for the conservatorium and library. This should be accounted for in the site concept plan.*
- *Stage 1 should be the construction of the 'exhibition centre' and the public space.*

In addition the RRHS provided further comment (following the November workshop) on the proposal to retain their collection in the existing 165 Molesworth Street premises. This additional letter forms part of the attachments for this report, but can be summarised as the RRHS having a strong view that their collection should form part of the Cultural Precinct and that the decision to relocate the RRHS or not should be made on a merit basis rather than a financial one.

A further element of the Business Plan that received comment was that of the "Accommodation Area" as highlighted in the Business Plan. Council received a proposal for the construction of a 4½ star Hotel with a 2000m² footprint to be constructed on the corner of Magellan and Dawson Street. Such a proposal is consistent with the adopted DCP and would both generate capital for the site and contribute to the site dynamics.

Funding Considerations

Council has an opportunity to fund its commitment to the development of the Lismore Regional Gallery and Exhibition Centre from all of the following and the specific mix will be dependent upon timing and availability.

- Borrowings
- Profit from Land Development
- Land sales
- Special rates variation
- Onsite development partnerships

External Grant funding will be sought from all available sources.

Conclusion

Consideration of all of the submissions together with the financial information available leads to the following options for future direction and development:

- The RRHS remains within its current building located within Spinks Park, and will receive ongoing Council support.
- A People's Exhibition Gallery be incorporated into the Regional Gallery and Exhibition Centre.
- Council explore opportunities to lease or sell the "accommodation area" for private development.
- The Regional Gallery and Exhibition Centre design be further developed to include:

a. **Ground floor** (approximately 1,000m² floorspace)

- Reception/foyer
- Southern Cross Gallery
- People's Exhibition Gallery
- Café and shops
- Back of house and loading dock
- Possible relocation of CBD Centre's operations

b. **First floor** (approximately 1,000m² floorspace)

- Lismore Regional Gallery

c. Second floor (approximately 500m²+ floorspace)

- Explore opportunities to generate both financial benefit and site synergetic development.

Recommendation

That Council:

1. Commit \$6 million in its future capital works financial plan towards the construction of the Lismore Regional Gallery and Exhibition Centre on the Cultural Precinct site on the understanding that the balance of necessary funds will be secured from external sources.
2. Continue to support the RRHS at 165 Molesworth Street Lismore and that this support includes the installation of an internal lift, the provision of appropriate air conditioning.
3. Explore opportunities to provide additional ground floor space at 165 Molesworth Street Lismore for the RRHS.
4. Continue to develop the architectural schematic drawings to a level of detail and presentation suitable to attract external funding and provide certainty for interested parties.
5. Call for expressions of interest for the lease and/or sale of “accommodation area” of DCP 49 and that a further option report be brought back to Council.

Report

Subject	Lismore Memorial Baths
File No	P6768
Prepared by	Manager Community Services
Reason	Request from Council
Objective	To determine the hours of opening for the Memorial Baths for 2007
Strategic Plan Link	Quality of Life
Management Plan Activity	Community Services

> Overview of Report

This report recommends opening and closing hours for the Memorial Baths for the next 12 months

Background

On 13 November 2006, a 12 month review of operations at the Lismore Memorial Baths was presented to a Council workshop. The report addressed issues relating to attendance, income and expenditure, seating and shade, opening hours, solar heating, fees and charges, and possible management options. A report to Council was requested to determine the opening hours for the current season and 2007.

The current hours of opening, as set by Council, are as follows:

Summer (end October – March)	
Monday – Friday	5.30am – 9.00pm
Saturday	10.00am – 6.00pm
Sunday	10.00am – 6.00pm
Toddlers' Pool	10.00am – 6.00pm

Autumn / Spring (April, May, September, October)	
Monday – Friday	5.30am – 7.00pm
Saturday	10.00am – 6.00pm
Sunday	10.00am – 6.00pm
Toddlers' Pool	Closed

Winter (June, July, August)	
Monday – Friday	6.00am – 6.00pm
Saturday	10.00am – 5.00pm
Sunday	10.00am – 5.00pm
Toddlers' Pool	Closed

Following review of attendance data, consultation with pool management and various requests from the public, the following two options are recommended for discussion:

Option 1. Total pool closure over the winter months.

	End October - March	April, May, September, October	June, July, August
Monday – Friday	5.30am – 8.00pm	5.30am – 7.00pm	Closed
Saturday	9.00am – 7.00pm	10.00am – 6.00pm	Closed
Sunday	9.00am – 7.00pm	10.00am – 5.00pm	Closed
Toddlers' Pool (every day)	9.00am – 6.00pm	Closed	Closed

This option would allow significant savings to the overall pool operating costs (approximately \$130,000 based on last winter's operating costs), however does not provide an aquatic venue for the community during the winter months.

Option 2. 25m pool only remains open during the winter months. This option allows one of the pools to remain open and provide some heated water lap swimming opportunity for the community.

Pool	Opening and closing hours		
25m pool	January – May	June – August	September – December
	As per Option 1 above.	Monday – Friday Saturday Sunday	6.00am – 9.00am* 4.00pm – 7.00pm* Closed Closed
50m pool	As per Option 1 above.	Closed	As per Option 1 above.
Toddler's pool	As per Option 1 Above.	Closed	As per Option 1 above.

* Pool management has requested the provision for some flexibility around these proposed times. For example, pending public preference it may be advisable to move the afternoon opening hours to a lunchtime block, ie 12.00pm – 3.00pm, but it is not proposed to include both lunchtime and afternoon blocks.

It is anticipated that the costs associated with running the 25m pool alone will be significantly less than running both the 25m and 50m pools. Costs estimates for the income and expenditure are tabled below, based on 2005-2006 income and expenditure.

Income	\$	Expenditure	\$
General admissions	13,000	Wages	33,500
		Electricity	8,000
		Chemicals	3,000
		Sundry expenses	5,000
Total	13,000	Total	49,500
Net profit / (loss)			
(\$36,500)			

The Memorial Baths will be closed on the following days for Options 1 and 2:

- Good Friday
- Easter Monday
- Anzac Day
- Remembrance Day (am)
- Christmas Day
- Boxing Day

It is recommended that pool management has a degree of flexibility around opening and closing hours generally. For example, patronage numbers drop off markedly due to inclement weather and the cold. It is proposed that the pool may be closed early when patronage drops to single figures, that patrons are advised of the early closing 15 – 30 minutes prior, and that no new admissions are permitted from that time. Signage to that effect should be prominently posted in the admissions area. Similarly, a degree of flexibility relating to extending opening hours is also recommended. This particularly relates to excessively hot days in summer when patronage remains high late into the evening (generally weekends).

Comments

Financial Services

The redeveloped Memorial Baths has been open for business since September 2005. During this time the facility has been opened for extended hours with the objective to gauge customer demands and level of support. Based on what has happened, it is recommended that opening hours be changed to reflect the above Option 2. Option 2 would result in net cost savings of approximately \$93,500 per annum without unduly affecting patronage.

This recommendation is supported as well as the provision of greater flexibility to management to change opening hours should circumstances dictate.

Other staff comments

Public consultation

Pool management and staff were consulted on numerous occasions regarding the proposed hours of operation. Requests from the public, generally via telephone, were also discussed with pool management and these requests are reflected in the proposed opening and closing hours.

Conclusion

The redeveloped Lismore Memorial Baths have been operating for approximately 15 months and well utilised by the general public, schools and swimming organisations. Unfortunately the costs associated with operating the pools over the winter period are very high and alternative management options should be reviewed and determined prior to the next winter season. The Memorial Baths is a public swimming facility, and given that it has capability for heating water over the cooler months, extended hours of operation of at least one of the pools should be explored to provide regular community access during winter.

Recommendation

It is recommended that Council:

1. Endorse Option 2 which operates the 25 m pool over winter for a trial period in 2007.
2. Advise pool management to adopt the proposed opening hours as of 16 December 2006, including the provision for flexible hours of opening, as indicated in the body of this report.
3. That a report on the operations of the pool from October 2006 – September 2007 is prepared and tabled at the October 2007 Council meeting.

Report

Subject	Rural Recycling Strategy
File No.	PJK:VLC:S763
Prepared by	Manager – Quarry, Waste and Crematorium
Reason	To extend recycling collection services to rural residents.
Objective	To seek Council approval for the introduction of a rural recycling service and associated facilities.
Strategic Plan Link	Waste Cycle
Management Plan Activity	Waste Management

Overview of Report

The introduction of a kerbside recycling to urban residents has proven successful. Trials with a rural service at Richmond Hill also showed considerable success at diverting recyclables. It is therefore proposed to implement a rural recycling service to all rural customers. Additionally it is proposed to maintain the Brewster Street Drop-Off Centre as a 24-hour facility for residents who do not receive a recycling collection service.

Background

Urban Recycling

In July of this year Northern Rivers Waste (NRW) introduced an urban kerbside recycling collection along with other collection adjustments. The audit undertaken recently shows the diversion rates (in kilograms per household per week), achieved by these changes as being:

	January 2005	October 2006
Recyclables	0	5.0
Organics	11.6	11.3
Waste	8.5	4.8
<i>Total:</i>	20.1	21.1

Total recyclables collection, which includes the remaining Drop-Off Centres (DOC) at Wyrallah Road, Brewster Street and Nimbin, has increased from 2,217 tonnes in 2005/06 to 4,320 tonnes in 2006/07, (based on current rates). This is a significant environmental performance improvement and reduces waste to landfill by almost 9%.

More work will be done in coming months through educational and promotional programmes to divert some of the remaining 640 tonnes of recyclable material in the waste stream.

Rural Recycling

A trial of a rural recycling service was commenced in the Richmond Hill area during late August. This area represents approximately 10% of the total rural collection area. The trial consisted of a fortnightly 240lt recycling bin in addition to the regular weekly 240lt waste bin. The October audit

showed the collection achieved a diversion rate of 6.9kg per household per week which equated to 29% of the waste stream. If this rate was applicable to the existing rural customer base then some 900 tonnes of recyclable material would be diverted per year.

NRW therefore proposes that a 240lt fortnightly kerbside recycling service be implemented in the rural collection areas for the collection of co-mingled recyclable materials. The proposed standard rural service would therefore be a –

- Weekly 240lt waste bin
- Fortnightly 240lt recyclables bin.

The option of variations to this standard service will be investigated and if feasible, any alternatives will be included in the 2007/08 budget papers.

Costs

The costs of the new collection service will be \$110,000 per year for the provision of a truck and driver for 40 hours per fortnight. Existing vehicles and staff will be utilised to provide this service. Additionally the bins to implement this service will cost \$130,000 including approximately \$20,000 to deliver them to the residents. It is proposed to amortise this bin cost over an eight-year period which roughly equates to the serviceable life of the bins.

With the current rural customer base (approximately 2,700 services at the end of November), this represents an increase in fees of \$46.80 per year on this year's fee structure. The fee needs to be applicable across the customer base or cost per service would escalate dramatically. The fee proposed to be levied for the remainder of the 2006/07 year is \$20.00 per service.

Timing of Service Introduction

It is proposed that the implementation of a new recycling programme could commence following the 28-day advertising period, with roll-out of the bins commencing in January 2007. The collection services would commence a fortnight after bin delivery. It is anticipated that all rural customers would be provided with the service by mid-February.

Drop-Off Centre Services

The continuance of the Brewster Street Drop-Off Centre (DOC) to provide a recycling centre for rural residents and the incorporation of the servicing of this DOC by NRW has seen an improvement in the performance of this facility. Some vandalism has occurred with the most significant being the burning of a recycling bin which cost \$8,000 to refurbish. Littering has reduced to acceptable levels and collection volumes are significant.

NRW is currently collecting 30 tonnes of recyclables and 40 tonnes of cardboard per month from the facility. This compares favourably to the Wyrallah Road DOC which collects 14 tonnes of recyclables and 30 tonnes of cardboard per month. While this volume may reduce with the introduction of a rural recycling collection there are still about 3,000 rural customers who do not receive a waste service. It is therefore considered that a 24-hour recycling centre be provided somewhere in the city.

Options other than the Brewster Street site have been explored but there are significant impediments to their establishment. These impediments include:

- A cost of \$100,000 or more to construct a new centre
- EIS approval is required for any site in the floodplain
- Rural DOCs are subject to considerable contamination, littering and vandalism and are consequently expensive to maintain
- The provision of a 24-hour site at the landfill would be subject to rubbish dumping.

It is therefore proposed to maintain the Brewster Street DOC. The cost of this service will be included in the waste minimisation budgets for the coming year. Should vandalism become more prevalent it is suggested that video monitoring equipment could be installed at the site.

Comments

Financial Services

Rural Recycling

With the commencement of this service in 2007 there will be additional operating costs incurred of approximately \$50,000 as well as the need to borrow \$130,000 to purchase and deliver the mobile bins. It is proposed to levy an additional charge of \$20.00 for this service in 2006/07. Due to the need for this to be advertised for 28 days and for Council to consider any submissions before adopting the charge, the additional charge will be levied with the May 2006 instalment reminder.

As to the additional borrowings, it is proposed to reallocate \$130,000 from the planned borrowings for the Material Recovery Facility not likely to be required this financial year.

Drop Off Centre

The 2006/07 Waste Minimisation Charge has factored in a \$100,000 budget for Drop Off Centre operations. For 2006/07, the budget will be exceeded due to the one-off costs associated with rationalising the number of drop off centres and improvements to the Brewster Street facility. The overrun this year will be funded from Waste Minimisation reserves. As such, the future impact on maintaining the Brewster Street facility is not anticipated to have a significant impact on the current waste minimisation charge.

Other staff comments

Manager - Environmental Health & Building Services

The introduction of measures for further waste diversion to the recycling stream is of course a very positive environmental outcome. The introduction of these measures provides an opportunity for appropriate waste management for those property owners who continue to utilise their property for land disposal (burial), which from time to time is the subject of complaint to Council.

Public Consultation

Letters were sent to all of the 2,604 existing rural residents on the November 9, 2006 calling for comment if the proposed rural recycling service was not wanted. As at November 30, 2006 replies have been received from 42 residents, with 18 against the proposed service and 24 for it. The majority of the 18 objections to the service were against the proposed fee. There were also a number of replies from people suggesting a lesser service would suffice them, at a correspondingly lower fee base.

In addition to the above submissions, and following the introduction of the urban recycling service, NRW received 21 enquiries requesting the roll-out of a rural recycling service and two (2) not wanting the service.

There have also been 18 submissions regarding the maintaining of a central DOC since July.

If the introduction of the proposed service is approved all existing rural customers will receive a letter advising them of the roll-out timetable, information on what to place in the bins and other service details.

Conclusion

Implementation of kerbside recycling in Lismore's rural areas should increase the diversion of recyclables from the waste stream and therefore further reduce landfill volumes. The cost of providing this service will be less than \$1.00 per week per household.

The maintaining of a DOC facility in the city will provide a convenient recycling option for those remaining residents without a recycling collection service.

Recommendation (IS63)

1. That Council approve the implementation of a rural recycling service.
2. The Waste Collection Service – Rural Recyclable charge of \$20.00 be advertised for 28 days seeking public submission.
3. That Council approve the retention of the Brewster Street Drop-Off Centre.

Report

Subject	Provision for the Disposal of Co-mingled Recyclables
File No.	PKJ:VLC:T27003
Prepared by	Manager – Waste Quarries & Crematorium
Reason	To minimise the cost of recyclables disposal.
Objective	To seek Council approval for acceptance of Visy Recycling Tender for the disposal of co-mingled recyclables.
Strategic Plan Link	Infrastructure
Management Plan Activity	Waste Services

Overview of Report

Council's co-mingled recycling collection system is still developing. Disposal options are therefore also in a state of flux. A short-term solution is required to enable the continued investigation of alternatives. This tender for the disposal of co-mingled recyclables for a 12-month period will enable these investigations to continue.

Background

The kerbside collection of co-mingled recyclables commenced in July of this year. Investigations were conducted into short-term disposal alternatives for this material whilst the construction of a Council sorting facility (MRF) was assessed. The options available included Ballina Shire Council, Visy Recycling at Carrara or Solo at Chindera. As an interim arrangement the best deal was achieved through Visy at Carrara as:

- Solo was unable to take the material under its existing arrangement with Tweed Shire
- Ballina Shire was unable to meet the cost structure offered by Visy.

The realisation that a decision on the construction of a Council sorting facility would take longer than first thought led to the decision to call a tender for the disposal of the co-mingled recyclables for a 12-month period. This tender closed on November 21, 2006. Only one tender was received, from Visy Recycling.

The tender provides an improved financial result per tonne over existing arrangements for Council as follows:

	Current (\$)	Tender (\$)
Visy Gate Fee	25.00	10.00
Cartage	35.35	35.50
Total:	\$60.35	\$45.50

Whilst this is a significant improvement in per tonne cost structure over previous year's arrangements, there remains a substantial risk involved with this method of disposal, ie, the cartage component. As such, it is proposed that this tender be accepted on a short-term basis with investigation into various alternatives for sorting and disposal to continue.

Comments

Financial Services

The preparation of the 2006/07 Budget was predicated on the development of a Materials Recovery Facility to process Council's recyclables. Based on the information available, it was anticipated that the MRF would operate at a net deficit of \$120,000. As the MRF has not proceeded, the recyclables are being reprocessed off site. The gate fees and transport fees will result in the net deficit being increased to approximately \$300,000 per annum depending on the success of the collection service. This increased cost will be absorbed within the 2006/07 operating and capital waste disposal budgets.

Other staff comments Not required

Public consultation Not required

Conclusion

Limited alternatives exist for the disposal of Council's recycling stream. To enable continued investigation of these alternatives and to meet local government purchasing guidelines, it is proposed to accept the Visy Recycling tender for co-mingled recyclables disposal for the next 12 months.

Recommendation (IS64)

1. That Council accept the Tender from Visy Recycling for the disposal of co-mingled recyclables for a 12-month period at a rate of \$45.50 per tonne (exclusive of GST).
2. That the Mayor and General Manager be authorised to execute the contract on Council's behalf and attach the Common Seal of the Council.

Report

Subject	Snow Street and Cook Street Proposed Link Road
File No	ST:VLC:R6911,R6935
Prepared by	Manager - Assets and Support Services
Reason	To advise Council of the outcome of investigations undertaken for a proposed road link between Snow Street and Cook Street at South Lismore.
Objective	To provide Council with reasons why the subject proposal is not supported and have Council endorse an identified alternative for further community consultation.
Strategic Plan Link	Infrastructure, Economic Development, Quality of Life
Management Plan Activity	Roads

Overview of Report

Council resolved inter alia at its meeting on June 13, 2006 for staff to prepare a report on the feasibility of constructing a road between Snow Street and Cook Street at South Lismore. A public consultation process has been undertaken and the input of the Traffic Advisory Committee was sought prior to reporting the matter to Council. Further detailed investigation of the potential traffic ramifications of the proposal would be required prior to considering the matter further. However, it is considered that the proposal has questionable benefits for the community in the format proposed and has little support from the residential premises in the area. An alternative proposal has been developed based on the community feedback received.

Background

Council at its meeting on June 13, 2006 resolved inter alia for staff to prepare a report on the feasibility of constructing a road between Snow Street and Cook Street at South Lismore.

The matter had been considered previously by Council in 2003 but was not progressed due to overwhelming concerns by local residents that heavy vehicles would access local residential streets. The current proposal was developed with physical measures designed to prevent/reduce the ability of heavy vehicles to access the adjoining residential streets.

Report

Snow Street at South Lismore runs west off Union Street (Bruxner Highway), providing access to adjoining properties which are all zoned industrial and a number of businesses operate from those premises. Cook Street runs parallel to Snow Street and also runs west off Union Street (Bruxner Highway). Land accessed from Cook Street is a mixture of industrial and residential zonings and the adjoining streets of Maloney Avenue, Barnes Avenue, Cromer Street and Rhodes Street can also be accessed from it.

The issue has been raised that heavy vehicles turning right from Cook Street into Union Street to travel south and access other industrial premises in that area are finding it difficult due to the busy intersection with Union Street. As a solution it has been suggested that a road be constructed linking Snow Street and Cook Street such that vehicles could obtain direct access instead of using the busy Cook Street/Union Street intersection. Council owns a drainage reserve that runs from Snow Street to Cook Street near Maloney Avenue and this is the suggested route for the new road. A plan of the proposal is attached to Councillors' business papers.

If the proposal was to proceed there would be a need to widen Cook Street to allow access for heavy vehicles. In addition, measures are proposed at the intersections with Maloney Avenue and Barnes Avenue to prevent access to those streets by heavy vehicles. Given that some concerns have been expressed by many residents about smaller vehicles accessing the nearby residential streets, consideration could be given to making the proposed link one-way southbound (ie, from Cook Street to Snow Street), to an area approximately mid-way along the proposed route. From this point, the road would be two-way to permit access from Snow Street to potential blocks of land in the newly constructed street.

A preliminary estimate on the cost of the proposal is approximately \$350,000.

Council has long planned to link Wilson Street and Wilson Street South when land further to the west of Maloney Avenue is developed. This would provide an alternate route for traffic and serve a wider part of the industrial area without affecting local residences. The future development of this route will be dependent upon the owners of the subject land coming forward with an application to subdivide and develop it.

Comments

Financial Services

Not required.

Other staff comments

The Manager - Planning Services has advised that the owners of the relevant land to the west of Maloney Avenue have held preliminary discussions with Council on the subdivision of this land and have been advised of the requirement to link Wilson Street and Wilson Street South as part of any approval that might be issued.

Public consultation

Council has undertaken public consultation on the proposal. Letters advising of the proposal were circulated to all residents and businesses located in Snow Street, Cook Street, Maloney Avenue, Barnes Avenue, Rhodes Street, Cromer Street, East Street, Wilson Street South and Kingsford Smith Drive.

In summary 96 submissions were received with 40 submissions in favour of the proposal and 56 submissions against the proposal. Many submissions, both in favour and against were a standard type letter.

In general, those in favour of the proposal are the business/industrial premises in the area and those against are the residential premises, including Our Lady Help of Christians Parish School. The main reasons offered against the proposal was the potential for:

- ✗ heavy vehicles to utilise residential streets
- ✗ normal passenger type vehicles to use the link as a short-cut to avoid existing traffic congestion on Union Street
- ✗ danger to school students from increased/speeding traffic.

The main reasons offered in favour of the proposal were:

- ✓ improved traffic movements in and out of the area
- ✓ permit development of the area to its full potential
- ✓ supports the economic development of Lismore.

The matter was also referred to the Traffic Advisory Committee for comment at its meeting on November 22, 2006. The minutes of that meeting form part of the agenda for this Council meeting. The committee advised of its support in principle for the proposal and recommended that a traffic study be undertaken to examine the implications of the proposal and identify other options.

Conclusion

The proposal has clearly polarised the local community with businesses supporting the link road and residents against it. The Traffic Advisory Committee has recommended a study be undertaken to formally assess the traffic ramifications of the proposal and identify alternatives.

Whilst Council could certainly undertake the suggested study, the value of this must be questioned when Council has on two occasions now, received considerable opposition to providing such a link.

An alternative has been identified involving the proposed link being one-way southbound (ie, from Cook Street to Snow Street), to an area approximately mid-way along the proposed route. From this point, the road would be two-way to permit access from Snow Street to potential blocks of land in the newly constructed street.

Recommendation (IS62)

That:

1. Given the community opposition, questionable benefit to the community and proposed cost of the works, no further action be taken to progress a proposed road link from Cook Street to Snow Street at South Lismore in the format presented.
2. Council consult further with the local community on an alternate option of a one-way street southbound (ie, from Cook Street to Snow Street), to an area approximately mid-way along the proposed route and from this point further south, the road would be two-way to permit access from Snow Street to potential blocks of land in the newly constructed street.

Report

Subject	Pinchin Road - Proposed Reconstruction at Goolmangar
File No.	ST:VLC:R2820,P16447
Prepared by	Manager - Assets and Support Services
Reason	To advise Council of proposed works on private property in accordance with Section 67 of the Local Government Act as part of the reconstruction of a section of Pinchin Road at Goolmangar.
Objective	To gain Council's endorsement to negotiate with the owner of a private property at Goolmangar that is affected by the proposed reconstruction of Pinchin Road and conduct works on his private property at no cost as part of an agreement to allow the works to proceed.
Strategic Plan Link	Infrastructure
Management Plan Activity	Roads

Overview of Report

As part of the adopted 2006/07 works programme Council has allocated funding to reconstruct a section of Pinchin Road, from 3.7km to 5.0km north of its intersection with Nimbin Road. Acquisition of a section of private property being Lot 2, DP 611606 is required. This will affect an area of flat land that the owner currently uses for training his horses (dressage). Whilst he is prepared to agree to the acquisition, he has requested that Council undertake some levelling of his land to ensure that after the work is completed, he maintains a similar size piece of land to train his horses. In accordance with Section 67 of the Local Government Act 1993, any works to be undertaken on private property that is not subject to the payment of fees or charges in accordance with Council's adopted pricing policy, must first be approved at a meeting of the Council.

Background

The report overview outlines the background to this matter. In order to proceed further with negotiations with the property owner, Council's endorsement to the proposal is required in accordance with Section 67 of the Local Government Act. Section 67 of the Local Government Act covers the carrying out of private works on privately owned land. Sub-section (2) states:

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

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

Report

Negotiations with the owner of the relevant property have progressed well with an agreement reached in principle that would allow the work to proceed. The owner's main concern is that the proposed land acquisition will reduce the size of an existing flat area where he trains horses for dressage. The owner is prepared to agree to the acquisition provided Council levels an equivalent adjacent area to ensure he maintains a suitable area for training horses. The work required is minimal and can easily be accommodated when Council commences work onsite. A small area will need to be levelled and some fill from the worksite will be required to assist in the process.

It is proposed that Council will meet the cost of the necessary works on the property and hence Section 67 of the Local Government Act comes into play.

Once the works are complete, a further report will be presented to Council to comply with Sub-section 4 of Section 67 of the Act. In addition, Council will be required to include a summary of this matter in its next annual report in accordance with Sub-section 3 of Section 67 of the Act. Sub-sections 3 and 4 state:

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

Comments

Financial Services

Not required.

Other staff comments

Corporate Compliance Coordinator

The process being followed is as prescribed by the Local Government Act. It emphasises the transparency of Council's decision making process and removes any possible adverse reaction from the community.

Public consultation

Not applicable.

Conclusion

The reconstruction of a section of Pinchin Road, from 3.7km to 5.0km north of its intersection with Nimbin Road requires the acquisition of a small area of an adjacent property. This will reduce the size of an existing level area that the owner of the property currently uses to train horses for dressage. Negotiations with the property owner have been positive and he has requested that Council undertake works on his property to replace the existing level area by an equivalent amount to that which will be lost as part of the land acquisition. The request is considered reasonable and can easily be accommodated as part of the road reconstruction works.

Recommendation (IS65)

That in accordance with Section 67 of the Local Government Act Council agree to undertake works to level land on private property, being Lot 2, DP 611606, at no cost to the owner for the following reasons:

1. Council is to acquire a small area of the land to facilitate improved alignment of a section of Pinchin Road when it is reconstructed.
2. The area to be acquired is relatively level and currently used by the property owner to train horses for dressage purposes.
3. The work proposed to level a small area of the land is to replace an equivalent area to that which will be acquired by Council to facilitate the road reconstruction.

Report

Subject	Lismore Showgrounds
File No	P331
Prepared by	Manager – Finance
Reason	Required by resolution 151/06 and request from the Lismore Showgrounds Trust
Objective	To update Council on the current situation and direction on request to extend current arrangements
Strategic Plan Link	Economic Development, Quality of Life
Management Plan Activity	Finance, Roads & Parks

Overview of Report

Council's arrangement with the North Coast National Agricultural & Industrial Society (NCNA&IS) to assist them in their role as trust manager (Trust) of the Lismore Showground from an operational and management perspective, and underwrite a \$50,000 bank overdraft facility on the Lismore Showgrounds bank account is set to finish on December 31, 2006.

From an operational perspective, as the Trust is more than capable of coordinating and undertaking these tasks, Council's support be phased out to allow for a smooth transition back to the Trust.

The Trust and NCNA&IS have indicated that they wish the overdraft facility to be extended to June 30, 2007 to allow the exploration to maximise the resources available including sale of land owned by the NCNA&IS for reinvestment back into the Lismore Showgrounds. This is supported and they are encouraged to commence this process immediately.

Background

Council's arrangement with the NCNA&IS to assist them in their role as trust manager of the Lismore Showgrounds from an operational and management perspective, and underwrite a \$50,000 bank overdraft facility on the Lismore Showgrounds Trust bank account is set to finish on December 31, 2006.

The Trust have written requesting that the \$50,000 bank overdraft facility guarantee by Council be extended to June 30, 2007 to allow them and the NCNA&I 'to explore possibilities of entering into a joint venture with Council or other parties to maximise the resources available including sale of land owned by the Society'. A copy of the letter is attached.

The purpose of this report is to update Council on the operational, management and business plan outcomes and provide recommendations for going forward.

Operational

From an operational perspective, over the past eleven months the tasks co-ordinated by Council under the agreement have included mowing, maintenance and repairs to buildings, cleaning, security, venue bookings, rental negotiations and collections, account payments, preparation of financial records and other general administrative matters.

Initially, this support was provided to assist the Trust during a time of structural change and allow it to

focus on assessing the business plan implications. Based on the knowledge and experience gained delivering the day to day requirements, a close liaison with the Trust and NCNA&IS Secretary during this time, the implementation of good business practices and supporting documentation, I believe the Trust is more than capable of coordinating and undertaking these tasks. As such, Council is no longer required to provide operational support and this can be phased out to allow for a smooth transition back to the Trust.

Management

From a management perspective, the main area of assistance has been with financial management. While changes have been made to improve cash flows, increase revenues and expenses where possible, the likely result for 2006 is that the NCNA&IS will still need to contribute up to \$30,000 towards operations and maintenance of the Lismore Showgrounds. The last eleven months have been a holding period and while it is acknowledged that some expenses paid will not be replicated in future years, it is unlikely based on current usage and revenue streams that the facility will generate sufficient operating funds to afford any upgrade to the facilities that are required on an ongoing basis and need to be addressed. A summary of the 2006 financial performance to date is attached.

The Trust has indicated that they wish to explore with the NCNA&IS possibilities of entering into a joint venture with Council or other parties to maximise the resources available including sale of land owned by the NCNA&IS. This has potential to realise funds for investment back into the Lismore Showgrounds and is worthy of support, however any decision must be agreed to by the NCNA&IS and not just the Trust.

While the options proposed are supported, concern is expressed about the timeframe requested ie June 30, 2007. In the normal course of events, these options will take time to explore and then the preferred option must be agreed to by the NCNA&IS. As the Trust and NCNA&IS membership are the same, the concern is the longer the timeframe, the more likely the decisions required will be impacted by the coordination and organisation of the 2007 North Coast National Show. For that reason the Trust should commence exploring these options immediately and report back to Council by March 2007.

Business Plan

The business plan fundamentally provides a list of action plans for both the Lismore Showgrounds and North Coast National Show. In respect of the Lismore Showgrounds, while these will improve sustainability and should be completed, they will not themselves make the facility sustainable.

Actions requiring further follow up include:

- Action 1 – Resolve issues associated with the ownership of the site and the management of crown lands.
- Action 7 – Building & Infrastructure assessment.
- Action 8 – Prepare a plan of management for the showground.
- Action 9 – Market and promote the showground as a venue

Extension of Guarantee

The Trust have written requesting that the \$50,000 bank overdraft facility guarantee by Council be extended to June 30, 2007 to allow them and the NCNA&I 'to explore possibilities of entering into a joint venture with Council or other parties to maximise the resources available including sale of land owned by the Society'. The rationale for the request is that this is for Lismore Showgrounds and this facility is a community asset.

The Trust do have other means of securing this overdraft facility by making arrangements with a bank to use the land owned by the NCNA&IS as security. This alternative should be explored by the Trust.

In assessing the need for this overdraft, it is noted that during the last eleven months the overdraft was not used to the full extent and when at its highest, it was as a result of a one off payment and not repeated. As such, given the shorter timeframe, options being explored by the Trust and a suggested reduction in the amount to say \$30,000 this request is supported.

Comments

Financial Services

Not required.

Other staff comments

Not required

Public consultation

Not required

Conclusion

Council's arrangement with the NCNA&IS to assist them in their role as trust manager of the Lismore Showground from an operational and management perspective, and underwrite a \$50,000 bank overdraft facility on the Lismore Showgrounds bank account is set to finish on December 31, 2006.

From an operational perspective, as the Trust is more than capable of coordinating and undertaking these tasks, Council's support be phased out to allow for a smooth transition back to the Trust.

The Trust and NCNA&IS be supported in their exploration to maximise the resources available including sale of land owned by the NCNA&IS for reinvestment back into the Lismore Showgrounds and they be encouraged to commence this process immediately.

Finally, after assessing the needs for an overdraft facility on the Trust's bank account and noting the Trust has access to security in the form of land owned by the NCNA&IS, and acknowledging the exploration to maximise resources, an extension of a conditional overdraft is supported

Recommendation

That Council:-

1. Extend the service agreement between Council and North Coast National Agricultural and Industrial Society for Council to assist the Society to carry out its operational and management responsibilities for the Lismore Showgrounds to March 31, 2007.
2. Provide a letter of comfort to the Lismore Showgrounds Trust's banker to the value of \$30,000 up to April 30, 2007 for the operation and management of the Lismore Showgrounds.
3. Request the Lismore Showgrounds Trust and North Coast National Agricultural and Industrial Society to immediately commence their exploration to maximise the resources available including sale of land owned by the NCNA&IS for reinvestment back into the Lismore Showgrounds and report back on the progress to Council by March 2007
4. Request the Lismore Showgrounds Trust and North Coast National Agricultural and Industrial Society to pursue the alternative of using land owned by the Society as security for the Trust's bank account from May 2007.

Report

Subject	Local Preference in Tendering
File No.	ST:VLC:S81
Prepared by	Manager - Assets and Support Services
Reason	Council has requested a report on opportunities for a local preference policy to be implemented in tendering.
Objective	To inform Council about a range of issues that need to be considered before making a decision on whether to implement a local preference policy in tendering.
Strategic Plan Link	Economic Development, Leadership by Innovation, Infrastructure
Management Plan Activity	Finance, Contracts, Economic Development

Overview of Report

This report outlines a range of issues that would need to be addressed if Council wishes to implement a local preference policy in tendering.

Background

Council at its meeting on September 12, 2006 considered a report on the purchase of four trucks with dog trailers. In reaching a decision on that matter Council resolved inter alia to prepare a report on the possibility of implementing a local preference policy in regard to tendering procedures.

Report

The use of tendering processes by Councils to obtain materials and services is an important process in their operations. This is recognised in the NSW Local Government Act and Regulations with specific, compulsory requirements for tendering processes enshrined in the legislation. Further, the independent Commission Against Corruption (ICAC) has also published a number of guidelines and recommendations on how tendering processes should be conducted in order to maintain transparency and avoid situations which could lead to the perception of, or actually lead to, corrupt conduct.

The Local Government Act is silent on local preference policies in tendering. However, the ICAC has made some specific recommendations in this area. The ICAC has assessed local preference tendering policies as representing a moderate to high corruption risk. An extract from their September 2001 publication, "Managing Risks: Reducing Corruption Risks in Local Government", is attached as Appendix A.

Whilst the publication does not specifically prevent a Council from implementing a local preference policy in tendering, it has identified a number of difficult issues that would need to be addressed and recommended specific actions Councils would need to take if they were to implement a local preference policy in tendering as follows:

1. The decision to have a local preference policy should be taken in open council and communicated to the community.

2. Councils should determine how local preference is to be applied in the procurement/tender process. For example, is local preference to be applied only after all factors have been considered and the proponents are otherwise equal, or is it to be a separately weighted item against which all proponents are scored, either by adding the appropriate weighting from the local supplier or subtracting the weighting from non-local suppliers?
3. The term "local" should also be defined. For example, is a business which is located outside the council boundary, but whose employees live inside the council boundary entitled to the benefits of the policy?
4. Each proponent in a procurement process in which local preference is to be applied, whether under the tender threshold or not, should be advised that local preference will be applied and how it will be applied.
5. If local preference is applied in a procurement process, the community should be notified accordingly, together with advice about the cost to the community of applying the policy.
6. Tender processes where local preference is to apply should preferably include a non-local independent on the tender panel.
7. Procurement resulting in local preference should be capable of identification and verification through the council's audit or internal control mechanism.
8. Councils should report annually on their use of local preference procurement, including who the beneficiary of the decision was, the number of instances local preference was applied, and the measures taken by council to measure the cost and effectiveness of such a policy.

The major risk with implementing a local preference policy in tendering is that Council may not attract a range of tender bids from companies within that industry. When prospective tenderers know that a local preference policy is to be applied, it will undoubtedly result in some companies determining not to tender for that work. This will erode Council's bargaining power and lead to increased costs in the provision of those works or services.

A secondary but equally important risk is how to define "local". In addition to the example provided at Point 3 above, the following issues arise:

- Locally manufactured and/or assembled vs imported.
- Local agency which is part of a larger company based elsewhere vs locally based company.
- Australian owned vs overseas owned.
- Company located physically within designated area but employs staff from outside the area vs company that is located and employs staff only from within the area.
- Definition of "local" for sub-contractors that work for Principal Contractor on larger projects.
- Definition of "local" for regional based services where more than one Council calls tenders jointly for works or services.

A further risk is how Council determines which particular services or works are to have the local preference policy applied. There will always be some works and services that no local companies can provide. The recent purchase of crushing equipment for the quarry is an example of this. In calling for tenders of this nature, the definition of "local" would have to be altered or waived altogether. Council would be forced to make a decision about whether there are any local companies capable of undertaking the works or services before calling tenders. This may actually disadvantage local companies that are not yet known to the Council.

Whilst it may be possible to address all of these issues, there will always be arguments presented about one particular company qualifying as "more local" than another.

Local tendering policies also potentially breach the Trade Practices Act. Under the Act any corporation is prevented from entering into any contract or engaging in any practice which lessens competition. Clearly, a local preference tendering policy would lessen competition.

The primary objective of local preference policies, particularly in country and regional areas is to support the local economy. Whilst a local preference policy would achieve this, it has a range of risks associated with it as identified above. It is considered that there are other ways to achieve benefits for the local economy without implementing a local preference tendering policy and thus avoid these inherent risks.

One way to achieve this would be to identify benefits to the local economy as a specific selection criteria to be used in evaluating tenders of a certain value or nature. Benefits to the local economy are a valid and important factor when considering the provision of works and services in country and regional areas. Local councils are often the largest employer and inject considerable money into their local economies. Adopting the suggested selection criteria would allow tenderers to be more innovative in their bids and potentially encourage “non-local” companies to be more considerate of local issues in preparing their bids.

It has not been possible to fully evaluate how such a system might work and it is recommended that a more detailed report be prepared for further consideration by Council. The following issues will need to be explored before adopting such an approach:

- Type and value of project that such a criteria would apply to,
- How to assess tenderers against such a criteria,
- Assessing the successful delivery of these benefits once a contract is awarded.

A further report to Council is proposed once these investigations are complete.

Comments

Financial Services

Not required.

Other staff comments

Not required.

Public consultation

Not applicable.

Conclusion

Local Government as an industry has worked hard in the last 20 years to change traditional public perceptions about how it operates and the value it provides to its local communities. Implementing a local preference policy in tendering would be a backward step and reduce the public's perception of accountability and transparency in tendering processes. For the reasons outlined in the report, the implementation of a local preference policy for tendering is not supported.

It is considered that the objectives of the suggested policy can be met in another way and a range of issues need to be explored further before reporting the matter back to Council.

Recommendation (IS61)

That:

1. No further action be taken in regard to the preparation of a local preference policy in tendering at Lismore City Council
2. A further report be prepared on opportunities for implementation of a specific selection criteria targeting benefits to the local economy in appropriate tenders for works and services.

Report

Subject	Major Capital Works
File No	S929
Prepared by	Manager – Finance
Reason	Preparation of a major capital works schedule
Objective	Council endorsement of the schedule so planning and funding requirements and options can be pursued
Strategic Plan Link	Leadership by Innovation
Management Plan Activity	Various

Overview of Report

To assist in the planning and funding for major capital works, a major capital works schedule has been prepared. The schedule provides information on the projects, estimated cost, funds currently available, other funds to be pursued, funding required from Council and the timeframe for planning and implementation. It also dissects the list into Years 1-5, Years 6-10 and Beyond 10 Years/Other Items.

As there is potentially a significant impact on Council's financial position, a range of funding options is provided. To undertake all projects, Council will need to borrow and also consider a special rate variation in future years. The 10 Year Financial Plan modelling indicates that there is capacity within Council budget to service an increased level of borrowings.

Due to their significance, one-off nature, or simply the scope of works, they will create high levels of community interest and expectation and as such, it is proposed to advertise the major capital works schedule to the end of January and seek community submission.

Background

There are a number of major capital works currently on Council's priority list such as the construction of the Goonellabah Recreation Centre, upgrade of the Lismore City Hall and development of the Lismore Cultural Precinct to name but a few. Due to their significance, one-off nature or simply the scope of works, they will create high levels of community interest and expectation, and have a significant impact on Council's financial position and staffing.

The purpose of this report is to seek Council endorsement of a major capital works schedule that is planned to be implemented over the next ten (10) years. This schedule can then be used as the basis for creating and managing community expectations in regards to these works, the allocation of staffing and other resources, and the essential lobbying for other sources of funding such as grants which will be required to deliver this schedule.

At the Council Workshop held on November 7, 2006, information on the major capital works schedule, funding options and 10 year financial plan implications were presented. The feedback from that workshop has been incorporated into the major capital works schedule.

It is important to note that while this schedule will be used for planning purposes, the actual allocation of funds and therefore timing of implementation will still be subject to inclusion of these works in Council's annual Management Plan.

Major Capital Works Schedule

Attached is a comprehensive list of Council's planned major capital works. It provides information on the projects, estimated cost, funds currently available, other funds to be pursued, funding required from Council and the timeframe for planning and implementation. It also dissects the list into Years 1-5, Years 6-10 and Beyond 10 Years/Other Items.

For Years 1-5, projects include Goonellabah Recreation Centre, Lismore City Hall, Lismore Cultural Precinct, Footpaths/Cycleways, Trunk Drainage, City Gateways Landscaping, Crozier Oval Lighting, Regional Roads Timber Bridge Replacements, Woodlark Street, Roads and Riverbank Redevelopment... Based on the scheduled works, Council will be required to fund approximately \$18,000,000. These works will be implemented progressively and all funding options explored. For both the Lismore City Hall and Lismore Cultural Precinct, the allocation of Council funds is predicated on the receipt of grant or other external funds. They will all be subject to inclusion in Council's annual Management Plan.

The schedule has changed as a result of feedback from the Riverbank Committee where project priorities were discussed. It was requested that it would be more beneficial to delay the Laurie Allen Centre upgrade to the 6-10 year timeframe and instead bring forward the iconic artistic themeing for the Molesworth/Magellan Street corner. This would result in the reducing the funding requirements from \$1,000,000 to \$250,000 for years 1-5.

Funding Options

A range of funding options is provided to meet Council's financial commitment to these projects. Initially most of the funding will come from profit on sale of land development or land sales, but as many of the projects listed will have future benefits to the community, it is reasonable to use borrowings as a funding source. The use of borrowings as a funding source adds a loan repayment cost to Council's financial position of approximately \$108,800 per million borrowed.

As with many one-off projects, there are opportunities for grant and other external funding to be received. The receipt of these funds is critical to the delivery of the schedule as it may result in the delivery of other projects sooner.

One of the funding options includes a special rate variation where an application to the Minister for Local Government will be required to increase rates above the rate pegging limit. There are a number of projects included which would meet the criteria for such an application including for the Lismore Cultural Precinct, Regional Roads Timber Bridges Replacement and Roads. The process required to prepare and submit an application is quite extensive and should commence well in advance of the funds required. If the position taken was to seek a special rate variation increase from 2009/10, then this process should commence in 2008. For every 1% in special rate variation increase approved, approximately \$200,000 in rate revenue is generated, capable of servicing debt of approximately \$2 million.

Attached is a summary of the funding options available.

10 Year Financial Plan

With such an expansive major capital works schedule, it is important that the impact on Council's financial position be assessed on a longer term basis. With this in mind, the 10 Year Financial Plan has been reviewed to predict Council's situation and a copy is attached.

A model has been prepared with the 2006/07 Budget as the base year. The base year excludes 2006/07 one-off projects and leaves only the recurrent operating and capital budget plus known commitments such as for contracts and loan repayments. A number of key assumptions such as the consumer price index, management endorsed increases, financial assistance grants, rate pegging, salary increases, etc have then been applied to the base information to predict the level of available funds going forward. At this time, as each project has variables in regards to timing, total cost and funding implications have not been factored into the model.

The model indicates that there is capacity in available funds each year for Council to implement the major capital works schedule if funds need to be borrowed. For example, in 2008/9, the model predicts available funds of \$739,000. These funds could service borrowings of approximately \$6.8 million.

It is also acknowledged that there will be other demands on available funding for works/services which are not major capital works and recurrent operating costs for new facilities such as the Goonellabah Recreation Centre that need to be considered. Due to the size of Council's budget, there is capacity to cater for these demands in the recurrent budget.

Comments

Other staff comments

Not required

Public consultation

The major capital works schedule is to be advertised seeking feedback from the community. At the same time, it is proposed to forward this information to all policy advisory groups.

Conclusion

To assist in the planning and funding for major capital works, a major capital works schedule has been prepared. The schedule provides information on the projects, estimated cost, funds currently available, other funds to be pursued, funding required from Council and the timeframe for planning and implementation. It also dissects the list into Years 1-5, Years 6-10 and Beyond 10 Years/Other Items.

As there is potentially a significant impact on Council's financial position, a range of funding options is provided. To undertake all projects, Council will need to borrow and also consider a special rate variation in future years. The 10 Year Financial Plan modelling indicates that there is capacity within Council budget to service an increased level of borrowings.

Due to their significance, one-off nature, or simply the scope of works, they will create high levels of community interest and expectation and as such, it is proposed to advertise the major capital works schedule until mid February and seek community feedback. It will also be distributed to all Policy Advisory Groups for comment. A report will come back to Council in March 2007.

Recommendation

1. That Council agree in principle to the Major Capital Works Schedule and advertise the details inviting community feedback.
2. That a report on the submissions and comment received be presented to the Council in March 2007.

Report

Subject	Tenders for the Renewal of Sewer Mains – Tweed Street, North Lismore
File No.	PE:VLC:T26011
Prepared by	Acting Manager – Lismore Water
Reason	To inform Council of quotes received for the renewal of sewer mains at Tweed Street, North Lismore.
Objective	To obtain Council approval to award the contract.
Strategic Plan Link	Water and Waste Cycle
Management Plan Activity	Lismore Water – Wastewater Services

Overview of Report

Tenders were sought to repair and construct the sewer main along Tweed Street, between Lake and Terania Streets, as investigations revealed that the sewer is in an extremely dilapidated condition. This report seeks Council's approval to award the contract for the works.

Background

The sewer main along Tweed Street, between Lake and Terania Streets, North Lismore, regularly chokes necessitating repair and clean up.

The sewer main is approximately 410m long and, when choked, causes considerable nuisance value to the connected properties.

Council in its investigations to identify why the sewer continually chokes, determined that the sewer is in an extremely dilapidated condition. Furthermore, total collapse of the sewer in sections has occurred. These investigations were performed by CCTV inspection.

These investigations concluded that the sewer is in need of immediate repair.

The nature of the existing sewer and the locality of the existing houses posed a major construction methodology problem. Simply put, the sewer is a trunk main which cannot be bypassed in a cost-efficient manner. The sewer is also a relatively deep sewer, varying in depths to over 5.0m in pug soil. These site constraints make it impossible to repair the house connections without damaging the neighbouring dwellings.

As such, an alternate design was prepared (Attachment A – Drawing 06.S.11), and tenders sought to repair and construct the sewer for this design.

The design entails the pipe bursting of the existing main, abandoning the existing house connections and connecting the houses to a newly constructed gravity main.

Quotations on a select tender basis have been received and are set out below. It is intended that the chosen contractor signs Council's standard contract prior to being awarded the contract.

Three prices for the works were obtained and the cost of the project will be financed by the existing sewer mains renewals budget.

Quotations Examination

The quotations received are summarised below -

Tenderer	Tender Price
CLM Trenchless Pty Limited	\$233,500 plus GST
Little Ants Pty Limited	\$194,500 plus GST
Interflow Pty Limited	\$359,478 plus GST

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

Little Ants Pty Limited is considered the preferred Tenderer. The company has performed work in the past for Council and is considered an acceptable contractor.

Comments

Financial Services

These works will be completed within the 2006/07 Budget of \$1.52 Million allocated for sewer main renewals.

Other staff comments

Not required

Public consultation

Not required

Conclusion

That Little Ants Pty Limited be contracted under Council's standard contract, to perform the Tweed Street sewer renewal works as detailed in Drawing 06.S.11.

Recommendation (IS60)

1. That the contract for the renewal of sewer mains at Tweed Street, North Lismore, be awarded to Little Ants Pty Limited (the estimated price of the works being \$194,500 plus GST).
2. That the Mayor and General Manager be authorised to execute the contract on Council's behalf and attach the Common Seal of the Council.

Report

Subject	Granting of Delegated Authority to the General Manager to determine a Section 96 Modification to the Perradenya Consent
File No	DA 98/7
Prepared by	Development Assessment Coordinator
Reason	To expedite a Section 96 Application for Development Application No. 98/7
Objective	To grant delegated authority to the General Manager to enable the determination of the amendment prior to February
Strategic Plan Link	Quality of Life
Management Plan Activity	Efficient assessment of land use development applications

Overview of Report

The purpose of this report is to delegate authority to the General Manager to determine a Section 96 Application for the amendment of the Perradenya Development Consent (DA98/7). Granting of delegated authority to the General Manager for this amendment will enable the timely and efficient processing of the application. It will avoid unnecessary delays to the release of the next stages occasioned by Council not meeting in January. The section 96 application will deal with appropriate engineering solutions to road drainage within the estate. Specifically the section 96 application will address this issue of providing kerb and gutter in streets where it is not appropriate to have swales.

Background

The residential development at Perradenya has seen a number of modifications since Council approved the application on August 11, 1998. Some of these have been minor modifications and others extensive. Following on from several meetings at Council and on site with the developer and their consultants the developer, Rous Water, will be lodging a fresh application to modify one aspect of the consent in the coming weeks.

This modification will seek to rectify an ongoing engineering problem with the development. Throughout the various stages the use of swale drains has caused a problem for the design consultants, civil works contractors, Council's engineers and planners, home owners and the developer. Many of these problems were outlined to Councillors in the report on Perradenya dated 20 June 2006. The modification will propose to replace some swale drains with kerb and gutter in the new stages of the development where it is determined that the construction of swales is not a desirable stormwater management option.

It is not the intention of this report to go into a detailed engineering / environmental / planning assessment on the merits of swale drains in this development. Those issues will be subject to further detailed assessment.

Upon lodgement of the modification a detailed assessment of the long sections and cross sections of the road design will occur to determine if swales are suitable for the development based on the following accepted engineering criteria:

- Swales should:
 - Not be on grades of less than 1% or they do not drain properly;
 - Not be on grades of more than 12% or they are subject to scour and cause an ongoing maintenance problem;
 - Achieve the desired water quality outcomes.

A design analysis was not done in the assessment of the original development application. Swales were approved throughout the entire development regardless of the longitudinal grade of the road or of the cut / fill implications for the road batters.

In the areas of the development where swales are not suitable then the alternative design solution of kerb and gutter will be proposed. This proposal will need to address integration with the existing development and the impacts on urban design and the streetscape.

In the event that kerb and gutter is proposed, the applicant will have to prepare stormwater treatment modelling with alternative solutions to be incorporated in the drainage system to ensure that the stormwater receives treatment equal to or greater than the treatment it would have had in the swales.

Because of the notification and exhibition timeframes and the required detailed assessment by staff there is insufficient time to enable the determination of the section 96 application at the December meeting of Council. Should the application have to be reported to the February meeting of Council this could result in a delay of four months to commence work on the next stage of the development. This is not a desirable outcome and is an unnecessary delay. Such a delay can be avoided by the granting of delegated authority to the General Manager to determine the section 96 application with the concurrence of the Development Assessment Panel (DAP). It is considered that there will be benefits to the developer, the housing industry and to the growth of Lismore.

DAP will not recommend approval of the application to the General Manager unless it is satisfied that the consent as modified will result in an improved outcome for the residents, Council and the developer on engineering, environmental and visual amenity considerations.

Comments

Financial Services

Not required

Other staff comments

Not required at this stage.

Public consultation

Full public consultation in accordance with Council's Development Control Plan 41 Notification and Advertising of Development Applications will be conducted. Following this public consultation all submissions will be assessed on their merits.

Conclusion

Significant stormwater management issues have been identified within the wholesale installation of swales in the Perradenya Estate. It is timely to consider alternative solutions.

Adequate safeguards are in place to ensure that there is appropriate scrutiny of the application. A full assessment of the application will be undertaken and all relevant matters considered. Should the application be unsatisfactory in achieving planning, engineering and environmental outcomes then the assessing officers will not recommend that the DAP or the General Manager approve of the application. Given these safeguards it is reasonable for the Council to grant the delegated authority to the General Manager to deal with the application.

Recommendation (PLA2)

That Council grant the General Manager delegation to determine the Section 96 Application (MC060060) to vary Condition No. 1, in relation to the requirement to provide open drainage swales on all roads in Development Consent No. 98/7.

Report

Subject	Council's Code of Meeting Practice
File No	S43
Prepared by	Corporate Compliance Coordinator
Reason	Public exhibition of revised code
Objective	To adopt a revised code
Strategic Plan Link	Leadership by Innovation
Management Plan Activity	Councillors

Overview of Report

Background

Council at its meeting held on September 12, 2006 resolved to place on public exhibition its revised Code of Meeting Practice.

Councillors will recall that the revised document contained minimal changes but statutorily the document was required to be advertised before it could be adopted

No submissions to the advertised document were received

Comments

Financial Services

Not required

Public consultation

The revised document was advertised in the Northern Rivers Echo and placed on Council's web site. No submissions were received.

Recommendation

That Council adopt its revised Code of Meeting Practice as exhibited.

Report

Subject	The Lismore Development Control Plan (Consolidation of DCPs)
File No	S924
Prepared by	Senior Strategic Planner
Reason	Close of original public exhibition period
Objective	Council's endorsement to exhibit a revised consolidated DCP for Lismore
Strategic Plan Link	Economic Development
Management Plan Activity	Review and update planning controls

Overview of Report

This report describes the revised consolidated DCP for Lismore and seeks Council's endorsement to re-exhibit the consolidated DCP for a period of 28 days.

Background

Council will be aware of the amendments to the Environmental Planning and Assessment Act introduced by the State Government in September 2005 that required that no more than one DCP may apply to any parcel of land within a Council area.

In response to those requirements Council prepared a consolidated Development Control Plan incorporating all nineteen of Council's existing "issue specific" DCPs (DCP Nos. 7, 14, 16, 17, 18, 26, 27, 28, 29, 36, 38, 39, 40, 41, 42, 43, 44, 47 & 50). Council resolved to exhibit the consolidated DCP at its meeting of December 13, 2005. It was exhibited for three months and attracted no public submissions.

Subsequent to the advertising of the DCP the State Government extended the deadline for Councils to prepare and adopt their new DCPs. Council now has until March 31, 2009, or until the preparation of its comprehensive DCP (whichever is sooner), to comply with the new provisions.

At its meeting of June 13, 2006, Council deferred adoption of the DCP pending a workshop to discuss proposed changes incorporated in the DCP. The workshop was held on November 21, 2006. Several issues were raised at the workshop and these are addressed later in this report.

The extension in time has provided staff with an opportunity to restructure the consolidated DCP and produce a better outcome both in terms of format and content. The DCP has now been divided into two parts. Part A contains the "generic" controls that apply across the LGA and Part B contains the "site specific" controls that apply only to a particular area.

Table 1 shows the proposed format for Part A and the existing DCPs that each of the proposed chapters will replace.

Table 1: Part A of the Lismore Development Control Plan

Chapter	Subject	Existing DCP
1	Residential development	DCP 14 & 16
2	Commercial development – Urban design in CBD	DCP 42
3	Industrial development	DCP 26
4	Subdivision and infrastructure (General requirements)	DCP 28 (Part 1)
5	Subdivision and infrastructure (Urban subdivision)	DCP 28 (Part 2)
6	Subdivision and infrastructure (Rural subdivision)	DCP 28 (Part 3)
7	Off-street parking	DCP 18*
8	Flood prone lands	DCP 7
9	Outdoor advertising structures	DCP 36
10	Notification and advertising of DAs	DCP 41
11	Buffers	DCP 27
12	Heritage conservation	DCP 50
13	Crime prevention through environmental design	DCP 43
14	Tree preservation order	DCP 17
15	Waste minimisation	DCP 47
16	Rural landsharing communities	DCP 44
17	Acid sulfate soils	DCP 38
18	Extractive industries	DCP 29
19	Exempt development	DCP 39
20	Complying development	DCP 40

* Chapter 7 incorporates an amended version of DCP 18 that was exhibited in October 2005. The amended version has not yet been adopted by Council because of the changes to DCP requirements that were introduced by the State Government.

Ten site specific DCPs have been incorporated into Part B of the DCP. Table 2 shows how Part B of the DCP has been structured.

Table 2: Part B of the Lismore Development Control Plan

Chapter	Subject	Existing DCP
1	Urban area	DCP 22 (Northern Ridges) DCP 31 (East Lismore) DCP 33 (East Goonellabah)
2	Land at West Goonellabah	DCP 48
3	Cultural Precinct	DCP 49
4	Airport Industrial Estate	DCP 51
5	Wyrallah Road Industrial land	DCP 53
6	Nimbin Village	DCP 9
7	Dunoon Village	DCP 19
8	Clunes Village	DCP 21

The major change in relation to the site specific DCPs is the replacement of existing DCPs 22, 31 and 33 with a single chapter (Chapter 1 of Part B) that applies to the wider urban area. These three DCPs date from 1994 and therefore their review was timely.

Chapter 1 of Part B was discussed at the November workshop. A copy of draft Chapter 1 is provided as Attachment 1 to this report. The principal matters that the chapter deals with are:

1. future road connections required to service new development,
2. local open space requirements, and
3. physical and environmental constraints that apply to parts of the urban area.

Road connections

A critical aspect of new subdivision design is achieving connectivity with existing and proposed road networks. It is essential that new development is designed so that it has reasonable access to the existing road network and in turn provides reasonable access to adjoining land that may have future development potential. The DCP identifies the critical areas where local road connections will be required to produce the desired design outcomes.

The DCP also identifies where future strategic roads will be required and how local roads will connect with that network. The strategic road network represents those roads that will be required to cater for predicted increases in traffic numbers and to service future development areas as identified in the draft Far North Coast Regional Strategy. The strategic road network is identified in Council's Regional City Plan and in its adopted Section 94 Contributions Plan.

Open space

The provision and embellishment of regional and City-wide open space is covered through section 94 contributions under Council's adopted Contributions Plan. The provision and embellishment of local open space (Neighbourhood Parks) is not covered by s94 and is generally a requirement of consent at the subdivision stage. It is important that Council provides clear guidelines indicating where neighbourhood parks will be located, the type of land that is suitable for a neighbourhood park and the type of facilities and other improvements that will be required.

Constraints

A number of constraints apply to the urban area. Where vacant zoned land is affected by such constraints the design of new development will need to have regard to such constraints. In the case of bushfire hazard and koala habitat, certain controls are dictated by State Government policy. The DCP identifies the major constraints affecting the urban area and provides guidance on the matters that new development will be required to address.

Council workshop

Consolidation into a single DCP has provided the opportunity to include contemporary references to government agencies, various standards and guidelines as well as updating other components of the DCP where changes were considered desirable. At the November workshop the miscellaneous amendments that are proposed to the various chapters were identified. A list of the proposed changes is included as Attachment 2 to this report.

Concerns were raised at the workshop regarding the proposed increase in road width requirements for "local streets" (in urban areas) from 7m to 9m. These changes are proposed because 7m is too narrow to accommodate the volume of traffic that local streets are expected to carry given that they can service up to 200 lots. 7m is insufficient width to safely accommodate on-street parking and two way traffic. It is also insufficient to accommodate a bus and some local streets will be required to function as bus routes. It should be noted that minor streets that access 10 lots or less are classified as "access places" in the DCP and have a road width requirement of 6m. No change is proposed to the access place road standards.

The proposed change in footpath (verge) width from 4m to 3.5m as shown on the cross sectional plan for local streets in the DCP is simply to make the plan consistent with the standard for footpath width for local streets already nominated in the table of the DCP.

Comments

Financial Services

Not required

Other staff comments

Development Engineer

Council's Development Engineer provided input into the proposed changes to the subdivision and residential development controls.

Environmental Health Section

Council's Environmental Health Section made a submission to draft DCP No.51 (Airport Industrial Estate) requesting that the following be included in the section on noise mitigation to provide clear guidance to applicants concerning Council's requirements:

"A noise impact assessment (NIA), prepared in accordance with the principles contained within the NSW Industrial Noise Policy, must be undertaken for any proposed development (other than filling). The NIA must fully consider the Recommended Acoustic Treatments and Management Principles contained in section 6.0 of the Environmental Noise Impact Report prepared by TTM Acoustics dated 18/03/2005."

It is recommended that this requirement be included in Chapter 4 of Part B.

Public consultation

The original consolidated DCP was exhibited for three months from February 6, 2006 to May 8, 2006. No public submissions were received in response to the exhibition. Draft DCP 18 (Off-Street Carparking) attracted one submission from Newton Denny Chapelle when it was exhibited in October 2005. Because draft DCP 18 was incorporated into the consolidated DCP before it could be separately adopted by Council, the submission was treated as a submission to the consolidated DCP. A summary of the issues raised in the submission, together with responses to those issues, is included as Attachment 3 to this report.

Conclusion

The re-organisation of Council's DCPs has been generated by legislative requirements introduced by the State Government. The extended deadline for compliance has provided an opportunity to reformat the DCP and to include existing site specific DCPs within Part B of the DCP. Because of these changes it is recommended that Council re-exhibit the consolidated DCP for a further 28 days.

Some of the issues raised in the submission to the off-street carparking requirements in the new DCP require more detailed investigation and these will appropriately be addressed through a comprehensive traffic and parking study for the CBD that is to be undertaken by TTM Consulting.

Because the consolidated DCP is over 600 pages in length, copies have not been attached to this report. A copy of Chapter 1 of Part B of the DCP is attached to the report as this essentially represents a new DCP for the urban area. A full copy of the Lismore DCP will be available for Councillors to inspect in the Councillor's room.

Recommendation (PLA1)

That Council exhibit the reformatted Lismore Development Control Plan for a period of 28 days.

Attachment 1

Chapter 1

Lismore Urban Area

1 Lismore Urban Area

This Chapter applies to land in the Lismore urban area that is zoned:

- 2(a) Residential Zone
- 2(f) (Residential (Flood Liable) Zone
- 3(a) Business Zone
- 3(b) Neighbourhood Business Zone
- 3(f) Services Business (Flood Liable) Zone
- 5 Special Uses Zone
- 6(b) Private Recreation Zone

under the Lismore Local Environmental Plan 2000, but excludes:

- Certain Land at West Goonellabah
- The Lismore Cultural Precinct
- Airport Industrial Estate
- Wyrallah Road Industrial Estate

which is covered in separate chapters of Part B of this DCP.

1.1 Objectives of this Chapter

1. To ensure that subdivision design takes into account the particular constraints and characteristics that apply to land in Lismore such as slope, bushfire hazard and urban bushland.
2. To integrate the future road network servicing the DCP area with the existing surrounding road network.
3. To ensure that sufficient neighbourhood parks are provided to service the needs of residents in new release areas.

2.0 Roads

Strategic Road Network

Population growth and new development will contribute to significant increases in traffic flows on Lismore's urban roads. The predicted increase in trip generation for each major land use category has been established by traffic modeling undertaken in the Road Contributions Study prepared by TEC Consultants and the Lismore City Wide Road Study prepared by PPK Consultants.

The predictive model indicates that existing urban roads will not be able to cope with the predicted increases in traffic movements without substantial upgrading of existing roads and the construction of new road links. It identifies what works would be required for the existing network to cater for the existing traffic volumes. The strategic road network also takes into account the demand that will be generated by new residential development both in existing zoned but undeveloped areas and in future release areas identified in the Lismore Urban Strategy.

The primary objective of the strategic road program is to facilitate the safe and efficient movement of traffic between major trip generators within the city and to provide better access to the main road network that services the city. The Plan identifies the need for further investigations of route options to ensure that the transport system is designed in an environmentally, socially and economically sustainable manner.

The proposed strategic road network is shown on Map 1. New development will contribute to the funding of the strategic road network in accordance with the relevant works programmes of Councils adopted Contributions Plans.

Where subdivision is proposed on any lot on which a strategic road corridor is shown on Map 1, Council will require the dedication of the road reserve for the full length of the strategic road corridor on that lot. Where the proposed subdivision fronts or adjoins the strategic road corridor, Council will require the construction of the strategic road to an appropriate standard.

Credit towards section 94 contributions for strategic urban roads may be given where the strategic road is required to be constructed to a higher standard than that required to service the proposed

development (as well as other existing and/or future development in the area) in order to meet Council's requirement for the strategic road. In this case the credit will be based on the difference in cost required to upgrade the road to the higher standard.

Local road network

Local road networks should provide a high level of internal accessibility and good external connections for local vehicle, pedestrian and cycle movement. Chapter 5 of Part A sets out Council's standards for urban roads and drainage.

Adequate provision must be made in the design of subdivisions for road connections to existing and future residential areas. Map 1 indicates where future local road connections will be required.

3 Open Space

3.1 Citywide and Regional Open Space

Citywide and regional open space includes sporting fields as well as major parks and open space corridors that service either the local government area or the whole of the Lismore urban area. New development will contribute to the acquisition and/or embellishment of citywide and regional open space in accordance with Council's adopted Section 94 Contributions Plan.

Citywide and regional open space is shown on Map 2. Where development is proposed on land that includes an area identified as citywide or regional open space in Council's Contributions Plan, section 94 contributions for recreation and community facilities may be satisfied, in whole or in part, by the dedication of that land and the provision of such works in kind as identified in the relevant works program of the Contributions Plan. Credit given towards the relevant section 94 contribution will be in accordance with the provisions set out in Council's Contributions Plan.

Where residential subdivision occurs on land that includes part of the proposed Tucki Creek open space corridor, the land so identified must be cleared of environmental weeds and rehabilitated in accordance with a plan approved by Council prior to Council accepting dedication of the land.

3.2 Neighbourhood Parks

Neighbourhood parks are to be provided in subdivisions where there is no existing neighbourhood park within 400m accessible walking distance of any lot in the subdivision or where existing land set aside for park is not suitable for development as a functional neighbourhood park. The location of existing neighbourhood parks is shown on Map 2.

Where the need for a new neighbourhood park is created by a new subdivision, the land is to be dedicated to Council and embellished with landscaping and park furniture to Council's satisfaction prior to the release of the subdivision certificate. In instances where suitable Council owned land for a park already exists in the locality, Council may require landscaping and embellishment work only.

Where several landowners are involved in a subdivision proposal, Council will consider preparing a locality based Section 94 Contributions Plan so that the cost of dedicating and embellishing the neighbourhood is apportioned equitably.

Council will only accept land for dedication as a neighbourhood park where:

- The site has a minimum area of 2500m²
- The site is centrally located in terms of the residential area that it will service
- The site is readily accessible from most lots within its catchment area
- At least 90% of the site has a gradient of less than 5%
- The site has a minimum frontage to a public road of 20 metres (preferably located on a corner lot)
- The site has a high level of visibility from surrounding lots and public roads and so that community surveillance of the park is facilitated

- The site is capable of accommodating the appropriate level of playground equipment and other park furniture to service the catchment area
- The primary purpose of the park is for recreational purposes
- The site preferably supports some mature trees or shrubs that can be integrated into the overall landscaping of the park
- All landscaping is carried out in accordance with Council's Landscaping Guidelines

Council will require the following embellishments be carried out on neighbourhood parks before dedication to Council:

- Signage - one Council ordinance sign with pole per street frontage.
- One picnic setting (table and two benches) on concrete slab
- Two bench seats with backs on concrete slab
- One bin surround and wheelie bin on concrete slab
- Six 75L trees planted at a distance of 5 meters from any underground or aboveground service and 10m from any neighbouring property.
- Playground equipment - one set of double swings including one strap and one toddler safety seat. One play unit that includes a slide, a deck, climbing and activity panels or equivalent. One piece of spring equipment. All manufactured to relevant Australian Standard generally located away from any road.
- Sofffall area being rubber wetpour and installation of equipment to relevant Australian Standard.
- One copper water line from the main into the centre of the park including a water tap and bubbler attached.

Constraints to development

There are a number of constraints to development in the urban area that must be addressed in any application for development on land on which such constraints may occur. Such constraints may mean that part of the site cannot be developed and/or that the design of the development will need to be modified to take account of such constraints. Some of the major constraints in the urban area include:

4.1 Flooding

Chapter 8 (Flood Prone Lands) of Part A of this DCP indicates the extent of the urban area that is potentially affected by flooding in the probable maximum flood (PMF) and the degree of flooding hazard that has been determined for the 1 in 100 year ARI flood. Development controls on flood prone land in the urban area, are based both on the type of development and the predicted degree of flooding hazard and are set out in Chapter 8.

4.2 Bushfire hazard

Part of the Lismore urban area is identified as bushfire prone land on the Lismore Bushfire Prone Land Map. Map 3 shows the extent of Category 1 and Category 2 bushfire vegetation on the site together with the buffer requirements for each category.

Subdivision of bush fire prone land for residential purposes requires a bush fire safety authority from the Commissioner under section 100B of the *Rural Fires Act 1997* and is integrated development under the *EP&A Act*. All forms of development on bush fire prone land must conform to the specifications and requirements of the document *Planning for Bushfire Protection*.

A bushfire threat assessment must form part of all development applications that relate to bushfire prone land. Preparation of an assessment of threat from bushfire should include reference to:

- *Planning for Bushfire Protection* - NSW Rural Fire Service – a guide for land use planners, fire authorities, developers and home owners; and

- Consultation with Council and RFS staff.

For subdivisions, the threat assessment is an integral part of the subdivision design, and may affect lot shape, size, orientation, and road layout. Bushfire protection measures also have the potential to affect vegetation, fauna, views watercourses, soil erosion, amenity and access. In instances where the balance between bushfire protection and environmental and social impact cannot be achieved, the proposal may not be supported.

Measures for the protection against bushfire include subdivision road design, the provision of asset protection zones, compliance with the relevant construction standards for buildings, the provision of an adequate water supply and access for firefighting vehicles. Details of each of these requirements are set out in *Planning for Bushfire Protection*. Adequate bushfire protection is based upon compliance with all these measures and compliance with one or more should not be used as justification for non-compliance with another.

4.3 Potential Koala habitat

Map No.4 shows the extent of primary, secondary and marginal koala habitat as mapped in 2001. Primary koala habitat is defined as vegetation communities that contain more than 35% of species preferentially utilised by koalas in the locality. Core koala habitat as defined in State Environmental Planning Policy No. 44 (SEPP 44) means an area of land with a resident population of koalas, evidenced by attributes such as breeding females (ie. females with young) and recent sightings of and historical records of a population. Core koala habitat has not identified in this DCP. This would involve ground surveys to determine evidence of koala usage and is a requirement of any subdivision application relating to land on which potential koala habitat has been identified.

SEPP 44 provides that development consent cannot be granted for the development of any land with an area greater than one hectare that contains core koala habitat unless a Koala Plan of Management (KPOM) has been prepared. The KPOM must be prepared in accordance with SEPP 44 guidelines and approved by the Director of Planning.

Some sites may also contain individual or scattered habitat trees that are not identified on Council's mapping layer. More detailed mapping will be required at the subdivision application stage to identify such trees as well as any potential koala movement corridors on the land.

Development on sites that contain Primary, Secondary or Marginal/Unsuitable Koala Habitat and/or land containing preferred koala food trees, should be designed so as to:

1. Avoid the removal or degradation of native vegetation within primary koala habitat.
2. Minimize the removal of individual preferred koala food trees wherever they occur on a development site. In the DCP area these species include Forest Red Gum (*Eucalyptus tereticornis*), Tallowwood (*Eucalyptus microcorys*), Swamp Mahogany (*Eucalyptus robusta*), Brush Box (*Lophostemon confertus*), Grey Ironbark (*Eucalyptus siderophloia*), Flooded Gum (*Eucalyptus grandis*), White Mahogany (*Eucalyptus acmenoides*), Forest She-oak (*Allocasuarina torulosa*), and Pink Bloodwood (*Corymbia intermedia*).
3. Maximize retention and minimize degradation of native vegetation within marginal/unsuitable koala habitat;
4. Make provision for restoration or rehabilitation of areas identified as primary koala habitat including the removal of exotic weeds such as camphor laurel and privet without adversely impacting on native species.
5. Make provision for long-term management and protection of koala habitat including both existing and restored habitat.

6. Not compromise the potential for safe movement of koalas across the site. This should include maximizing tree retention generally and minimizing the likelihood that the proposal would result in the creation of barriers to koala movement, such as may be imposed by certain types of fencing.
7. Identify building envelopes which contain all buildings, ancillary structures and required fire fuel reduction zones. Generally there should be no clearing on the site outside these envelopes. Such envelopes should be registered as a restriction on the title of the lots.
8. Include measures to effectively minimize the threat posed to koalas by dogs, motor vehicles and swimming pools through restrictions on dog ownership, restrictions on motor vehicle speeds and appropriate design of pools and pool fencing.

The following information should be submitted with applications for all development on sites that contain Primary, Secondary or Marginal/Unsuitable Koala Habitat and/or land containing preferred koala food trees.

1. An assessment of koala habitat prepared by a suitably qualified person.
2. Clear details concerning which vegetation is to be cleared or disturbed and which is to be retained.
3. Details of any proposed building envelopes and fire fuel reduction zones and the means by which they are to be enforced.
4. Proposed measures to restore or rehabilitate koala habitat, including measures which will result in the net gain of koala habitat.
5. Proposed measures to allow the safe movement of koalas across the site including road designs and speed management measures, fence construction details where fencing is proposed, and swimming pool specifications.
6. Proposed measures to mitigate the impacts on koalas by dogs.
7. Details of any proposed program to monitor koalas and koala habitat, during and following development activity on a site. Monitoring programs would not be required for single lot developments. Rather, they would be expected for subdivisions. The developer is expected to assume responsibility for monitoring for a minimum 5-year period.

The following information must be submitted with applications for development on sites that are adjacent to primary or marginal/unsuitable koala habitat and/or land containing preferred koala food trees.

1. Proposed measures to mitigate the impacts by dogs on koalas which occupy adjacent habitat. This should include measures that reduce the likelihood of domestic dogs straying into koala habitat.
2. Proposed measures to mitigate the impact on koalas of motor vehicles traveling to the site. This should include appropriate traffic control measures on roads that run through or adjacent to nearby koala habitat and which are subject to increased traffic volumes due to the development on the site.

4.4 Potential land use conflicts

Certain existing land uses may pose a constraint on the development of adjacent land because of their potential incompatibility with other forms of development. Such land uses include the Lismore Airport, the South Lismore and East Lismore Sewerage Treatment Works, the Lismore Tip, quarries and former dip sites. Existing land uses that may have impacts that potentially affect development in their locality are shown on Map 5. Refer to Chapter 11 of Part A of this DCP for detailed buffer requirements.

Services

5.1 Sewer

Subdivision applications (other than for minor subdivision) should be accompanied by a sewer modelling report which identifies augmentation works required for Council's sewer mains. The cost of any augmentation works will be borne by the developer.

5.2 Water Supply

Subdivision applications (other than for minor subdivision) should be accompanied by a water supply modelling report. The cost of any required augmentation of trunk mains supplying this site will be borne by the developer.

5.3 Stormwater management

Urban development leads to greater runoff and increased pollution load. Runoff volumes and peak flows are higher in urban areas compared to rural areas because the increase in impervious areas and the introduction of gutters and stormwater pipes in urban catchments result in less storage and shorter lag times for runoff.

There is also generally more pollution from urban areas as a result of increased contamination from roads, motor vehicles, residential, commercial and industrial areas etc. A stormwater management plan is required for subdivisions and large development proposals. The stormwater management plan is to demonstrate how pollution levels are to be managed and how runoff quantities are to be restricted to pre-development levels.

Attachment 2

Summary of proposed amendments to be incorporated into the Lismore Development Control Plan

1. Amendments to the residential development requirements (formerly DCP 14) to restrict site coverage for “infill dual occupancy” development to a maximum of 66% of site area. This amendment was designed to prevent overdevelopment and protect neighbourhood amenity in established residential areas.
2. Amendments to the residential development requirements (formerly DCP 14) so that driveway specifications are consistent with those of the subdivision DCP and the Australian Standard.
3. Amendments to off-street car parking requirements (formerly DCP 18) that resulted from Council’s resolution of September 13, 2005 and subsequent exhibition of that DCP.
4. Clarification of requirements in relation to retailing from bulky goods showrooms in industrial zones (formerly under DCP 26) to include a description of the type of “bulky goods” that are considered suitable for retailing from industrial areas, consistent with the guidelines issued by the Bulky Goods Retailer Association. A minimum gross floor area (GFA) of 1000m² for bulky goods showrooms was also included to achieve consistency with the underlying objective of the definition and to ensure that retailing in industrial zones is not in direct competition with the retail function of the CBD.
5. Provision for a minimum 80m buffer between crematoriums and residential development (formerly under DCP No 27) in accordance with Council’s resolution of August 9, 2005.
6. Amendments to certain subdivision standards (formerly DCP 28) to ensure consistency with the adopted standards in Council design and construct specifications, e.g:
 - The pavement width of ‘local streets’ has been increased from 7m to 9m
 - Driveway gradients – preferred max 20%; absolute max 29%
 - Introduced standards for ‘local streets’ and ‘access ways’ in villages where lots are less than 2000m² (ie. in sewerred villages).

Attachment 3

Issues raised in the submission from Newton Denny Chapelle to draft DCP 18 (Off Street Parking)

1. That the DCP incorporate a specific provision for the submission of a "Parking Generation Report" to enable applicants to seek variation from the parking requirements in the DCP given that the RTA Guidelines advocate a range of parking rates for some developments such as bulky goods retailing. The submission also suggests that such report be able to include an assessment of both on-street and off-street parking in the immediate vicinity of the site.

Comment:

New development generates a demand for parking. The underlying philosophy of the DCP is based on a "user pays" principle, i.e. the developer must accommodate the parking demand that is generated by the development. If adequate on-site parking spaces are not provided by the developer, the parking must be accommodated elsewhere and this means that the development is being subsidised by other sources.

The parking requirements for the various development types listed in Table 3 of the DCP represent what are considered to be the absolute minimum number of parking spaces that will be generated by that development. They are based on numerous sources including the RTA's Guide to Traffic Generating Development, Council's previous off-street parking DCP (where the requirement has been tested over a time and found to be adequate), as well as parking rates adopted by other Councils within the region. The parking requirements are considered to be the minimum requirement for that development type and could increase based on an assessment of the merits of the application. It is argued that providing a minimum standard for parking provides consistency and equity between developments as well as certainty for the individual developer.

It is acknowledged that for some development types such as bulky goods outlets, the RTA Guidelines provide a range of peak parking demand rates. Parking demand can vary significantly due to the variety of goods that can encompass bulky goods retailing. The nominated parking rate in the DCP of 3 spaces per 100m² GFA (+ 1 per employee) for bulky goods showrooms seeks to strike a reasonable balance having regard to the fact that the type of goods being sold from a particular outlet may change over time. Once the development has been constructed there is usually little opportunity to provide additional on-site parking if the nature of goods being sold changes.

With respect to the amount of on-street and off-street parking available in the immediate vicinity of the site, the off-street parking requirements are based on a presumption that there is existing on-street parking available. The DCP provides heads of consideration to be taken into account when undertaking a merit assessment of parking requirements which includes the amount of on-street parking available in the locality. However their main purpose is to determine whether additional parking may be required above the minimum standard provided in Table 3.

2. That the DCP specifically references the source study data from which the parking rate in Table 3 was derived.

Comment:

As stated previously the parking requirements in the DCP are based on numerous sources including the RTA's Guide to Traffic Generating Development, Council's previous off-street parking DCP, as well as parking rates adopted by other Councils in the region. The various sources were used to determine the most reasonable rate for Lismore. It would seem to serve no practical purpose or benefit to individually reference the source for the eighty five (85) separate parking rates listed in Table 3.

3. That the DCP gives consideration to permitting adaptive reuse of existing buildings without requiring payment of parking contributions.

Comment:

Any parking shortfall created by new development is likely to have a negative impact on existing businesses in the locality. Notwithstanding this, under existing DCP No.18 the adaptive reuse of existing buildings (from office, bank or commercial premise to a shop) within the central CBD block (both sides of road) is permitted without requirement for payment of parking contributions. The allowance is made providing there is no available space for additional on-site parking and no increase in floor area. Chapter 7 of Part A of the new DCP retains this provision but additionally permits change of use from shop to restaurant without payment of parking contributions within an extended area bounded by Zadoc St, Keen St, Conway St (including both sides of the street) and the river. The allowance is made providing there is no available space for additional on-site parking and no increase in floor area. Under Council's S94 Contributions Plan, contributions for carparking apply only to areas where Council can physically provide parking from the contributions received (e.g. the Lismore CBD and the Nimbin village commercial area) and only where the required carparking cannot be provided on-site. Consequently it is argued that the DCP already provides a reasonable allowance for the adaptive reuse of existing buildings in those areas where parking contributions apply.

4. That the DCP gives consideration to nominating precincts where a lesser parking demand might be permitted. This would recognise differences between localities and stimulate interest in areas which may need some form of lower development cost incentives.

Comment:

At a Council workshop in May, 2006, Glen Holdsworth of TTM Consulting explained the concept of "cross use" subsidies for carparking and how this could be applied in some areas to reduce on-site parking requirements where the off-street parking was dedicated for public use on a 24 hour basis. There is an opportunity to explore how this concept might be applied in Lismore through a study of traffic and parking in the CBD that is to be undertaken by TTM and will be completed in 2007. It would be premature to include such provisions in the DCP until such time as the study has been completed.

5. That the DCP gives consideration to providing substantial parking off-sets for the provision of public transport facilities.

Comment:

The submission does not elaborate on the type of public transport facilities that might be provided in allowing for a substantial parking off-set. Most developments are not of sufficient scale to provide their own public transport infrastructure. Similarly most public transport facilities in the area are not sufficiently developed to provide a viable alternative to car travel.

Report

Subject	Management Plan Review 2006-2007 – quarter ended September 2006
File No	S4
Prepared by	Executive Services Coordinator
Reason	Requirement of Local Government Act S.407(1)
Objective	Information of Councillors
Strategic Plan Link	Leadership by Innovation
Management Plan Activity	General Manager

Overview of Report

This report relates to the performance of programmes and activities highlighted in the 2006/07 Management Plan during the quarter ended September 2006.

Background

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

GENERAL MANAGER (Chief Executive Officer)
 Management Plan Review
 Period ended September 2006

Review of objectives across each functional area of the General Manager's Directorate.

Communications and Corporate Management

Mayor of Lismore Scholarships – The three scholarships that are currently active will end at the conclusion of the final year. These are 1) Mayor of Lismore Scholarship for Academic Achievement 2) Solid Waste Scholarship – Nitrogen levels in leachate at Wyrallah Rd Waste facility 3) Water Management – Stormwater Browns Creek. 4) Community Cohesion Study - Social Sciences Program. Arrangements have been made with Southern Cross University for the commencement of the Mayor of Lismore Scholarship for Academic Achievement and the Water Management scholarships at the beginning of the 2007 academic year.

Community Events to Display Council Services: -Council has completed involvement in the Local Government Week, and the North Coast National. This is in addition to the Spinks Park Rotunda opening. Council has also launched a history of Lismore entitled "*Lismore: From Lios Mor to Tuckurimba*"

Ensure Efficient Governance of Council: - Council 2005 – 2006 Annual Report is due for completion by 30 November 2006.

Comprehensive financial management systems implemented and periodically reviewed to ensure compliance with statutory obligations / audit requirements: 2005/06 Audit Report referred to November Council Meeting.

Risk Management: -General Policy review for 2006 completed with reports being submitted to the Strategic Plan Steering Committee

Community Consultation: - Quarterly customer service questionnaire reviewed and amended. Benchmarking activities continues with involvement of regional Councils in the Customer Service Network Far North Coast.

Human Resources and Organisational Development

- Implemented Performance Review process for all staff as part of annual skills assessment round
- Redeployed staff into revised roles within the new Organisational Structure
- Discussed with ExCom and reported to Consultative Committee on process for 'internal trainees'
- Concluded HR 'roadshow' of information sessions on a range of new procedures and systems
- Progressed LCC staff involvement in regional management development program with SCU
- Commenced preliminary planning for Careers Expo 3 May 2007
- Confirmed LCC's provider for services for apprentices/trainees is MAS National
- Reported on options for new salary system as part of the review process
- Initiated discussion and input on new Industrial Relations Framework for 2007
- Confirmed 3 new labourer positions in Roads to be targeted for aboriginal placement

Finance

1. Replacement of corporate financial and land information system - Administration, set up and data migration training and planning commenced. This has revealed the significant extent of changes required in current business processes/practices to implement Authority.
2. Remote water meter reading - Initial investigations commenced but deferred until recruitment complete.

2005/06 Financial Reports - Preparation of statements and notes to support financial position and performance in preparation of final audit.

Debt Collection - Implement security arrangement for credit with major customer at Northern Rivers Quarry & Asphalt and commences bankruptcy proceedings against ratepayer with largest outstanding amount.

Lismore Showgrounds - In kind support and assistance provided to the Showground Trust.

INFRASTRUCTURE SERVICES
Management Plan Review
Period ended September 2006

Review of objectives across each area of the Infrastructure Services Directorate.

Parks and Recreation

- Provided assistance to initial talks with Gold Coast Titans representatives regarding the confirmed NRL trial in February 2007 at Oakes Oval.
- Liaised and coordinated various processes in the installation of the Dunoon Balzer Park Lighting project implemented by the Dunoon & District Sports & Recreation Club.
- Continued our relationship with the Showground and maintained the booking system and customer liaison. Events included various rug sales, communications displays, Bunning's storage and Harvey Norman Sales.
- Supported and provided landscaping assistance to Lismore East's Cricket Club for new Cricket Nets at Neilson Park.
- Provided assistance and support to the Lismore Lantern Parade.
- Began a trial pro-active maintenance system of our street trees. Focus has been with the northern areas of the CBD and is currently moving into Lismore Heights and Goonellabah areas.
- Completed a benchmarking exercise. We are currently waiting for results.
- Bin emptying responsibility in the CBD has been referred to Council's Waste section to make improvements, as waste removal is part of their core business.

Roads

- Flood damage restoration works ongoing for flood event on 19 January 2006.
- Finalised design of the Carrington Streetscape Upgrade Project.
- Completed road reconstruction of the Beddoes Road Extension, James Gibson Road (2.60 – 3.60 km east of Corndale Road), and Tregeagle Road (0.00 to 0.40 km south of Rous Road).
- Commenced road reconstruction of Numulgi Road (Railway bridge to 0.50 km north), Duncan Road (0.00 to 1.40 km south of Hunters Hill Road), Nimbin Road (20.7-21.57 north of Lismore), and Oakeshott Street (Lismore)
- Held the Annual General Meeting of the Roads Policy Advisory Group (PAG), and confirmed the 2006/2007 Roads PAG Objectives.

Road Safety

The Road Safety Program has been wound back until an appointment is made to the position. Following resolution of some funding issues with the RTA, the position has been advertised and an appointment to the position is expected to be made early in the new year.

Asset Management

The assessment of Council's sealed road network and subsequent reporting on the financial sustainability of Council's road network has been delayed due to issues with the data produced by the contractor that undertook the assessment. Negotiations are currently in progress in an attempt to resolve these issues and correct errors and data gaps that exist following their survey. Once these issues have been resolved it is expected that the matter will be reported to the roads PAG in the first half of 2007.

The development of Asset Management Plans is linked closely to the implementation of Council's new software systems, and in particular the Asset Information Management module which deals specifically with assets. This implementation process is continuing and asset registers are expected to be complete for all assets early in 2007.

Traffic, Emergency Services and CitySafe Operations

Construction has commenced on the new headquarters for the Lismore SES and is expected to be complete in March 2007. The SES should be able to move into the premises in April 2007. Council has provided additional funding to enable construction of storage sheds such that all SES equipment and vehicles can be stored at the new facility, instead of at various locations as is the situation currently.

Monitoring trial of the cameras at Nimbin has commenced. Council has anecdotal evidence that the security camera system in both the CBD and at Nimbin is having a positive effect on reducing crime and undesirable behaviour. The NSW Police are very supportive of the system and appreciate the assistance that video footage provides to them in dealing with incidents that do occur.

Fleet Operations, Workshop and Signshop

Some building improvements are in progress at the workshop to comply with relevant building code, OHS and EEO requirements. These include construction of female and accessible toilet facilities and an improvement to fire safety facilities in the building to comply with the building code as a result of a fire safety audit.

Northern Rivers Waste

Recycling Services Implementation

- new urban collection service operational
- rural recommendation to Council December
- Transfer Station concept plans with consultants
- Material Recovery Strategy continuing development of options

Organics Strategy

- Contract with Tryton finalised

OH&S Compliance Improvement

- Audits undertaken
- Systems implementation under way
- Training commenced

Northern Rivers Quarry and Asphalt

Implement Plant Upgrade

- Proposal approved by Council
- Plant ordered – expect delivery Dec/Jan

Development Approval Update – Blakebrook Road

- Review of conditions completed
- Application made to NSW Dept Planning – awaiting feedback

Improve Production Efficiency

- Production planning awaiting new plant
- Pit design and extraction plan review commenced

Improve Staff Performance

- Training plans finalised
- Team survey to be conducted January

Lismore Memorial Gardens

Assessment of Undeveloped Lands

- Site survey completed
- Engaging consultants for design of concept plans for bushland burial area

Chapel Expansion

- Project to commence Feb 07

Install Security Cameras

- CCTV system installation completed

Water Supply Services

- **Improve Customer Service Levels in Water Services:** Customer service response times remain within the deadlines outlined in the customer charter. Over 95% of service repairs have been attended to within four working hours. Water quality of all 13 sites remains within quality guidelines.
- **Promote water conservation through demand management:** Lismore Water continues its close working relationship with Rous Water to reduce water usage.
- **Implementation of the Water Main Replacement Program:** Lismore Water has expended \$500,000 in mains replacements including Conway St, Terania St, and High St in renewing old mains. This leaves \$700,000 remaining for the continuation of this work.
- **Remote meter reads:** The feasibility study is scheduled for completion by July 2007.
- **Telemetry Upgrade:** The telemetry upgrade has been completed to schedule.
- **Integrated Water Cycle Management Strategy:** This task is due for completion by July 2007.

Wastewater Services

- **Improve Customer Service Levels in Wastewater Services:** During the September quarter Lismore water responded to over 95% of sewer requests within four hours, continues to ensure that 100% of trade waste customer have approval and responds to customer requests within the guidelines of the customer charter.
- **Clunes Wastewater Project:** Lismore Water has been investigating the preferred option as recommended by the Clunes Wastewater Committee during the September quarter. This option involves onsite treatment and transporting reuse water to a centralised irrigation area. The procurement of suitable land for irrigation is essential to the viability of this proposal. Council has engaged property agents to identify and locate possible sites. The characteristics of the site may significantly impact on the details and cost of the final scheme.
- **Implementation of the sewer mains replacement programme:** This project remains on schedule.
- **Telemetry Upgrade:** The telemetry upgrade for wastewater services is due for completion by April 2007.

DEVELOPMENT AND GOVERNANCE

Management Plan Review
Period ended September 2006

Review of objectives across each functional area of Development and Governance.

Planning Services

1. Customer Service in Land Use Planning

Temporary Planning Assistant engaged to assist with enquiries and minor DAs pending reattainment of full staffing.

2. Implement adopted Council Land Use Strategies

- Industrial Land Strategy:

LEP Amendment No. 31 ('Pollard estate', Wyrallah Rd East Lismore) adopted by Council and forwarded to Department of Planning.

LEP Amendment No. 28 rezoning of land in Holland St for industrial use: remained with Minister's office pending signing and gazettal.

- Rural Housing Strategy:

Discussions continued with applicants for rezoning of land at Camerons Road, McLeans Ridges, and Pineapple Road.

3. Review and update planning controls

LEP Amendment No. 12 Review of land zoned 6(a) Recreation: gazetted after 18 months in Minister's office.

LEP Amendment No. 23 Annual General Amendment: remained with Minister pending signing and gazettal.

LEP Amendment No. 25 Dept Education site in Apo St., Goonellabah: gazetted in August after 11 months with Minister.

LEP Amendment No. 26 to permit alterations and additions to buildings in floodway: remained with Minister's office pending signing and gazettal.

4. Efficient assessment of land use development applications

DAs submitted: 58

DAs determined: 61

Assessment times

- integrated/concurrence DAs: 42 days average
- locally determined DAs: 28 days average

Miscellaneous applications determined (modifications of consent, dwelling entitlement searches): 44

Subdivision Certificates issued: 18

5. Enforcement of planning laws and regulation

89 planning matters investigated.

Environmental Health and Building Services

Building Services

1. **Customer Service** - Standard letters and documents have been amended to reflect Local Government legislative changes.
2. **Essential Services Program** - Councils Essential Services Program which reviews public safety issues is continuing. An interim fee structured system for the 06/07 financial year has been established until the new corporate computer system has been finalized. Council has engaged a Fire Safety Officer (18 hours/wk) until February 2007 to progress outstanding issues in this area.
3. **Planning DA referrals** - All assessment of DA's from Planning Services have been undertaken within the statutory turn around time. Fifty four (54) Referrals received from Planning Services
4. **Application Assessment**
 - Building Statistics – July, August, September
 - 150 Development Applications received for this section
 - 176 Development applications approved
 - Average approval time = 20 days
 - 156 Construction Certificates issued
 - 13 Building Certificates issued
5. **Fire Safety Audit** - Councils Fire Safety Audit continues with inspections conducted and Orders to upgrade issued on a regular basis. Council is currently dealing with 55 separate properties in regard to fire upgrades. Councils Fire Safety Officer is progressing issues in this area.
6. **Policy Development** – Minor changes to the Building Code of Australia have occurred. Building in bushfire prone areas and BASIX are considered in assessment of Development Applications. New BASIX's rules apply after October 2006.
7. **Swimming Pool Safety Program** – The swimming pool program continues with 50 inspections undertaken in the quarter. (target 25). Councils swimming pool brochure is being distributed with each inspection.
8. **Law enforcement** - Law enforcement in regard to unlawful building activities and complaints continue to be undertaken as required.

Environmental Health

1. **Customer Service**

Quarterly complaints received in regard to Animal control, Food complaints, Public Health, Pollution: 81 requests received (1 personally, 69 telephone, 11 written). Mean processing time is 20 days.

2. **Development Application Assessment:**

Twenty one Onsite sewage management reports have been assessed for the quarter.

All assessment of DA's from Planning Services have been undertaken within the agreed turn around time. Forty-four (44) Referrals received from the Planning Services. Median turn around is 20 days.

3. **Cities for Climate Protection:**

Cities for Climate Protection (CCP): Stage 1,2 of the Cities for Climate Protection program has been finalised. Stage 3, which identifies an actions plan has been approved by Council and is currently on public exhibition.

4. Environmental Restoration & Enforcement

Council continues to implement grants in relation to Restoration of low land forestation on the floodplain and wetland rehabilitation.

Council has made application for the relocation of flying foxes in Rotary Park. However, a new application is current being established, including independent expert analysis in this regard.

Council continues to address environmental complaints and incidence on an ongoing basis as required.

5. Commercial Premises Management

Councils commercial premises risk strategy continues to be implemented. Council has engaged a public health officer full time for 3 months. The position will be reviewed in the next quarter.

Inspections of food premises, hairdressers, beauticians and skin penetration businesses continue to be inspected.

6. On-site Sewage Management

On-site Sewage management inspections have been conducted in July and August. However, the inspections position has become vacant and is due to be filled in December 2006. Annual Target is 250.

7. SOE Reporting

The 2006 Supplementary SOE has been collated for a report to Council in November 2007.

8. Emergency Management

- A quarterly meeting of the Rescue Committee and the Local Emergency management Committee was held in September 2006.
- Councils Risk Management Plan is completed and has been sent to the State Emergency Management Committee for endorsement.
- A review of Councils DISplan has been completed with grant funding.

9. Clean Up Australia Day

Clean Up Australia Day will be conducted March 4, 2007.

10. Contaminated Lands Policy

The Regional Contaminated Lands Policy has been completed a workshop for Councilors is to held February 2007.

11. Sustainable Environment Policy Environment Group(SEPAG)

The SEPAG continues to meet on a regular basis. Seven Policies on Funding, Water, Land, Atmosphere, Biodiversity, Heritage and Waste have been completed and submitted to other PAG's for their comment prior to submission to Council for approval.

12. Water Sensitive Urban Design (WSUD)

Progress on WSUD with Development Control Plan policy is complete. A specification on WSUD principles for developers is currently being established.

13. Sustainability/CET

Organisation of a Stormwater Management (Source Control) Workshop to be presented by Australia's leading Hydrologist John Argue from the University of South Australia, February is being conducted.

14. Grant Funding

Environmental Health staff continue to activate current grants which include:

- Lowland Rainforest restoration-Environmental Trust
- Wetlands rehabilitation - CMA
- Catchment Education Program-Rainforest to the Sea Program – CMA

15: Catchment Management

The Stormwater services Charge (SSC) is being utilized by Environmental Health staff who are compiling relevant information in regards to catchments within the urban area of Lismore. A table of actions proposed for the 2006/07 financial year is being worked on. Councils Stormwater Management plan is being reviewed as part of this process.

16. Environmental Monitoring

- Environmental Monitoring is continuing with monthly water monitoring being undertaken as per the 06/07 management plan.
- The Regional contaminated lands Policy has been completed and is to be reported to the August meeting of Council.
- Investigation of environmental issues continues on a regular basis. Relevant legislation including the POEO Act has been utilised for enforcement.

Enforcement

1. Control and Regulate Parking:

Parking patrols continue. However due to staffing issues this has been limited. Recent staff recruitment has been successful.

Barney Shearman paid car parking is established.

2. Impounding Functions

Rangers continue to impound abandoned vehicles and stray stock as required

3. Community Awareness

A Pet Awareness Day was conducted in September 2006 promoting animal wellbeing, registration, micro chipping and animal behavior.

4. Companion Animals Act

Regular patrols for stray dogs and impounding occurs on a regular basis. Pound facilities are maintained daily.

Information Services

Key projects**1. Corporate Information Systems Replacement**

In June 2006, Council awarded the contract for a new Corporate Information System to Civica Pty Ltd. The implementation of the AUTHORITY system from Civica has now commenced. The scheduled Go-Live is July 1st 2007. All aspects of Council's core functions including financial, staffing, property, compliance engineering and asset management will be managed with this system. It will also provide a range of new services to the public including access to the

2. Desktop Replacement

One third of Council's personal computers were replaced during August. Twenty-four of the replaced machines were donated to community-based organisations in recognition of their valuable work following Council's September meeting.

3. Internet/Intranet Development

A new web site for the art gallery (www.lismoregallery.org) was created as well as changes to the content management system used by the Lismore Tourism website (www.visitlismore.com.au). This change brings the web site in line with best practice and provides a mechanism to maintain the information in an up to date manner. The look and feel will remain the same but the underlying structure will allow significant improvements in manageability.

A new interactive capability has been added to the mapping section of the public web site (www.lismore.nsw.gov.au). This software will enable members of the public to access detailed mapping and property information, currently available only internally. It will also provide access to aerial photography of the region and important community information such as garbage collection days. Testing of the software has been nearly completed.

Other Items

Development of a 3yr IT Strategic Plan

The existing IT strategic plan expires in June 2006. A new plan has been developed that specifies technological strategies that support Council's strategic and operational initiatives.

Review of IT Disaster Recovery Plan

A review of the existing IT Disaster Recovery Plan has commenced. This review will update the existing plan with changed hardware and software configurations as well as staff details. It will also be modified to document the recovery procedures to be used to recover the new Corporate Information System AUTHORITY.

Implementation of a Helpdesk System

Information Services has implemented Helpdesk software. This software allows staff to log problems with IT support staff by emailing the details to a Helpdesk mailbox. The helpdesk system then allocates this request to an appropriate IT staff member. The software also prioritises the request and can escalate the request priority if the matter is not attended to within expected timeframes.

Economic Development and Tourism

Incorporating Business Development/Expansion, Tourism, Events, Grants, Riverbank Project and Lismore Regional Airport

1. Develop Strategic Planning Material & Direction

- CBD growth and revitalisation scoping brief developed with EDPAG
- Full complement of staff now engaged at EDU and VIC

2. Develop industry workshops with key industry sectors to broaden networks/information sources

- MOU between SCU and Lismore Council progressed & strengthened
- Developed EDPAG position paper on Cultural Precinct site
- Produced & distributed the quarterly EDU Newsletter providing statistics on local development & labour market environment

3. Grants and project co-ordination

- \$81,500 Indigenous Heritage Program funding application successful; matched with \$50,000 cash from LCC; commenced work on two historic pagodas
- Council internal Grants Webpage completed & fully operational
- Preparation of \$580,000 (*Regional Partnerships Program* – since increased to \$1,000,000) and \$200,000 (*NSW Regional Sports Facility Program*) funding applications for Goonellabah Recreation Centre

- Preparation of funding application from *Regional Partnerships Program* for Nimbin School of Arts *Inside/Outside Project*
- Awarded \$5,000 from Department of State & Regional Development for the *Scoping the Nimbin Walking Trail Project* & commenced work
- Prepared final draft plans for the Laurie Allen Centre / Riviera Restaurant Precinct Project

4. Upgraded Security Lismore Airport

- Transport Security Programme manual drafted and accepted by Office of Transport Security (DOTARS)
- Carried out works in line with the DOTARS Security Funding Agreement (\$71,573) - flood lights installed at the GA end of the airport; automatic gate and terminal entry now controlled via proximity readers; CCTV cameras installed airside; anti pass-back doors installed in arrivals area & around baggage collection area
- Received \$2,500 from DOTARS for a computer upgrade allowing for ongoing online security training
- Commenced drafting mandatory, upgraded Safety Management Systems

5. Improvements Lismore Airport

- Carpark extension and lighting upgrade completed
- Crack sealing maintenance on the runway undertaken

6. Lismore Airport General Aviation Sub-Division

- General Aviation (GA) area development – Interest Group formed and strategies for development formulated
- Preparation of hangar site for sale

7. Lismore Airport Market Survey

- Expected to be undertaken early-mid 2007

8. Manage 2006 Northern Rivers Health & Herb Festival

- Event completed and on budget; awaiting evaluation from LUO

9. Attract four new, major external events to the city

- ALGWA committed (May 2007)
- Titans versus Parramatta committed (Feb 2007)
- Awaiting response from Baseball QLD in relation to a number of events through 2007, 2008 and 2009

10. Refine management of city events hosted and supported by the Events Office

- Draft *Event Management Guidelines* prepared
- Commenced preparation of first of series of Venue Guides for Lismore Memorial Baths/Aquatic events, with a view to commence bidding for events in early 2007
- Masters Games 2007: received 600 expressions of interest from co-ordinated marketing efforts at PANPAC Masters Games (Southport)
- Successful events supported by Events Team during the period include:
 - 4WD Caravan & Camping Show 14-16/7/06
 - Kadina Park Opening 17/9/06

11. Further support and enhance development of Nimbin Tourism Industry

- Transferred auspice/reporting mechanism of Nimbin Community Economic Development Project to Council (from the Nimbin Community Development Association)
- Preparation for Nimbin tourism research with SCU
- Provided practical support to Nimbin VIC via training for volunteers & staff; provision of contemporary quality marketing collateral
- Successful events supported by Nimbin Community Economic Development Officer include:

- 4th Annual Nimbin Performance Poetry World Cup (5-6/8/06)
- Nimbin Film Industry Group Winter Workshops 12-13/8/06
- Inaugural Nimbin Independent Film Festival (1-3/9/06)
- Nimbin Spring Arts Festival 30/9/06 – 15/10/06

12. Implement Tourism Marketing Strategy

- *Lismore Visitor Guide* produced, 100,000 copies printed and 20,000 distributed
- LCC now has presence on new website targeting tree-changers
<http://www.yourseachange.com>

13. Revitalise Lismore Visitor Information Centre

- \$20,000 funding submission lodged by the NSW National Parks and Wildlife Service to refurbish the rainforest display – awaiting results
- Lismore Visitor Guide and Visitor Information Centre entered in 2007 Northern Rivers Tourism Awards

14. Increase joint activities and co-operation in tourism

- Tourism Network Operators group established & offered training opportunities, regional famils & co-operative marketing opportunities, such as the *Lismore Dining Guide* or the *Lismore Visitor Guide*

Community Services

- 1 **Employment of Aboriginal trainees** – Both Aboriginal Youth Worker Trainees continue to complete set tasks as a requirement of their TAFE Certificates. Work placements have included an Aboriginal Girls Camp, Communication Skills Training and Aboriginal Men's Groups through Rekindle the Spirit and Mallenee Bugilmah, and within Council's Outside of school hours (OOSH) program. Trainees have also assisted in the YWCA School Holiday activities program at Goonellabah Public School, as well as an ongoing placement with the Lismore Police.
- 2 **Youth Enterprise Project** – A variation to the National Community Crime Prevention Program funding agreement was approved in August in order to redirect some of the project funds to the youth enterprise project. Plans for a partnership project with the YWCA and TAFE continue to be negotiated.
- 3 **Aboriginal Employment Strategy** – completed and reported on in the July – September quarter.
- 4 **Development of Cultural Precinct** – The draft Cultural Precinct Business Plan was completed in July and presented to a Councillor workshop on 15 August. The draft Plan was circulated to stakeholders and posted to Council's website, and community comment and input was sought. A number of submissions were received, which were reported to Council at a workshop on 21 November. A report will be tabled at the December Council meeting where Council will determine the key tenants of the cultural building, and the next steps in delivering the project.
- 5 **Bundjalung Stories** – The Bundjalung Elders Stories project was successfully launched in August at the Lismore Regional Gallery. However, due to a change in staff within Community Services and a technical fault with the master tapes, the DVD component of the project is not yet complete. It is anticipated that the DVD component will be completed in early 2007. Project participants have been provided with a story book that summarises each individual story and the project context.
- 6 **Lake Gates** – Staff undertook the second round of pumping into the lake, pumping for approximately 2 ½ weeks in October. The Jacana's nesting/breeding season runs from November to February, and further pumping will not recommence until after February next year.
- 7 **Social Plan implementation** –

- Organised Access Committee AGM.
- Lismore's multicultural community educated on Council's new waste system.
- Local Government Week Civic Reception held and CDSE funds of \$60,000 and Section 356 donations distributed to community organizations.
- Council computers distributed to community groups.
- Walk to Work Day event within Council to promote healthy lifestyle and team building.
- Sudanese refugee young people attended annual camp.
- Planned, promoted and ran orientation sessions for Lismore's Living Library launch.

8. **Crime Prevention Plan**

The endorsement of Council's Crime Prevention Plan 2006/2009 by the NSW Attorney General's Department has enabled staff to apply for funding to deliver three developmental crime prevention strategies in 2007. On confirmation of the funding, three Indigenous Girls Wellbeing Camps will be conducted, the YWCA School Holiday Programme will receive funding to support staffing their Goonellabah School Holiday Activity Program and 'Our Journey to Respect: Anti-Violence Training' will be delivered to service providers working with young Indigenous offenders in the Goonellabah area.

- 9 **Goonellabah Recreation Centre** – tenders for the design and construction of the Centre were received and shortlisted in October. The short listed applicants presented their designs to Council's selection panel in early November, and a preferred tenderer has been identified. A decision regarding the preferred tenderer will be determined by Council at the December Council meeting.

The scope and facility mix of the Centre has been the subject of much research, specifically around the number of indoor courts required and the type and size of water provided. The research findings were presented to Council at a workshop on 13 November, with a recommendation that a 2 court facility (with provision for later expansion) with indoor leisure water in the order of 600m² be provided. This recommendation will be discussed and a determination made at the December Council meeting.

10. **Elders Park cycleway**

Work has commenced on the construction of a cycleway within Elders Park in Goonellabah. It is anticipated that EnviTE Work for the Dole crews will complete the work in December, in time for the Goonellabah Christmas party, which, weather permitting, will be held at Elders Park.

11. **Riverview Park floodlights**

Football Far North Coast in conjunction with Newton, Denny, Chappelle, will prepare a development application for the lighting upgrade. Pending approval, it is anticipated that construction will commence in 2007.

12. **Lismore Park Plan of Management**

The draft Lismore Park Plan of Management has been completed and has been placed on public exhibition for 42 days. Submissions will close on 30 November 2006. A public forum has been scheduled to allow further community input into the draft Plan.

Lismore Regional Gallery

- In August and September the Gallery presented an exhibition in partnership with Arts Northern Rivers' Visual Arts Network project. *Chrysalis* featured 20 artists from our region selected by external arts professionals.
- Artwork donations to the Permanent Collection for the quarter exceeded \$100,000 in value.
- Approximately 9,000 people visited the Gallery in the quarter.
- Earned income for the quarter was \$35,951 (shop income \$12 295, lectures income \$478, donations \$21 678, membership income \$1 500)

Child Care

- **Koala Child Care Centre** to end of September averaged attendance of 29.34 children per day (budgeted 34).
- The centre self study report and continuing improvement plan documentation was completed and sent to the National Childcare Accreditation Council at the end of August.
- Staff completed training in behavioural and values interviewing, and autism.
- Replaced louvre windows in Possums room in August.

Lismore Outside of School Hours Care is averaging approximately 66 students per day, children attending from 10 different schools in Lismore.

- Completed 3 program Active After School sessions for term 3 (martial arts, circus and multiskill)
- Conducted parent survey regarding Active After School care
- Reviewed fees policy and circulated.

Gingerbread House Average attendance 16.5 children visiting each day (estimated full time equivalent).

- Continual and increased support for DOCs, Family Support, Rekindle the Spirit, Womens Refuge.
- New sofffall and blinds in play area for 0 – 3s.
- Held a family picnic day in Kadina Park.
- Held a Working Bee and a child nutritionist addressed parent group.

Report

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

Overview of Report

Council investments as at 30th November 2006 is estimated to be \$37,440,619 subject to the final value of funds held under separate management being advised shortly.

The interest rate reported over the period of November 2006 is estimated to be 6.90% in comparison to 6.18% for November 2005. The final interest return may vary due to actual returns achieved in the funds held under separate management. The portfolio managers have provided an estimate of returns expected for the period, this may vary due to capital movements within investments held.

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

A short term investment horizon of 30-90 days has been adopted for new investments until an investment review is undertaken by Council's investment advisors. This review is scheduled for early December 2006.

Background

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

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

Report on Investments

- | | |
|--|--------------|
| • <i>Confirmation of Investments – 31 October 2006</i> | \$37,369,190 |
| • <i>Estimate of Investments – 30 November 2006</i> | \$37,440,619 |

Some variation is expected on the final balance of funds held under separate management. The final valuation of these funds is not made until after the end of the month.

The current rate of return on investments for November 2006 is estimated to be 6.90% compared to 6.18% for the same period last year. The final rate of return may vary as a result of the finalisation of the funds held under separate management. These will not be advised until after the month end. The rate of return reported has been calculated using actual returns where available and estimates provided by portfolio managers.

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

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

Comments

Other staff comments

N/A

Public consultation

N/A

Conclusion

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

Recommendation

The report be received and noted

**MINUTES OF THE TRAFFIC ADVISORY COMMITTEE MEETING
HELD ON NOVEMBER 22, 2006, AT 10.00 AM.**

	Present	Councillor Merv King (<i>Chairperson</i>), Ms Bronwyn Mitchell (<i>on behalf of Thomas George, MP</i>), Michael Baldwin (<i>RTA</i>), Snr Const Dave Connelly (<i>Lismore Police</i>).
	In Attendance	Councillors Jenny Dowell and John Hampton, Garry Hemsworth (<i>Executive Director-Infrastructure Services</i>), Scott Turner (<i>Manager-Assets & Support Services</i>) and Bill MacDonald (<i>Traffic & Emergency Services Coordinator</i>).
TAC77/06	Apologies	An apology for non-attendance on behalf of Thomas George, MP, was received and accepted.
TAC78/06	Minutes	The Committee was advised that the minutes of the Traffic Advisory Committee Meeting held on October 18, 2006, were confirmed by Council on November 14, 2006.

Disclosure of Interest

Nil

Part 'A' – Committee Recommendations

Rosebank Roads Improvement Group; making recommendations to improve road safety in the Rosebank area.

Mr MacDonald advised that an onsite inspection had been carried out and it was felt that the sight distance from either approach to the causeway could be improved by some further pruning or removal of roadside growth. Width markers were the only signage that currently existed so there was a need to install advanced warning signs. A Give Way sign was not considered warranted. It was also suggested that if possible, when Mackie Road was closed by floodwaters that an advanced warning "Road Closed Ahead" sign be placed on Mackie Road, just off Rosebank Road, to warn motorists and particularly the school bus driver that the road was closed.

It was noted that the request for the causeway to be replaced would need to be referred to Council's Roads Section for investigation.

- TAC79/06 **RECOMMENDED** that advanced warning 'narrow road symbol and one lane' and "No Overtaking or Passing" signs be erected on both approaches to the causeway. Further, that temporary advanced warning signs advising that the road ahead is closed be erected just on Mackie Road, off Rosebank Road, when road flooded signs are erected at the causeway. Further, that the issue of tree pruning on the approaches to the causeway be referred to Council's Roads Section for attention. (06-9211:S937,R3904)

Richmond Local Area Command, NSW Police; requesting consideration be given to (1) relocating the Taxi rank outside the Gollan Hotel on the intersection of Keen and Woodlark Streets to the middle of Woodlark Street, and (2) a review of the line-marking on Ballina Road in the vicinity of the Goonellabah Media Centre.

1. Mr MacDonald advised that he had held discussions with the Taxi Co-operative and they had been unable to agree with any proposal put to relocate the Keen Street rank to Woodlark Street unless it included a turnaround area in the centre rank mid-block between Keen and Molesworth Streets. The Committee considered this neither safe nor practical. It was suggested that further discussions be carried out between the various parties in an effort to address Police concerns.
2. It was agreed that current line-marking in the right-hand east-bound lane on Ballina Road needed to be upgraded to ensure more clarity for motorists. It was suggested that this lane remain right-turn for its entire length up to Holland Street but it be segregated at the Media Centre entrance to ensure all vehicles which were in the right-turn lane prior to the Media Centre, turned right at that point and did not continue on to Holland Street.

TAC80/06 **RECOMMENDED** that Council's Design Services Team prepare a plan showing proposed line-marking and this be forwarded to the RTA for approval. (06-9425:R7313,R7329,R6408)

Trinity Catholic College; suggesting two disabled parking spaces and four 1-hour parking spaces be introduced in the new public carpark near the corner of Leicester and Dawson Streets.

It was noted that the existing four disabled parking bays were seldom used and it was considered that two bays were sufficient to remain in accordance with standard requirements. The introduction of parking time limits within the carpark were not considered warranted.

TAC81/06 **RECOMMENDED** that the number of disabled car parking spaces in the public carpark between Trinity Catholic College and Dawson Street be reduced from four to two.
(06-9559:P19099)

Report : Nimbin Traffic Issues

The contents of the report were noted and agreed with.

TAC82/06 **RECOMMENDED** that -

1. The issue of the change in grades on the entrance driveway to the western carpark in Nimbin be referred to Council's Roads Section with a view to hotmixing out the existing 'dip' to provide improved access.
2. The existing signage prohibiting caravans from using the western carpark in Nimbin be removed and replaced by new signage indicating caravan parking is available, once the carpark entrance has been upgraded.
3. The issue of pedestrian lighting of the marked pedestrian crossing on Cullen Street at the exit from the western carpark in Nimbin be referred to Country Energy for preparation of a quotation with a view to expediting the work once funding has been provided.
4. The situation with delivery vehicles double parking on Cullen Street be monitored and in the event that problems arise, the matter be reported back to the Traffic Advisory Committee for further consideration.
5. The RTA be requested to advise Council of the outcome of its application for funding for lighting of the marked pedestrian crossing on Cullen Street at the exit from the western carpark in Nimbin as soon as possible.
(S352,R1701)

Report : Proposed Link – Snow Street to Cook Street, South Lismore

The Committee agreed in principal that a reduction of vehicle movements on the Bruxner Highway by using the internal road system was positive. However, there was insufficient information on existing and likely impacts if the proposed link road was to proceed.

- TAC83/06 **RECOMMENDED** that prior to any works being implemented, a comprehensive traffic study be carried out which would include consideration of linking both ends of Wilson Street and any other options that arise as a result of the study that are worthwhile of further consideration. (R6911,R6935)

Report : Proposed Roundabout Construction - Dalley and Nielson Streets, East Lismore

The Committee noted the report and agreed with its contents.

- TAC84/06 **RECOMMENDED** that Council endorse the construction of the roundabout at the intersection of Dalley and Nielson Streets as proposed. (R7426,R7459)

Guide Dogs NSW/ACT; raising concerns about the lack of pedestrian access from areas south of Ballina Road and from the east across Dawson Street, and the difficulties their clients are having in crossing these roads.

It was noted that both locations had been identified in Council's Pedestrian and Mobility Plan and discussions had been held with the RTA in order to provide suitable pedestrian access across the Bruxner Highway. Proposals included an underpass or pedestrian lights or full intersection traffic lights at the intersection of Ballina Road and Keen Street or full intersection traffic lights at the intersection of Ballina Road and Dawson Street.

Mr Baldwin advised that any decision needed to include consideration that there would be no net increase on the number of intersections along the Highway, meaning that it was unlikely that Keen Street would be re-opened to cross traffic. This issue continued to be raised as a serious concern within the community and it was agreed that full intersection traffic lights that would include a pedestrian phase at the intersection of Ballina Road and Dawson Street was the most practical solution.

It was also agreed that upgraded pedestrian facilities were required on Dawson Street, between Uralba and Magellan Streets. Mr Baldwin advised that a marked pedestrian crossing was not an option on Dawson Street where four lanes existed, however, there may be the opportunity to locate a crossing away from intersections.

- TAC85/06 **RECOMMENDED** that the issue of providing full intersection traffic lights, including pedestrian phases, at the intersection of Ballina Road and Dawson Street be referred to the RTA with a request that it fund their installation at the earliest opportunity. Further, that a vehicle and pedestrian survey be carried out on Dawson Street (MR65), with the results being reported back to the Committee for further consideration. (06-10082:S342)

Intersection of Leycester and Diadem Streets – Restricted Sight Distance

Ms R Campbell had expressed concern about the restricted vision of oncoming traffic afforded to motorists at the above intersection due to shrubs growing on the nature strip area. It was noted that the property owner on the south-western corner of Diadem and Leycester Streets had planted numerous shrubs on Council property without permission.

Intersection of Leycester / Diadem Streets – Restricted Sight Distance *(Cont'd)*

However, in order to preserve the status quo it was suggested that it may be possible to relocate the continuity line on Diadem Street further north towards Leycester Street in order to provide improved sight distance of oncoming traffic. A double white centre line on Leycester Street, both sides of the intersection, was also necessary to ensure east-bound motorists on Leycester Street did not cut the corner when turning right into Diadem Street.

- TAC86/06 **RECOMMENDED** that the continuity line on Diadem Street be relocated further north towards Leycester Street and that a double white centre line be painted on Leycester Street both sides of the intersection. (R6042,R6019:CR06-6173)

Skyline Road, East Lismore – Speed Limit

The Committee considered a request to determine an appropriate speed limit for Skyline Road from its intersection with Wyrallah Road, East Lismore. This is the sealed section of Skyline Road in front of the industrial area that includes Richmond Waste.

- TAC87/06 **RECOMMENDED** that a 60 kph speed limit be introduced on Skyline Road from Wyrallah Road for a distance of approximately 250m to the end of the sealed section of road. Further, that a “60 kph END” sign be installed at the end of the new 60 kph zone. (R5102)

Eltham Village Roundabout and Vehicle Speeds

Mr MacDonald advised that he had received representations from an Eltham resident, Ms Trish Milgate, raising concerns for the speed at which some motorists travel through the village and the way the roundabout is used at the intersection of Johnston/Eltham Roads. It was noted that there was a plan and estimate (\$12,000) for modifications to be carried out at the roundabout that would address these concerns but was currently unfunded.

- TAC88/06 **RECOMMENDED** that the proposed works be carried out at the Johnston/Eltham Roads roundabout at the earliest opportunity providing an adequate funding source can be identified. (R4002,R4001)

Whian Whian Road – Parking

Mr Frank Hathaway had raised concern about the danger motorists were creating by parking on Whian Whian Road, each side of the sealed carpark that had been provided to cater for people visiting the Whian Whian Falls. As the location had grown in popularity, parking demand was out-stripping availability. To address safety concerns it was suggested that No Stopping signs be erected along both sides of Whian Whian Road in order for the road to remain safe for through traffic.

- TAC89/06 **RECOMMENDED** that No Stopping signs be erected on the carpark side of Whian Whian Road, from the bridge to a point approximately 70m past the carpark but excluding the carpark area. Further, that No Stopping signs be erected on the roadside of Whian Whian Road, from opposite the top end of the carpark for a distance uphill of approximately 70m. (R3453)

Intersection of Brunswick Street and Donnans Road, Lismore

The Chairperson raised the issue of whether or not there was sufficient room to construct a merge lane for motorists turning left from Donnans Road onto Brunswick Street.

Committee Recommendations

TAC90/06 **RECOMMENDED** that this issue be referred to Council's Design Services Team for investigation and if feasible, the preparation of a plan and estimate for further consideration.
(R6009,R7113)

Part 'B' – Determined by Committee

W Buckley; raising concerns about vehicle speeds and noise along Keen Street near his residence.

- B-06:11-1 It was noted that this issue had been raised in the past and the main offenders seemed to be mechanics from local car dealers testing vehicles. Whilst an extension of the existing speed limits was not considered necessary, Snr Const Connelly advised that he would further investigate if there were any approvals that may have been given to dealers in relation to vehicle testing. Police Officers had carried out patrols in the area with little success in detecting offenders, however these would continue. (06-10217:R7313,P4519)

Lismore Clinic; requesting reconsideration of installing a disabled parking bay on Molesworth Street in front of the Lismore Medical Clinic in lieu of providing a bay onsite.

- B-06:11-2 The Committee was still not convinced that a disabled parking bay could not be provided onsite and it was suggested that further discussions take place onsite with the clinic in an effort to find an acceptable solution to both parties. (06-9951:R7322,P6770)

Closure

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

Chairperson

Traffic and Emergency Services Coordinator

Financial Assistance - Section 356

a) City Hall Reductions in Rental – Policy 8.4.2 (GL2033.2)

Budget: \$11,700 To date: \$9,617

St John's College, Woodlawn, requesting a donation for the hire of the City Hall for the HSC Examinations (P6816, S164:06-7667)**Recommendation:** In accordance with Clause 1 (25% discount) of the policy. \$1,826**Local congregations of Jehovah's Witness**, requesting a donation for the hire of the City Hall for bible lectures (P6816, S164:06-10261)**Recommendation:** In accordance with Clause 1 (25% discount) of the policy. \$230**b) Council Contributions to Charitable Organisations****Waste Facility – Policy 5.6.1 (GL2033.15)**

Budget: \$6,000 To date:\$3,320.72

Animal Right and Rescue	\$ 26.27	
Challenge Foundation	\$144.73	
Five Loaves	\$ 66.45	
LifeLine	\$170.00	
Saint Vincent De Paul	\$ 10.91	
Salvation Army	\$146.82	
Westpac Life Saver Rescue Helicopter	\$ 43.64	
Shared Vision Aboriginal Corporation	\$ 10.64	
<i>In accordance with policy.</i>		\$647.00

c) Mayor's Discretionary Fund (GL2033.26)

Budget: \$2,700 To date: \$968.20

Interchange Respite Care Inc – *Lismore* \$500.00

Recommendation

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

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE CITY OF LISMORE HELD AT THE BEXHILL HALL, BEXHILL ON TUESDAY, NOVEMBER 14 AT 6.30PM.

- Present** Mayor, Councillor King; Councillors Chant, Crimmins, Dowell, Ekins, Graham, Hampton, Henry, Meineke, Swientek and Tomlinson, together with the General Manager, Executive Director-Development & Governance, Executive Director-Infrastructure Services, Manager-Finance, Communications Co-ordinator, Corporate Compliance Officer, Manager Waste, Quarries and Crematorium and General Manager's Personal Assistant.
- 217/06 **Apologies/ Leave of Absence** An apology for non-attendance on behalf of Cr Irwin was received and accepted and leave of absence granted. A leave of absence was granted to Councillor Chant for the period November 16 – December 2, 2006 inclusive.
(Councillors Hampton/Swientek)
- 218/006 **Minutes** The minutes of the Ordinary Meeting held on October 10, 2006, were confirmed.
(Councillors Swientek/Henry)

Public Access Session

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

Joan Maxwell – Development Application No 2006/404 – Demolition of former residence known as the Eltham Railway Cottage

Mrs Maxwell advised she was a neighbour of the property, but was speaking on behalf of the local Eltham community. She spoke of difficulties in dealing with the ARTC with respect to obtaining information, citing the land contamination report as an example. She disputed the figure attributed to the refurbishment cost, outlined plans the community had for the building and urged Council to refuse the application.

(See Minute No. 220/06)

Col Draper –Renaming and renumbering proposal for Ballina Street, Ballina Road and part of New Ballina Road

Mr Draper spoke to his alternative numbering system for the road, concentrating on the New Ballina Road section

(See Minute No. 221/06)

Trevor Foster – Resource Sharing with Rous Water

Mr Foster advised he spoke on behalf of the outdoor Lismore Water workers. He raised concerns about job security and future plans for Lismore Water. He expressed doubts over the ability of Rous Water to manage Lismore City Council's assets.

(See Minute No

Altering Order of Business

219/06 **RESOLVED** that the order of business be altered to debate the following matters.

- Development Application No 2006/404 – Demolition of former residence known as the Eltham Railway Cottage
- Renaming and renumbering proposal for Ballina Street, Ballina Road and part of New Ballina Road
- Resource Sharing with Rous Water
- 2005/06 Financial Reports

(Councillors Swientek/Dowell)

Reports

Development Application No 2006/404 – Demolition of former residence known as the Eltham Railway Cottage

220/06 **RESOLVED** that the report be received and-
That Council refuse consent to Development Application 06/404 for the demolition of the former Eltham Railway Cottage, on the grounds that the application has failed to explore alternative land uses with the community.
(Councillors Chant/Dowell) (DA06/404)

Renaming and renumbering proposal for Ballina Street, Ballina Road and part of New Ballina Road

221/06 A MOTION WAS MOVED that the report be received
That Council:

1. Endorse the proposal as outlined below, with the implementation of consecutive numbering:
 - a. Ballina Street
To rename Ballina Street to Ballina Road, and retain existing numbers.
 - b. New Ballina Road
To renumber properties and change street name for that part of New Ballina Road now included within the main road (Bruxner Highway) and continue the consecutive numbering system.
 - c. Ballina Road (west of Pineapple Road)
To renumber properties along the section of road identified, to remove anomalies within the existing numbering system and present a numbering system consistent with the other western parts of the road.
 - d. Ballina Road - (east of Pineapple Road)
To rename Ballina Road (east of Pineapple Road) to Bruxner Highway and renumber all properties from the junction of Oliver Avenue / Pineapple Road east to the Council boundary at Marom Creek.
2. Provide advice to all affected residents and government agencies/departments.
3. Generate and issue databases / mapping to all appropriate government agencies/departments etc.

4. Provide resident support as outlined in this report.
5. Provide public notice of this change.
6. Provide appropriate street and suburb signage.
(Councillors Dowell/Chant) (R6408)

AN AMENDMENT WAS MOVED that the report be received and – Council defer a decision on renaming Ballina Road to a future date after Council has notified the public of a workshop to discuss the issues.
(Councillors Swientek)

The AMENDMENT lapsed for want of a seconder.

222/06 **RESOLVED** that the report be received and-
That Council:

1. Endorse the proposal as outlined below, with the implementation of consecutive numbering:
 - a. Ballina Street
To rename Ballina Street to Ballina Road, and retain existing numbers.
 - b. New Ballina Road
To renumber properties and change street name for that part of New Ballina Road now included within the main road (Bruxner Highway) and continue the consecutive numbering system.
 - c. Ballina Road (west of Pineapple Road)
To renumber properties along the section of road identified, to remove anomalies within the existing numbering system and present a numbering system consistent with the other western parts of the road.
 - d. Ballina Road - (east of Pineapple Road)
To rename Ballina Road (east of Pineapple Road) to Bruxner Highway and renumber all properties from the junction of Oliver Avenue / Pineapple Road east to the Council boundary at Marom Creek.
2. Provide advice to all affected residents and government agencies/departments.
3. Generate and issue databases/mapping to all appropriate government agencies/departments etc.
4. Provide resident support as outlined in this report.
5. Provide public notice of this change.
6. Provide appropriate street and suburb signage.
(Councillors Dowell/Chant) (R6408)
Voting against: Councillor Swientek

Resource Sharing with Rous Water

223/06 **RESOLVED** that the report be received

1. That Council endorse further discussions with Rous Water to explore resource sharing options.
2. There be a report to Council outlining the financial, organisational and operational benefits and drawbacks.
(Councillors Tomlinson/Dowell) (S949)
Voting against: Councillor Ekins

2005/06 Financial Reports

224/06 **RESOLVED** that the report be received

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

(Councillors King/Hampton) (S880)

Council Meetings and Public Contact Forums for 2007

225/06 A MOTION WAS MOVED that -
The Schedule of venues as outlined below be adopted.

1. Ordinary meetings 11 at Goonellabah Council Chambers
2. 4 rural contact forums
3. 2 City contact forums
4. 1 of the rural contact forums be held in Nimbin each year
(Councillors Meineke/Hampton) (S43)

AN AMENDMENT WAS MOVED that the report be received and –

1. Ordinary meetings 9 at Goonellabah Council Chambers and two in rural locations
2. 4 rural contact forums
3. 2 City contact forums
4. 1 of the rural contact forums be held in Nimbin each year
(Councillor Ekins)

The AMENDMENT lapsed for want of a seconder.

226/06 **RESOLVED** that the report be received and-
The Schedule of venues as outlined below be adopted.

1. Ordinary meetings 11 at Goonellabah Council Chambers
2. 4 rural contact forums
3. 2 City contact forums
4. 1 of the rural contact forums be held in Nimbin each year
(Councillors Meineke/Hampton) (S43)

Voting against: Councillor Ekins

Freedom of the City – 41st Battalion The Royal NSW Regiment

- 227/06 **RESOLVED** that the report be received
1. That Council grant the Freedom of the City to the 41st Battalion The Royal New South Wales Regiment on Saturday, November 17, 2007.
 2. That the Common Seal of the Council be affixed to the official document commemorating the granting of the Freedom of the City.
(Councillors Swientek/King) (S22, S73)

Richmond River County Council Responsibilities

- 228/06 **RESOLVED** that the report be received
1. That Council confirm that it supports a revision of the County Council's Proclamation whereby responsibility for co-ordination of improved catchment management as well as floodplain management is achieved across the whole of the Lismore, Ballina and Richmond Valley Council areas.
 2. That the preferred membership of the County Council is two members from each of the three constituent Councils.
 3. That the preferred date for implementation of the revised Proclamation is, as and from the commencement of the new Council term in 2008.
 4. That Council requests the opportunity to review the terms of the draft new Proclamation prior to it being submitted to the Department of Local Government or being advertised for public comment.
(Councillors Chant/Graham) (S409)

State of the Environment Report 2006

- 229/06 **RESOLVED** that the report be received and that Council's Supplementary State of the Environment Report 2006, be noted and accepted as satisfying the reporting requirements of the *Local Government Act*.
(Councillors Ekins/Dowell) (S900)

Cities for Climate Protection

230/06

RESOLVED that the report be received

1. That Council endorse the proposed LCC Local Action Plan and complete Milestone 3 of the Cities for Climate Protection program.
2. That Council note the formation of an inter-departmental Energy Group to monitor the implementation of the Local Action Plan
3. That the energy group prioritise actions and make funding submissions through the Management Plan process and that they demonstrate the offsets of the greenhouse gas savings.

(Councillors Swientek/Hampton) (S232)

WATER CONSERVATION STRATEGY

231/06

RESOLVED that the report be received

1. That Council acknowledge that it has a responsibility to effectively manage the water resources under its control.
2. That as one means of conserving water is to reduce average household consumption Council introduce an odds and evens outdoor water use regime to commence on 1st December 2006.
3. That Council precede the introduction of the odds and evens system with an appropriate publicity campaign and follow that up with ongoing educational and information strategies.
4. That an analysis of the results of this water conservation program be undertaken in July 2007.
5. That the odds and evens system be evaluated against historical actual water consumption values and trends to enable the strategies to be adjusted, as required, for better effect in coming years.
6. That Council investigate the utilisation of its current water rates mail out to promote the saving of water.

(Councillors Graham/Hampton) (S301)

Voting against: Councillor Swientek

Purchase of Mobile Crushing Plant

232/06

RESOLVED that the report be received

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

(Councillors Chant/Hampton) (T27001)

Contract for Winning, Transport, Spreading, Compacting and Levelling of Clay and Selected Fill at the Airport Industrial Estate

233/06 **RESOLVED** that the report be received

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

(Councillors Chant/Hampton) (T26023)

Voting against: Councillor Ekins

NSW Rural Fire Service – Mobile Fire Assets

234/06 **RESOLVED** that the report be received

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

(Councillors Graham/Chant) (S104, S47)

September 2006 Quarterly Budget Review Statement

235/06 **RESOLVED** that the report be received

- 1 Council adopt the September 2006 Budget Review Statement for General, Water and Sewerage Funds.

- 2 This information is submitted to Council's Auditor.

(Councillors Graham/Hampton) (S929)

October 2006 – Investments held by Council

236/06 **RESOLVED** that the report be received and noted

(Councillors Swientek/Mieneke) (S178)

Councillors Expenses & Provision of Facilities Policy

237/06 A MOTION WAS MOVED that-

That Council adopt its revised policy Councillors Expenses and Provision of Facilities Policy be adopted subject to clause 3.3 being amended to read as follows -

Council will meet the cost of registration and the official conference dinner of a spouse, partner or accompanying person at the Local Government and Shires Association annual conference or another relevant local government conference. This is limited to one conference per financial year. No other costs will be paid by the Council.
(Councillors Hampton/Graham) (\$45)

AN AMENDMENT WAS MOVED that Council adopt its revised policy Councillors Expenses and Provision of Facilities as exhibited.
(Councillors Dowell/Ekins)

On submission to the meeting the AMENDMENT was DEFEATED.

Voting against: Councillors King, Chant, Henry, Graham, Hampton, Swientek, Crimmins and Meineke.

238/06 **RESOLVED** that Council adopt its revised policy Councillors Expenses and Provision of Facilities Policy be adopted subject to clause 3.3 being amended to read as follows -

Council will meet the cost of registration and the official conference dinner of a spouse, partner or accompanying person at the Local Government and Shires Association annual conference or another relevant local government conference. This is limited to one conference per financial year. No other costs will be paid by the Council.
(Councillors Hampton/Graham) (\$45)

Voting against: Councillors Dowell, Tomlinson and Ekins.

Financial Assistance - Section 356

239/06 **RESOLVED** that in accordance with Section 356(1) of the Local Government Act 1993, the assistance to persons as listed is hereby approved.

a) Banners – Policy 1.4.14 (GL2033.8)

Budget: \$700 To date: \$400.00

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

In accordance with policy.

\$150.00

b) Council Contributions to Charitable Organisations

Waste Facility – Policy 5.6.1 (GL2033.15)

Budget: \$6,000 To date: \$2,673.72

Animal Right and Rescue	\$ 23.18
Challenge Foundation	\$152.45
Five Loaves	\$153.82
Friends of the Koala	\$ 21.82
Lismore Soup Kitchen Inc	\$ 49.73
LifeLine	\$170.00

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Salvation Army	\$ 88.09	
Shared Vision Aboriginal Corporation	\$ 10.91	
<i>In accordance with policy.</i>		\$670.00

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

Budget: \$12,200 To date: Nil

LK Lipscombe, 23 Oliver Street, Goonellabah	\$333.00	
<i>In accordance with policy.</i>		\$333.00

These applications were processed prior to termination of Policy 6.1.6

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

Budget: \$300 To date: \$709.01

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

In accordance with policy. \$61.00

e) Mayor’s Discretionary Fund (GL2033.26)

Budget: \$2,700 To date: \$828.20

Richmond River High School sponsorship of Year 12, 2006 academic award. \$50.00

The Exodus Foundation – Magic Mania at Christmas \$90.00

In accordance with policy

f) City Hall Reductions in Rental – Policy 8.4.2 (GL2033.2)

Budget: \$11,700 To date: \$9,617

City Church Lismore Inc., requesting a donation towards the hire of the City Hall Auditorium for a youth musical concert on October 21, 2006 as any profits generated from the event will go to charity namely “World Vision”. (P6816)

Recommendation: In accordance with Clause 2 (20% discount) of the policy. \$140.00

RED Inc., requesting a donation for the hire of the City Hall Fountain Room and Dance Studio for their Christmas Performance and Christmas Party. (P6816)

Recommendation: In accordance with Clause 1 (25% discount) of the policy. \$55.75

Spiritual Assembly of the Baha’is of Lismore, requesting a donation for the hire of the City Hall Fountain Room for their end of year schools celebration on November 12, 2006. (P6816)

Recommendation: In accordance with Clause 1 (25% discount) of the policy. \$28.25

Gospel Hall Church, requesting a donation for the hire of the City Hall for their church services held on October 7 & 8, 2006. (P6816)

Recommendation: In accordance with Clause 1 (25% discount) of the policy. \$520.00

(Councillors Graham/Henry)

Documents for Signing and Sealing

240/06 **RESOLVED** that the following documents be executed under the Common Seal of Council:

(Councillors Henry/Graham)

Council's service level agreement with the Rural Fire Service

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

(S104)

Lismore Caravan Park Assignment of Lease Document

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

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

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

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

(P3058)

Agreement to Lease – Lismore City Council and Dunoon and District Sports and Recreation Club Ltd.

An Agreement to Lease has been prepared to enable the Club to construct an outdoor deck which is required to comply with the new non smoking laws. The overall area within the Agreement is 840m², is within Balzer Park and is to the east of the Club premises.

(P21724)

Committee Recommendations

Traffic Advisory Committee

241/06 **RESOLVED** that the minutes be received and adopted and the recommendations contained therein be adopted.

(Councillors Chant/Dowell) (S352)

Confidential Matters – Committee Of The Whole

242/06 **RESOLVED** that consideration of this matter be referred to the next Council meeting.

(Councillors King/Swientek)

Closure

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

CONFIRMED this 12TH of December, 2006 at which meeting the signature herein was subscribed.

MAYOR

