



Ordinary Meeting

An ORDINARY MEETING of LISMORE CITY COUNCIL will be held at the COUNCIL CHAMBERS, Oliver Avenue, GOONELLABAH on **Tuesday, July 11, 2006 at 6.00pm** and members of Council are requested to attend.

Paul G. O'Sullivan
General Manager

July 4, 2006



Agenda

Opening of Meeting and Prayer (Mayor)

Apologies and Leave of Absence

Confirmation of Minutes

 Ordinary meeting 13/6/06

 Extraordinary meeting 20/6/06

 Extraordinary meeting 20/6/06

Disclosure of Interest

Public Access Session

Public Question Time

Condolences

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(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

We hereby give notice of our intention to move at the next meeting of Council the following motion:

That Council advise Rous Water that a referendum of its citizens should take place on the issue of fluoridating the water supply before a final decision is made.

Councillors Irwin, Ekins and Chant

Councillor Irwin's Comment

At their last meeting, Rous Water decided to seek each Council's affirmation of its position on fluoridation, so this motion gives Council the opportunity to do this. It's interesting to note that the report to Rous Water stated in regard to the huge volume of arguments for and against fluoridation that 'these are far from conclusive regarding the benefits or problems'.

Some of the points about dental health, which demonstrate that this is not a simple issue as suggested by the Health Service, are as follows:

- according to World Health Organisation figures, the rate of dental caries has reduced significantly and at the same rate since 1970 to 2004 in both fluoridated and non-fluoridated countries. As pointed out in the findings of the Brisbane Lord Mayor's Task force in 1997, when dental caries statistics are as low as they then were, 'percentage reductions, representing a small proportion of a single tooth surface, were inherently unreliable and not statistically significant'.
- according to the Health Service's own figures (see p. 14 of their handout) between 2000 and 2003 there were 210 people in every 100,000 admitted to hospital for dental conditions in NSW. In the same period in the North Coast 310 people per 100,000 were admitted, which means that for our population of approximately 145,000 during this period an extra 100 people were admitted to hospital for dental conditions. Fluoridating water does not eliminate caries and those who have poor dental hygiene will probably continue to have it as there is no guarantee they will drink water
- no-one denies that fluoride can reduce dental caries, however several recent studies (British Lancet Medical Journal; US Center for Disease Control and Australian and New Zealand Journal of Public Health) have found that there is negligible benefit in ingesting fluoride and that fluoride acts topically. There are emerging much better topical applications such as Recaldent, Probiora and Zylitol that can virtually eliminate tooth decay.
- there is now a body of literature suggesting links between fluoride and the growing incidence of hip fractures in the elderly, and also pointing to possible other health implications. In 1991 the National Health and Medical Research Council working group on fluoridation called for the establishment of 'a multidisciplinary group to investigate total fluoride intake in Australia, and examine the differences between fluoridated and unfluoridated areas'. This has still not occurred, and the response of the Health Service and health professionals has been to tear apart any research findings and label as 'ratbags' any person who is opposed to fluoridating water supplies.
- the financial cost of fluoridation is unknown. All we have heard to date is an unsubstantiated estimate by John Irving and as we know, estimates are usually unreliable.

Staff Comment

General Manager

The estimated cost of a stand alone referendum for Lismore City is \$100,000. A referendum conducted in conjunction with the September 2008 scheduled local government elections would have negligible extra cost impacts. (06-5812: S223)

Notice of Motion

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

That Council acknowledge the high level of physical and emotional suffering, premature death and financial burden caused by cancer in our community and that Lismore City Council become a Cancer Council Community Partner by:

1. learning about and adopting new policies that will help reduce the incidence of cancer in our area
2. supporting Cancer Council advocacy campaigns that will benefit the people of our community
3. using our communication channels, venues and networks to help deliver Cancer Council information and education
4. considering allowing free use of Council venues and other resources to support group meetings, education programs and other activities that benefit cancer patients and their families in our area.
5. supporting Cancer Council efforts in our area to raise money for cancer research, prevention and support.
6. requesting that the General Manager nominates a member of Management staff as Liaison Officer for this community partnership.

Councillor J Dowell

Councillor Dowell's Comments

Cancer directly affects one in three people in our community. In the Lismore LGA, on average each year in the 5 years to 2002:

- 928 people were diagnosed with cancer
- we had a 44% higher incidence of melanoma than the state average
- 356 people died.

That means that on average one of our citizens died from cancer every day. We all see and feel the impact of physical and emotional suffering, premature death and financial burden.

Lismore Council has as one of its strategic directions 'Quality of Life' and while we do not control health spending, we are able to provide a real boost to the well-being of our residents. Council has worked with the Cancer Council NSW for many years through Relay for Life, sun-safety for our workers, smoke-free playgrounds and fund raising for Australia's Biggest Morning Tea and Daffodil Day.

By taking the next step and becoming a Community Partner with the Cancer Council NSW, Lismore Council will have access to materials, draft policies and a range of activities free of charge. Advice on shade protection, information displays at our libraries and skin cancer prevention materials for our older residents are some of the benefits available to Community Partners.

By nominating a Management staff member as Liaison Officer, the General Manager will facilitate future contact and correspondence from the Cancer Council. In return, the Cancer Council will provide 6 monthly information updates to enable LCC to decide the programs in which it wishes to participate.

Staff Comment

Executive Director-Development & Governance

The comments provided with this notice of motion provide a clear picture of the genuine need within the community for support and education in regard to health issues surrounding cancer.

What is not clear is the details of what Council resources would be involved in providing, free use of Council venues, free delivery of Cancer Council information and support for education programs. It would, on the face of it, seem that Council's support of this Notice of Motion would be the right and proper decision.

Council may however find that when the details is provided, it is not possible to deliver the requested support.

It is considered that a more appropriate motion would be for a request for a report, giving further and better particulars to be prepared for consideration at the September meeting of Council.

(06-5814: S792)

Report

Subject	Goonellabah Recreation Centre
File No	S736
Prepared by	Executive Director – Development and Governance
Reason	Provide an update on the planning progress to date, and to provide options for outdoor recreation water as per Councillor request of 11 April 2006.
Objective	That Council approve the planning process and project component recommendations.
Strategic Plan Link	Quality of Life
Management Plan Activity	Goonellabah Recreation Centre

Overview of Report

This report provides Council with general information concerning each of the elements proposed for the Goonellabah Recreation Centre with a view to determining which elements will be included in a tender for the construction of the Centre.

Background

Council's Community Services staff conducted a "Goonellabah Recreation Centre" community consultation survey in October 2002. Using the results of the survey together with professional architectural input, a concept plan was developed for the construction of the Goonellabah Recreation Centre. Expressions of Interest were sought for the project, four applicants were short-listed, and tenders for the design and construction of the Goonellabah Recreation Centre were received at Council in late 2004. The tender brief specified the design and construction of Stage 1: two indoor courts, youth activity space, change-rooms and amenities, offices; café; child minding space; a skate ramp; car parking; landscaping and creek revegetation works. Stage 2 would comprise a pool and/or leisure water to be developed at a later date.

It was resolved at the 8 March 2005 Council meeting *"that Council obtain a quote from the preferred tenderer to take their design to the next level of detail to have certainty in regard to both the price and level of finishes that are proposed. Said fee to form part of their final tender price if their proposal is adopted."*

Further planning work in the form of architectural drawings was undertaken by the preferred tenderer, however it became clear during the process that the positioning and function of the Recreation Centre would be compromised due to land and infrastructure constraints of the existing site. Discussions between Council staff and the landowner of the adjoining parcel of land resulted in the option of purchasing the entire block of land or compulsorily acquiring a section of the land. Following a Council resolution in January 2006, Lismore City Council purchased the entire parcel of land in February 2006.

Due to the lapse of time between receipt of the preferred tenderer's design and the acquisition of the neighbouring land (more than 12 months), it was not possible to continue with the existing preferred tenderer.

At the 8 May 2006 Council meeting it was resolved “that Council not accept any tenders previously received for the design and construction of the Goonellabah Sports and Leisure (Recreation) Centre in accordance with the Local Government (Tendering) Regulation 1999 and invite fresh tenders for the project.”

Following the earlier tendering process for the design and construction of the Recreation Centre that included extensive landscaping and the revegetation of Tucki Tucki Creek, a proposal to separate the construction of the building elements from the landscaping and revegetation works was presented to the Goonellabah Recreation Centre Project Team. This proposal recognises that the construction elements and the revegetation elements represent two different fields of speciality and that a better result was likely to eventuate from separating the tender into (1) constructing the buildings and associated structures, and (2) the landscaping/ revegetation works. The Project Team recommended a process to call two separate tenders at their meeting on 28 April 2006.

Based on the designs submitted in the first tender process a local landscape architects firm has been engaged by Council to provide expert advice and specifications for the landscaping/revegetation tender, subject to Council endorsement of the project. Council staff will continue to develop the tender for the construction of the buildings and associated structures following the discussion and recommendations flowing from this report, and the tender will be advertised at the earliest opportunity.

Throughout the planning process Council staff continue to consult with potential users and managers of the Centre. Several community organisations have expressed a keen interest in managing the Recreation Centre. In preliminary negotiations with these parties it has been stressed that the successful management team will have social as well as financial responsibilities to service the entire Goonellabah community. Tenders for the management of the Centre will be sought prior to the completion of construction works.

Proposed inclusions to concept plan

In light of the social and management opportunities noted above, it is proposed to modify the existing plans to expand the office area within the Centre to allow for organisations to deliver services to the community. Specifically, the space adjacent to the gym and aerobics area will be expanded to include offices and meeting rooms. The remainder of the original concept components remain unchanged and include:

A. Dry space elements

1. Original Concept Inclusions

Reception / Control Area.....	19m ²
Managers Office.....	24m ²
First Aid Room	18m ²
Cleaners Store	3m ²
Lockers.....	
Sports Hall.....	1,950m ²
Sports Hall Storage.....	50m ²
Male and Female amenities	
Child Minding area	20m ²
Gym and Aerobics area	368m ²
Gym reception and office	20m ²
Gym storeroom	12m ²
Café and kiosk	36m ²
Youth multipurpose space.....	400m ²

These elements were costed at \$6,900,000 in 2005.

2. Additional proposed inclusions

First floor administration offices and meeting rooms.

These elements are estimated to cost \$ 700,000.

B. Tucki Creek rehabilitation area

The proximity and presence of the proposed centre to Tucki Tucki Creek in the east ensures that the rehabilitation of this area will always be an integral part of the proposed work. The design work associated with this element was previously linked to the design and construct tender that was issued for the building. This linkage did not lead to the best outcome and it is proposed to separate the two elements in the current brief.

During the last tender period the best rehabilitation designs were submitted by the Geolink Group, who are located locally at Lennox Head. Given their previous work on the site, their proximity to the site and the superior nature of their design, it is proposed that Council engage them directly to continue to develop up their previous design work.

This design will include:

- a. Water treatment of the 40ha of urban runoff passing down this section of the creek.
- b. Complete rehabilitation of the creek in a manner which will deliver a high amenity for both the Recreation Centre and the adjoining residents.
- c. Inclusion of large areas of open space.
- d. Inclusion of pedestrian and cycleway paths.
- e. Best practice stormwater management.
- f. Low maintenance objectives.

The design and site supervision of this rehabilitation including liaison with the selected tender will be undertaken for a fee of \$ 67,780.

The rehabilitation, landscape and general site work associated with this element of the project was previously estimated at \$700,000.

C. Skate park

The Goonellabah Skate Park will be located to the south of the building and be visible from Oliver Avenue. This siting is well removed from the residential areas in Graeme Avenue and will be in the form of an in-ground concrete structure. It will be designed as a "district level" skate park and will cost approximately \$160,000.

D. Carparking and access

It is proposed that approximately 100 carparking spaces be provided at the Centre and that access be available from both Simeoni Drive and Oliver Avenue. Car parking provision has been estimated to cost \$175,000.

E. Open space

It has been recognised for the community to achieve maximum benefit from the facility a large area of open space should be provided. This area would be best combined with or linked to the leisure water element of the facility. The area could be fenced so as to provide enhanced supervision both for parents and staff. The area proposed has an area of 3,375m² and has a northern orientation. By way of comparison it is to be noted that the fenced open space area surrounding the lakeside pool has an area of 3,200m².

The cost of partial fencing is estimated to be \$80,000.

F. Leisure water

There are four distinct options for the provision of leisure water at the facility. Irrespective of whether or not the leisure water elements are constructed as part of Stage 1 or are to be identified for a future date, their inclusion on the site requires consideration at the planning stage.

Each of these options seek to satisfy the long recognised and community identified "lack of recreational water in Goonellabah".

To provide consistency and allow accurate comparisons the recently opened pool at Ashfield is used in both the Outdoor and Indoor recreational water examples following. This pool has a surface area of 482m² and incorporates a beach entry toddlers area 400mm deep, a 900mm deep program/recreation pool and a 1200 to 1500mm deep lap/recreational pool. Attachment 1 shows the configuration of these abovementioned areas, within the overall water body.

1. **Outdoor recreational water**

The provision of outdoor recreational water could be located on the north and adjacent to the main building. The pool amenities could be constructed as an integral part of the building and the lifeguard offices and pool storage requirements could also form part of the main building. The pool would be fenced and supervised.

This pool would not be heated or shade covered. Fabric would provide shaded areas, typically over parts of the surrounding area. The advantages and disadvantages of a pool of this nature are listed below.

Advantages

- Provides for leisure water
- Augments the Memorial Baths for recreational users
- Open air, no need for mechanical ventilation
- Moderate construction cost
- Lower operating costs (no heating etc.)
- Lower entry costs

Disadvantages

- Open to sun (would need to heat if shaded)
- Not open all year
- Limited programming opportunities
- Increase supervision costs (estimate \$50,000 pa)
- Increased potential for vandalism due to accessibility
- May not meet public expectations
- Operations weather dependent
- No indoor heated water space

Such a pool, together with its associated water handling infrastructure is expected to cost \$1,800,000.

2. **Indoor Recreational Water**

The inclusion of an indoor pool as part of the facility could be incorporated into the fabric of a large building. Such a pool would have the advantage that it would be available for use during the winter months and readily accommodate a variety of activities including leisure, learn to swim, sports medicine and limited squad training (during winter). The pool building could be constructed with large opening doors to facilitate the integration of the pool with the grass surrounds in appropriate weather.

Advantages

- Open all year
- Increased programming opportunities (learn to swim during winter, sports medicine)
- Meets public expectations of indoor water space
- Reduced supervision costs due better planning
- Meets Councils sun protection policy
- Operations not weather dependent
- Heated water space
- Maintain patronage during colder months
- Increased future opportunities
- Increased revenue → lower operating deficit.
- Easier to integrate with amenities and other facilities in the centre café/crèche etc
- Complements Memorial Baths by providing a winter facility

Disadvantages

- Increased construction cost
- Increased operating cost (heating etc.)
- May have “muggy feel” (could be lessened with operable glass doors for summer)
- Limited pool surrounds
- Higher entry fee
- Reduced leisure water space
- May not meet community expectations for outdoor leisure water

Such a pool, together with the building, the heating, water handling and air handling infrastructure is expected to cost \$3,500,000.

3. Water Play Park**Advantages**

- Something new – nothing similar
- Open air
- Family friendly

Refer to attachment for a summary on the Townsville “The Strand” experience.

Disadvantages

- Targets only limited age groups – limited appeal
- High maintenance costs
- Does not provide actual water space
- May need to heat water (no actual water body)
- Not open all year
- Supervision costs unknown
- Operations weather dependant

4. Combination of water elements

There is an opportunity to combine any or all of the abovementioned water features and costs would be similarly combined.

Comments**Financial Services**

The estimated cost of the proposed inclusions (A – E) is \$8.78 million. This amount excludes a leisure water option, and the cost of the additional land recently purchased. As the leisure water option is yet to be determined and therefore the additional land requirements not yet quantified, and a tender process to undertake, it is not possible to provide a reliable total project estimate at this time.

From a financial perspective, Council has allocated \$8.243 million in the 2006/07 Budget. If other sources of funding are not available and further borrowings are required, the repayment cost impact on future budgets will be approximately \$100,000 per annum per additional million borrowed. Also, the annual operating result, which will be influenced by many factors, needs to also be factored into considerations.

Given Council has other major capital projects to undertake such as for Woodlark Street and the Cultural Precinct, as well as an ongoing commitment to infrastructure improvement, it would be prudent to ensure that the scope of works for the Goonellabah Recreation Centre does not unduly constrain Council's ability to deliver the other projects on a timely basis. This can best be achieved by the tender process having separable components that allow the financial impact on future budgets to be assessed prior to final determination.

Other staff comments

Manager Environmental Health and Building Services

Environmental Health and Building Services applauds the establishment of the Goonellabah Recreation Centre for its social and environmental benefits. The facility provides the community with recreational facilities most suited to its needs, which includes passive and active components.

Importantly, however, with the building of the centre and the associated facilities, the inclusion of open space, environmental initiatives and the restoration of Tucki Tucki Creek form integral components of the overall concept design which will enhance social and environmental values for Goonellabah and Lismore residents as a whole.

The development of this facility provides Council with an enormous opportunity to demonstrate to the development and building industries and the broader community, 'best practice' standards, which recognise and embrace the principles of ecologically sustainable development (ESD). For a development of this nature foundation ESD principles should include water sensitive urban design and energy conservation/efficiency. Council's Catchment Management section has been successful through the 'Australian Water Fund Communities Programme' in securing grant funding to a value of \$40,000 for the implementation of water sensitive urban design works for this development.

The provision of 'as built' examples of ESD best practice will provide a significant foundation from which, Council can positively launch many environmental and community health based programs recognised within the Management Plan.

The landscaping, restoration of Tucki Tucki Creek and associated outdoor facilities such as pedestrian and cycle ways contribute additional benefits to the project from an aesthetic, environmental and social perspective. The restoration of this area including the creek will ensure that the current degraded nature of the area is remediated into a model community asset which has outstanding benefits to the community.

Manager Assets and Support Services

The proposal for construction of the Goonellabah Recreation Centre and associated landscaping and restoration works to surrounding areas represents a significant and unique opportunity for Council. Projects of this nature do not regularly form part of Council's budget or management plan and provide an opportunity to implement environmentally responsible and efficient practices in the operation of the building from the very commencement of the project. These practices would also have long term benefits in the ongoing operation and asset management of the building.

Such measures could include (but are not limited to), solar heating for the pool water and surrounding pool concourse, re-use of stormwater and pool backwash water for toilet flushing and irrigation of landscaped areas, use of natural lighting wherever possible to minimise energy use, photo-voltaic cells to generate electricity for the building, energy efficient electrical components and energy efficient air handling systems.

By implementing these measures, Council would also have an opportunity to showcase the building to the local community as an example of what can be achieved to reduce our reliance on non-renewable energy sources. It would become a valuable education tool.

It is important to understand that some of these measures may involve an initial capital outlay that is greater than some non-environmentally friendly/energy efficient alternatives. Full life-cycle costing, including a component that addresses environmental benefits, will be necessary to assess the long term best financial and environmental option for the ongoing operation of the facility.

It is recommended that any tender documentation for the project include a requirement for such measures to be included and that tenderers demonstrate experience in these matters in order to be considered for the project. This will be undertaken in routine as part of the tender process.

Public consultation

Undertaken over an extended period.

Conclusion

The proposed building and dry space areas will provide facilities that have been identified as being required in the Goonellabah Community. In addition it will provide operational administrative spaces for Community Service providers who have an established record of excellence in our area.

The proposal to engage expert independent advice in regard to the design and supervision of the rehabilitation and landscape areas around Tucki Tucki Creek will enhance the initial tender process.

The information that has been sourced in regard to the provision of leisure water at the facility irrespective of the timing of its construction, shows that the water body should be included within a building that can, in appropriate weather, be opened up to take advantage of the adjoining open space.

The most efficient and time effective way to progress the project is to issue a design and construct tender for the physical elements and to call for a separate tender for the revegetation work following its design and specification finalisation.

Recommendation (PD03)

Recommendations which address the preferred project inclusions will be formulated at the Council workshop of July 4, 2006 and provided to Councillors prior to the meeting.

Report

Subject	Provision for the Supply of Computer Systems and Services
File No	T26003
Prepared by	Contracts Officer
Reason	To inform Council of tenders received for supply of computer systems & services
Objective	To obtain Council approval to award the Contract
Strategic Plan Link	Leadership by innovation
Management Plan Activity	Information Services

Overview of Report

This report outlines the recommendation to award the tender for the supply of computer systems and services.

Background

At the May 9, 2006 Council meeting, Council resolved to endorse the nomination of Civica Pty Limited as the preferred tenderer for the supply of the new corporate computer system.

Staff undertook extensive reviews of the various modules being offered under this contract and have negotiated the final list to be implemented together with the contract price.

Works to be included in this contract are as follows:

- Supply and installation of the Civica Authority Software Suite
- Enhancements to existing modules to meet business needs
- Business Analysis
- Data conversion
- Implementation & training
- Project management

The breakdown of costs (to nearest \$1,000) are:-

Civica Authority Software Licenses	\$252,000
Implementation, Data Migration, Project Management and Training	\$558,000
Additional 3 rd Party Software	\$58,000
Additional Software Development	\$83,000
Additional Data conversion	\$82,000
Total	\$1,033,000

The data conversion component of this contract comprises the migration of data from the current Civil Software System into the Civica Authority System to maintain business history, minimise data entry and ensure integrity of the data. It is not possible to completely determine the number of actual hours of labour necessary to undertake this conversion, however Civica have successfully completed similar work for many other Councils previously and both Council and Civica are confident that the cost for this conversion is as accurate as possible given the complexity of the task.

As indicated in the May 9th report Civica Pty Limited were clearly the preferred tenderer to supply the new corporate computer system for Lismore City Council

Comments

Financial Services

Council has allocated \$1.7 million from reserves in the 2006/07 Budget for this purpose. In addition to this contract, there will be other implementation costs incurred such as for hardware (communications and server), CIVIL software data conversion preparation and project team staff replacements at an estimated total cost of \$340,000.

For an interim period, there will be a duplication of annual maintenance/rental payments for the operation of both the existing and new software systems.

Based on this information, it is anticipated that the project can be delivered within the budget allocated.

Other staff comments

Manager Information Services

The selection of CIVICA's Authority software suite is a prudent choice by the Project Team. It is a proven product that will support the Council's cornerstone activities of financial, records, asset, property and land information management. It will also provide the foundation for delivering a range of new services for both staff and members of the community.

The history of CIVICA shows success in similar size implementations and reference sites indicate a strong level of support.

Public consultation

Nil

Conclusion

Civica Pty Limited have successfully completed similar works for many other Councils and customer reference checks have indicated they provide excellent service and support. As this contract will be for a significant number of years and Council will require ongoing support and maintenance of the system a credit reference check has been undertaken by an independent bureau. Results of the check indicated that Civica was both well managed and financially sound.

Recommendation (GM02)

1. The contract for the supply, installation, training and annual maintenance of a new corporate computer system be awarded to Civica Pty Limited for the amount of \$1,032,825.00 + GST, plus an annual maintenance agreement of \$115,910.00 per annum.
2. The Mayor and General Manager be authorised to execute the Contract on Council's behalf and attach the common seal.

Report

Subject	Draft Plan of Management – Spinks Park & War Memorial Park
File No	P6763 & P6768
Prepared by	Senior Strategic Planner
Reason	Preparation of a draft Plan of Management for Spinks Park and War Memorial Park
Objective	Council's endorsement to exhibit the draft Plan of Management
Strategic Plan Link	Quality of Life
Management Plan Activity	Review and update planning controls

Overview of Report

This report advises of the preparation of a draft Plan of Management for Spinks Park and War Memorial Park. It recommends that the draft plan be publicly exhibited in accordance with the requirements of the Local Government Act.

Background

The Local Government Act 1993 requires Councils to prepare Plans of Management for all public lands classified as community land under that Act. A draft Plan of Management has been prepared for the community land bounded by Magellan, Molesworth and Market streets. These areas are known as Spinks Park and War Memorial Park. Although some of the park land is in the ownership of Council, the majority is Crown land that has been vested in Council under the Crowns Land Act 1989. The Crown Lands Act provides that any land vested in Council shall be deemed as community land under the Local Government Act.

Spinks Park and War Memorial Park are sites that have significant social, cultural, historical and aesthetic value. The heritage significance of the parks is acknowledged through their inclusion in the Spinks Park/Civic Precinct Conservation Area listed in Schedule 2 of the Lismore Local Environmental Plan. The Plan of Management identifies landscape and built features within the parks that have particular heritage and cultural significance and includes recommendations for their restoration, protection and maintenance. The plan also includes recommendations for significant buildings located within the immediate precinct of the parks.

The Plan of Management contains recommendations for additional works in the parks particularly in relation to landscaping and access. A primary objective of the Plan of Management is to ensure that soft and hard landscape materials provide a unifying and cohesive theme throughout the park. Paving and park furniture needs to be consistent in colour, materials and design and in keeping with the heritage values of the parks. In terms of access, the Plan of Management recommends that both parks be linked by clearly defined pedestrian pathways and that additional entrances to the parks be created so as to encourage greater public use of the area.

The draft Plan of Management was the subject of a Councillor workshop on May 16, 2006. Since then minor amendments have been made to the plan, some of which were an outcome of the workshop. A copy of the final draft of the Plan of Management is separately attached.

Comments

Financial Services

Not required.

Other staff comments

Council's Parks and Gardens section has had input into the draft Plan of Management and supports the plan.

Public consultation

Groups and organisations that were consulted during the preparation of the draft Plan of Management include the RSL Sub-branch, the Vietnam Veterans Association, the Wilsons River Steering Committee, the Richmond River Historical Society, the Lismore Bowling Club, the Lismore Croquet Club and the CWA. These organisations are in support of the plan.

The Local Government Act provides for a minimum public exhibition period of 28 days. Submissions to the draft plan may be lodged up until 42 days after the commencement date of the exhibition. Before the Plan of Management can be exhibited, the Act requires that a copy of the draft plan be forwarded to the owner of the land where the land is not in Council's ownership. Part of the land affected by the PoM is Crown land and therefore a copy of the draft plan must be forwarded to the Department of Lands prior to the public exhibition.

The Local Government Act also provides that Council must hold a public hearing in respect of a proposed Plan of Management where the plan has the effect of categorising community land under section 36 of the Act. The Plan of Management categorises the land as both a "park" and an "area of cultural significance" and therefore a public hearing is required.

Recommendation (PD01)

That Council:

1. Forward a copy of the draft Plan of Management for Spinks Park and War Memorial Park to the Department of Lands, being owner of part of the land affected by the plan; and
2. Place the draft Plan of Management on public exhibition for a period of 28 days; and
3. Forward copies of the draft Plan of Management to the relevant groups and organisations with an interest in Spinks Park and War Memorial Park; and
4. Arrange for a public hearing into the draft Plan of Management in accordance with the provisions of the Local Government Act.

Report

Subject	Miscellaneous Section 356 Community Donations
File No	S164
Prepared by	Manager Community Services
Reason	To administer Council's annual Miscellaneous Section 356 Community Donations fund
Objective	Advise Council of the voting outcome for the 2006-2007 financial year
Strategic Plan Link	Quality of Life
Management Plan Activity	Community Services

Overview of Report

Council administers an annual funding process under Miscellaneous Section 356 Community Donations. This report lists the successful applicants for 2006-2007.

Background

Council has provided a budget allocation of \$33,500 in the 2006-2007 budget for Miscellaneous Section 356 Community Donations. In accordance with Council policy, applications were sought from community groups and a total of 37 applications totalling \$72,115 were received.

The following projects received the most amount of votes from Councillors:

1.	Tunable Falls Cooperative – Youth Group Club	\$2,200
2.	North Lismore Reunion Committee – Northern Memories	\$2,200
3.	Lismore Theatre Company – workshops	\$2,200
4.	Rekindle the Spirit / Shared Vision – intervention project	\$2,200
5.	Lismore Soup Kitchen – equipment	\$2,000
6.	Lismore First Scout Group – replace stairs	\$2,200
7.	Nimbin Family Centre – Children's Week parade	\$2,200
8.	Tunable Falls Early Childhood Centre – building maintenance	\$2,200
9.	RED Inc – renovating premises	\$2,200
10.	Nimbin Central School – life saving activities	\$2,200
11.	Family Support Network – Koori kids supported playgroup	\$2,200
12.	CareRing Children's Centre – cubbyhouse	\$2,200
13.	Lismore City Band – repair musical instruments	\$2,200
14.	Deaf Society NSW – school camp	\$1,000
15.	Vision Australia – purchase toys for visually impaired children	\$1,500
16.	Richmond River Historical Society – preservation of photos and textiles	\$2,200
	Total:	\$ 33,050

Comments

Financial Services

Council has provided \$33,500 for this purpose in 2006/07.

Other staff comments

Not required.

Public consultation

Not required.

Conclusion

The budget allocation is for \$33,500, and projects receiving the most votes total \$33,050. There is a funding surplus of \$450, which could be held in reserve to assist with a project later in this financial year, or it could be allocated to a project receiving the next amount of votes (five projects would be competing for this amount).

Recommendation (PD02)

- 1 That Council endorse the voting process and confirm Miscellaneous S356 community donations to the 16 projects outlined below.

1. Tuntable Falls Cooperative – Youth Group Club	\$2,200
2. North Lismore Reunion Committee – Northern Memories	\$2,200
3. Lismore Theatre Company – workshops	\$2,200
4. Rekindle the Spirit / Shared Vision – intervention project	\$2,200
5. Lismore Soup Kitchen – equipment	\$2,000
6. Lismore First Scout Group – replace stairs	\$2,200
7. Nimbin Family Centre – Children’s Week parade	\$2,200
8. Tuntable Falls Early Childhood Centre – building maintenance	\$2,200
9. RED Inc – renovating premises	\$2,200
10. Nimbin Central School – life saving activities	\$2,200
11. Family Support Network – Koori kids supported playgroup	\$2,200
12. CareRing Children’s Centre – cubbyhouse	\$2,200
13. Lismore City Band – repair musical instruments	\$2,200
14. Deaf Society NSW – school camp	\$1,000
15. Vision Australia – purchase toys for visually impaired children	\$1,500
16. Richmond River Historical Society – preservation of photos and textiles	\$2,200

Total: \$33,050

- 2 That the \$450 surplus funds be held in reserve to be allocated at a later date.

Report

Subject	Dissolution of Nimbin Peace Park Management Committee
File No	P16044
Prepared by	Corporate Support Co-ordinator
Reason	Request from Nimbin Community Development Association
Objective	To dissolve committee
Strategic Plan Link	Quality of Life
Management Plan Activity	Community Services

Overview of Report

Council has been approached by the Nimbin Community Development Association with a request to dissolve the Section 355 committee, advising they are now in a position to resume management of the park which they propose to manage by establishing their own sub-committee.

Background

In 1997 Council agreed to sell to the Nimbin Community Development Association (NCDA) land generally known as Nimbin Old School Site and Peace Park (Lot 1, DP305607 and Lot 11, DP1013827). The sale was conditional upon the NCDA having until February 2008 to finalise payment and in the interim the NCDA leasing the land to occupy it.

In 2003 the NCDA approached Council to manage on its behalf, in the short term, that area of land known as Peace Park. This request was made to overcome public liability costs associated with the Park.

Council agreed to this proposal and a Section 355 Committee was formed, membership of which was initially almost all individuals connected with the NCDA. When the committee was formed it was clear that the NCDA would resume management of Peace Park when either it could afford the public liability premiums and/or when the sale of the land was finalised in 2008.

Council has now been approached by the Nimbin Community Development Association with a request to dissolve the Section 355 committee, advising they are now in a position to resume management of the park which they propose to manage by establishing their own sub-committee.

The approach from the NCDA is supported by staff. It is effectively a decision that reverts the land tenure/management back to that envisaged by Council's resolution in 1997. The NCDA has paid all but \$1.00 of the purchase price. The land ownership will transfer when this amount is paid or in February 2008.

The issue of the Skate Park is separate from that of the S355 committee, as the NCDA was the DA applicant and in charge of all facets of the erection of the Skate Park. The dissolving of the S355 committee has no impact on the role Council will play as the consent authority.

The NCDA has advised that the sub-committee that it forms will include broad community involvement, an approach that Council can encourage but not mandate.

Comments

Financial Services

This is an operational transfer only and there would be no financial impact foreseeable.

Other staff comments

Manager-Community Services

Community Services has no objection to the dissolution of the S355 Peace Park Management Committee. The Committee and the Nimbin Community Development Association (NCDA) have been managing the Park for some years despite technical ownership by Lismore City Council. The change in ownership should not present any additional problems for the NCDA.

Public consultation

Not required – the NCDA is effectively the owner of the land. The manner in which they manage the land is up to them.

Recommendation (GM01)

- 1 The Section 355 Peace Park Management Committee be dissolved.
- 2 Current members of the Committee be thanked for their contribution.
- 3 The NCDA be requested to include a broad range of community interests in its management sub-committee.

Report

Subject	Purchase of Council Fleet – Garbage Collection Trucks
File No	T26009
Prepared by	Administrator – Fleet Services
Reason	To inform Council of major fleet purchases
Objective	To seek Council's approval for the purchase of three new Garbage Collection Trucks.
Strategic Plan Link	Infrastructure – Support fleet operations
Management Plan Activity	1.12 – Plant Operations

Overview of Report

This report recommends the purchase of three garbage collection trucks for Northern Rivers Waste for kerbside waste and recycle collection.

Background

Northern Rivers Waste (A division of Lismore City Council) currently collects Lismore City's domestic waste, this is carried out using their fleet of 5 robotic arm waste collection trucks, previously (2004), the waste collection fleet was four trucks and it was decided, in order to keep pace with the increase of waste to be collected, to increase this fleet to five (Listed below), hence, the oldest truck was held back until this year.

Now that LCC has embarked on to kerbside collection of recyclable waste, an additional collection vehicle is needed, bringing the fleet of collection trucks to six.

- Fleet No. 170 2000 Freightliner FL80 / MacDonald Johnston unit.
- **Fleet No. 171** 1998 Freightliner FL80 / MacDonald Johnston unit.
- **Fleet No. 172** 1999 Freightliner FL80 / MacDonald Johnston unit.
- Fleet No. 175 2004 Freightliner FL80 / MacDonald Johnston unit.
- Fleet No. 191 2003 Freightliner FL80 / MacDonald Johnston unit.

Both fleet numbers 171 & 172 are to be replaced in this tender, with an additional truck (New Fleet No. 177) to bring the fleet to six.

As shown above, LCC has been able to keep uniformity with these units, but upon delivery of the last truck (175) Freightliner announced that they were dropping the Freightliner FL80 range of trucks and were not introducing another model to replace it, this leaves LCC staff to re-evaluate all of the models of trucks available for future fleet for waste collection (with dual control).

Due to the nature of the kerbside waste collection, and the fact that each day's run must be completed each day, uniformity of vehicles plays a big part in ease of operations. Fleet & NR Waste management has decided that it is a better practice to replace the two older trucks, and purchase the additional truck with the same type of truck, and collection/compactor bodies, that is envisaged to eventually replace the entire fleet when due, hence a return to a uniform fleet again.

There were three makes of trucks and two makes collection/compactor bodies offered in this tender, and LCC staff evaluated all of the units tendered, as these machines are high maintenance units, product support is paramount, especially considering that if one unit is down, then five trucks will be able to maintain the collection deadlines using additional shifts, but if two or more units are down, then the collection of all of the waste and recyclable waste within the given time frame is very difficult.

Truck - Compactor make	Supplier
Hino Ranger Pro 14 Long Auto - MacDonald Johnston	Gold Coast Trucks, of Nerang Qld.
Hino Ranger Pro 14 Long Auto Ace- MacDonald Johnston	Gold Coast Trucks, of Nerang Qld.
ACCO F2350G/260 – MacDonald Johnston	Black Trucks, of Rocklea Qld.
ACCO F2350G/260 – Superior Pak Raptor	Black Trucks, of Rocklea Qld.
Autocar XPEDITOR – MacDonald Johnston	Southside Agencies, of Lismore NSW
Autocar XPEDITOR – Superior Pak Raptor	Southside Agencies, of Lismore NSW
MacDonald Johnston Engineering (Body only)	MacDonald Johnston, of Brendale Qld.

Due to the extended delivery times of both truck cab/chassis and the compactor bodies, it was decided not to trade in any vehicles in this tender, but to sell the replaced units at auction when all deliveries complete. This will help during the initial induction of staff to the newer models, and alleviate the anxiety of the potential buyers of the replaced trucks, caused by delivery delays.

All of the units offered in this tender meet the minimum specifications as set down by LCC staff. An evaluation panel comprising of the Fleet Administrator, Contracts Officer, Manager Quarry and Waste, and the Waste Collection Supervisor assessed the tenders in part or in full, as per the criteria set out in the tender documents.

The evaluation determines the suitability of both the truck and the collection/compactor bodies offered in this tender for *capability, quality, safety, operational functionality and conformity to the minimum specifications given.*

The results of the evaluations are shown in '**Attachment A**'

Full evaluations and specifications of the trucks and the collection/compaction units are shown in '**Attachment B**'

Key Points being Considered

- Purchase of the best possible combination of truck and collection/compactor unit to carry out the waste collection duties as required, when required.
- Proven product back-up support from the supplier and manufacturer of both units.
- Operator comfort with best 'Ergonomic Design' and operating considerations (OH&S).
- Safety of the general public while trucks collecting kerbside waste, etc.
- Ability to keep the truck/compactor working with minimal maintenance and repair time.
- Compatibility and uniformity, where possible, within the fleet of waste collection trucks.

Comments

Financial Services

There are sufficient funds within reserves for the purchase of this plant.

Other staff comments

Manager - Quarry and Waste

The best truck for the job by far is the Iveco Acco. A closer comparison for the compactors but the MacDonald Johnston (MJE) model has jumped forward in design to a new level. The Iveco Acco and MacDonald Johnston combination is my preferred option.

Public consultation

N/a

Conclusion

Waste collection is an important function within Lismore City Council boundaries, to date the LCC operations has been competitive, and by continuing to purchase the most effective and efficient units available within reasonable price ranges, our day labour will continue to offer Lismore City customers better value for the dollars spent.

While the current Freightliner/MacDonald Johnston combination has been successful, the selection of Iveco Acco trucks fitted with the newer model of the MacDonald Johnston collection/compactor bodies will help to ensure that the high level of service offered by Northern Rivers Waste will be maintained.

Acceptance of any proposed fleet items by the operating staff is important as it enhances a long operating life of that unit. Keeping this matter in mind, Northern Rivers Waste and LCC fleet & Workshop staff who have inspected the available trucks and collection/compactor units tendered, agree that the Acco trucks fitted with the MacDonald Johnston collection/compactor units, will be the better purchase for the LCC application as required.

Recommendation (IS01)

That Council purchase three (3) only Iveco Acco F2350G trucks fitted with the MacDonald Johnston collection / compactor units as tendered (T26009) from Black Trucks of Rocklea Qld for the overall cost of \$906,135.00 (Includes GST) for those three units.

Report

Subject	June 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 June 2006 total \$36,338,548 subject to the final value of funds held under Managed Funds being advised shortly.

The interest rate reported over the period of June 2006 was estimated to be 6.60% in comparison to 6.00% for June 2005.

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 timeframe, 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

- *Confirmation of Investments – 31st May 2006* \$36,288,142

The amount is higher than the estimate reported for May 2006 due to additional positive valuation movement in funds held under Managed Funds.

- *Estimate of Investments – 30th June 2006* \$36,338,548

Some variation is expected on the final balance of Managed Funds. The final valuation of these funds is not made until after the end of the month. The current rate of return on investments for June 2006 was estimated to be 6.60% compared to 6.00% for the same period last year.

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

Financial Services Comments

N/A

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 JUNE 21, 2006, AT 10.00 AM.**

- Present** Councillor John Hampton (*Chairperson*), Ms Bronwyn Mitchell (*on behalf of Thomas George, MP*), Michael Baldwin (*RTA*), Snr Const Stuart Turner (*Lismore Police*), together with Garry Hemsworth (*Executive Director–Infrastructure Services*) Wendy Johnson (*Road Safety Officer*), Scott Turner (*Manager–Assets & Support Services*) and Bill MacDonald (*Co-Ordinator-Traffic & Emergency Services*).
- TAC38/06 **Apologies** An apology for non-attendance on behalf of Councillors Merv King and Jenny Dowell, Thomas George, MP, and John Daley were received and accepted and leave of absence granted.
- TAC39/06 **Minutes** The Committee was advised that the Minutes of the Traffic Advisory Committee Meeting held on May 17, 2006, were confirmed by Council on June 20, 2006 excluding Clause TAC37/06, with Council resolving that the investigation into the corner of Richmond Hill Road and Boatharbour Road include all options and a report be brought back to Council.
-

Disclosure of Interest

Councillor Hampton declared an interest in Item B06:06-5 (Dalley Street Median/Fencing).

Part 'A' – Committee Recommendations

A Mortimer; drawing attention to the restricted view of oncoming traffic for motorists at the intersection of Jubilee and Hindmarsh Streets due to parked vehicles and requesting the parking arrangements be reviewed.

- TAC40/06 **RECOMMENDED** that a white line be painted at 90 degrees on both sides of Jubilee Street, 10m back from the kerb line of Hindmarsh Street, and also on Hindmarsh Street, 10m south of Jubilee Street, to highlight that vehicles should not be parked in these areas and that the Rangers include this area in their patrols.
(06-4372:R6038,R6029)

Trinity Catholic College, Lismore; advising further in connection with a request for timed Bus Zones to be imposed for current bus stops on both Leycester and Hindmarsh Streets.

It was suggested that two bus bays should be retained as full-time Bus Zones to cater for bus operators who need to access the zone during the school day for excursions and the like.

- TAC41/06 **RECOMMENDED** that all of the Bus Zones within the interchange at Leycester and Hindmarsh Streets be time-limited (8.15am to 9.30am and 3.00pm to 4.00pm School Days), except the first two bays on Hindmarsh Street near the intersection of Leycester Street, which will remain full-time Bus Zones.
(06-4539:R6042,R6029)

North Coast Area Health Service; requesting a pedestrian crossing be installed on Hunter Street, between Uralba Street and Gaggin Lane.

Whilst the warrant for a marked pedestrian crossing did not exist, it was suggested that a pedestrian refuge may assist in defining a safe crossing point.

- TAC42/06 **RECOMMENDED** that this issue be referred to Council's Design Section for investigation to determine if there is sufficient room in the vicinity of Clover House at No. 67 Hunter Street. Further, that a pedestrian refuge be installed if this is found to be the case. (06-5406:R6030)

Herbie Parade – August 19, 2006

It was noted that it was now planned to start the Herbie Parade at 12.30pm on Saturday, August 19, 2006. A traffic management template and plan were submitted and it was agreed that approval should be given.

- TAC43/06 **RECOMMENDED** that approval be given for the Herbie Parade as outlined in the application. (S822)

Clyde Campbell Carpark – Parking Permits for NSW Police Service

Mr MacDonald advised that he had received a request from Insp David Larkin for consideration of providing Police personnel with a parking permit that could be used in the Clyde Campbell Carpark for the duration of construction of the new Police Station, which was about to start. The permits would compensate for those personnel displaced from parking that would have normally been available onsite. It was suggested that the permits should be numbered and have an expiry date included.

- TAC44/06 **RECOMMENDED** that approval be granted in principle with the exact details of operation to be confirmed after further discussion with Lismore Police. (P20088,S353)

Shearman Carpark - Proposed Introduction of Paid Parking

The Committee considered a proposal from the Manager-Environmental Health & Building Services for the introduction of paid parking in the Barney Shearman Carpark. The carpark has an existing 2-hour limit. The proposal seeks to introduce a 2-hour paid parking limit from 8.30am to 6.00pm Monday to Friday, and 8.30am to 12.30pm Saturday. The cost would be \$1.00 per 2-hours.

The reasoning for the proposal was to enhance the availability of parking in the centre of the Lismore CBD where demand is high and therefore provide equitable access to parking for all motorists. It was noted that this carpark was regularly full, predominately used by employees who work close by and come and move their car every two hours or so.

- TAC45/06 **RECOMMENDED** that approval be granted for the introduction of 2-hour paid parking in the Barney Shearman Carpark provided it is in accordance with the requirements of the 'Pay Parking' manual issued by the RTA. (P6397,S353)

80 kph Speed Limit in and around Rosebank

Councillor Henry had requested that the Committee revisit the issue of reducing the speed limit from 100 kph to 80 kph – comparing road conditions on Nimbin Road and Dunoon Road.

The Committee acknowledged that it was generally bound by the criteria set down by the RTA which has ultimate authority in determining speed limits for particular roads.

TAC46/06 **RECOMMENDED** that a report be provided for Council outlining the criteria and considerations taken into account when reduced speed limit requests are received.

(S352,S937)

Part 'B' – Determined by Committee

S Cue; suggesting the speed limit on Duncan Road be reduced to 80 kph following completion of reconstruction works due to the high number of concealed driveways.

- B-06:06-1 The location had been inspected and found it did not meet the criteria for a reduced speed limit with only 13 houses within approximately 3km. It was also noted that the proposed upgrade of the section of Duncan Road in question would generally improve safety for motorists. (06-5161:R3401)

No. 93 Hunter Street – Restricted Driveway Access

- B-06:06-2 Mrs T Bennett had again drawn attention to difficulty being experienced when exiting the driveway to the above property due to parked vehicles blocking drivers' vision. A number of inspections revealed that the high demand for parking in the vicinity of No. 93 had reduced largely due to the completion of units in Dalziel Street and the subsequent departure of a large number of tradesmen's vehicles. It was suggested that signs were not required. (R6030:CR06-2826)

Police Camera Car

- B-06:06-3 The Committee was informed of Snr Const Hilder's advice that approval should be gained shortly to allow the use of the camera car on both Nimbin Road and Blue Knob Road. Dunoon Road was also being assessed for inclusion. All of the above roads have an increasing accident history and the use of the camera car should assist in reducing these numbers. (S417)

Dudley Drive, Goonellabah – Traffic Calming

(Refer Item No. B-06:03-1 from minutes of meeting held March 15, 2006)

- B06:06-4 The Committee was advised that classifiers had been installed on Dudley Drive to determine actual vehicle speeds. The 85th percentile speed was 59.8 kph with the average speed being 51 kph. Based on these findings, physical traffic calming measures were not considered warranted, however, Lismore Police have noted residents' concerns and will include Dudley Drive in its patrol area as resources permit. (R6554)

Dalley Street, East Lismore – Centre Median Outside Lismore High School

(Refer Item No. B-06:03-2 from minutes of meeting held March 15, 2006)

- B06:06-5 The Lismore High School P & C Association had requested consideration be given to widening the median that separates the bus bay from Dalley Street to accommodate a fence along its length. Whilst there was some doubt about the need for such a proposal, it was suggested that this issue be referred to Council's Design Section for investigation and to develop a plan and estimate for the proposal to widen the median and erect a 1.8m high fence on the inside of the new median. The plan and cost estimate can then be forwarded to Lismore High School should it wish to pursue the issue further. (R7426)

Closure

This concluded the business and the meeting terminated at 11.15am.

Chairperson

Co-Ordinator-Traffic & Emergency Services

Documents for Signing & Sealing

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

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

Recommendation

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

Council to C & M Bennett Properties Pty Ltd

To finalise the closing of the old East Street and the opening of the new East Street two Transfers are required to be executed under seal. One is relative to the land now occupied by Bennett Hire ((Lot 1 DP1070808) and the other relates to Kumasi Pty Ltd (Lot 2 DP 1085925). The relative DP's were endorsed by Council 15 June, 2004.

(06-5746: R6915,P28672,P28673)

Section 356 Donations

a) Banners – Policy 1.4.14 (GL2033.8)

Budget: \$700 To date: \$670.00

North Coast National – banner in Uralba Street from October 16-22

Advertising the Lismore Show. (06-5391: S164)

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: \$8,317.26

June 2006

Animal Right & Rescue \$27.27

Challenge Foundation \$110.00

Five Loaves \$48.64

Friends of the Koala \$22.73

LifeLine \$110.00

Saint Vincent De Paul \$34.09

Salvation Army \$110.00

Westpac Life Saver Rescue Helicopter \$41.82

In accordance with policy.

\$504.55

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

Budget: \$2,700 To date: \$2,389.00

Corndale P & C Association – gift voucher for \$50 from

Visitor Information Centre (06-5850: S164)

\$50.00

Miscellaneous Donations

Lismore Orchid Society \$75.00

Lismore Art Club \$75.00

Country Women's Association of Lismore City Council \$75.00

Lismore Poultry Club \$75.00

Heartfelt House \$75.00

Richmond Valley Day Care \$75.00

Lismore Target Rifle Club \$75.00

Lismore Regional Art Gallery Foundation \$75.00

War Widows Guild, Lismore \$75.00

Lismore City Pipe Band \$75.00

Richmond River Historical Society \$75.00

Friends of the Koala \$100.00

\$925.00

d) Miscellaneous Donation – T J Hawkins, 80 Ballina Road

Mr Hawkins cares for his quadriplegic son at home and has special waste disposal needs. The family previously was paying for two waste services at \$274 per year. The equivalent level of waste service to what they previously received is now available under the new integrated waste service at \$456 per year.

Recommended a Premium Plus service be provided at the cost of a Waste Plus service and the difference in service costs be waived.

\$170.00

Recommendation

In accordance with Section 356(1) of the Local Government Act 1993, the donations to persons as listed above are hereby approved for distribution.

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE CITY OF LISMORE HELD IN THE COUNCIL CHAMBER, GOONELLABAH ON TUESDAY, JUNE 13, 2006 AT 6.00PM.

Present Mayor, Councillor King; Councillors Chant, Crimmins, Dowell, Ekins, Graham, Hampton, Henry, Irwin, Meineke, Swientek and Tomlinson, together with the General Manager, Executive Director-Development & Governance, Executive Director-Infrastructure Services, Manager-Lismore Water, Manager-Assets and Support Services, Acting Media Officer, Manager-Quarries, Crematorium & Waste, Fleet Manager, Corporate Support Co-ordinator and Admin. Support Officer.

Apologies/ NIL

Leave of

Absence

95/06 **Minutes** The minutes of the Ordinary meeting held on May 9, 2006, were confirmed.
(Councillors Irwin/Dowell)

96/06 The minutes of the Extraordinary meeting held on May 23, 2006 were confirmed.
(Councillors Hampton/Chant)

Public Access Session

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

Mr John Scantleton re DA06/97 – Above Ground Structures for Pump Stations associated with the Lismore Source Project

Mr Scantleton spoke on behalf of local landowners on the issue of noise from the proposed pump station. He referred to issues raised by their own noise consultant, raised concern about the noise monitoring process and sought independent noise monitoring. He advised that the objectors reserved their right to take legal action against Council.
(D06/97)

Dr Chris Ingall re Proposed Fluoridation of Water Supply

Dr Ingall spoke as a local resident and paediatrician. He outlined the issue of tooth decay of underprivileged children and the impact of this with respect to health and social issues. He spoke to the benefit of fluoride in the water supply in addressing these issues.
(S223)

Mr Bill Sheaffe re Subdivision at 18 Dougan Road, Caniaba

S451

Councillor Irwin declared an interest in this matter and left the Chamber during discussion.

Mr Sheaffe spoke to the report, in support of the recommendation, which he stated would allow him to allow to proceed with his subdivision.
(D05/710)

Disclosure of Interest

S451

Councillor Irwin declared an interest in report – Subdivision at 18 Dougan Road, Caniaba (applicant for the development application is her partner).

Mayoral Minute

Independent Inquiry into the Financial Sustainability of NSW Local Government

A MOTION WAS MOVED -

- 1 That the minute be received and noted.
- 2 That the Independent Panel be commended on the successful conduct and completion of this watershed Inquiry.
- 3 That the LGSA be commended for initiating the Inquiry.
- 4 That Council commit to support the LGSA in an ongoing effort to rebuild and strengthen the financial sustainability of NSW Local Government.
- 5 That Council request the LGSA to establish an implementation framework and process to consult with councils and other stakeholders; and to advance the key recommendations of the report that have been endorsed by members.
- 6 That Council call on the NSW Government to establish an Independent Commission consisting of equal representation from the LGSA and the state to assess the gravity of the problems facing Local Government, to recommend urgent action to be undertaken, to help implement such changes in cooperation with Local Government and to work to achieve agreed outcomes.

(Councillors King/Irwin)

AN AMENDMENT WAS MOVED –

- 1 That the minute be received and noted.
- 2 That the Independent Panel be commended on the successful conduct and completion of this watershed Inquiry.
- 3 That the LGSA be commended for initiating the Inquiry.
- 4 That Council commit to support the LGSA in an ongoing effort to rebuild and strengthen the financial sustainability of NSW Local Government.
- 5 That Council request the LGSA to establish an implementation framework and process to consult with councils and other stakeholders; and to advance the key recommendations of the report that have been endorsed by members.
- 6 That Council call on the NSW Government to establish an Independent Commission consisting of equal representation from the LGSA and the state to assess the gravity of the problems facing Local Government, to recommend urgent action to be undertaken, to help implement such changes in cooperation with Local Government and to work to achieve agreed outcomes.
- 7 LCC call on the NSW Government to establish an independent commission to investigate the establishment of professionally elected remunerated councillors such as exists in Queensland.

(Councillors Swientek/Ekins)

On submission to the meeting the AMENDMENT was DEFEATED.

Voting Against: Councillors Irwin, Tomlinson, Dowell, King, Chant, Crimmins, Graham, Hampton, Henry and Meineke.

- 97/06 **RESOLVED –**
- 1 That the minute be received and noted.
 - 2 That the Independent Panel be commended on the successful conduct and completion of this watershed Inquiry.
 - 3 That the LGSA be commended for initiating the Inquiry.
 - 4 That Council commit to support the LGSA in an ongoing effort to rebuild and strengthen the financial sustainability of NSW Local Government.
 - 5 That Council request the LGSA to establish an implementation framework and process to consult with councils and other stakeholders; and to advance the key recommendations of the report that have been endorsed by members.
 - 6 That Council call on the NSW Government to establish an Independent Commission consisting of equal representation from the LGSA and the state to assess the gravity of the problems facing Local Government, to recommend urgent action to be undertaken, to help implement such changes in cooperation with Local Government and to work to achieve agreed outcomes.
- (Councillors King/Irwin) (06-4433: S47)

Notice of Motions

Lismore Source and Associated Matters

Formal notice having been given by Councillor Ekins it was **MOVED** that -

- 1 Lismore City Council express to Rous Water its deep concern about having to deal with such an important issue as the Lismore Source and associated works at such short notice.
- 2 All further decisions pertaining to Lismore Source and associated works be deferred until Council has a workshop and presentation from Rous Water on the Lismore Source.

(Councillors Ekins/Dowell)

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

Voting Against: Councillors King, Chant Crimmins, Graham, Hampton and Meineke.
(06-5013: D06/97)

Feasibility – Road between Snow and Cook Streets

- 98/06 Formal notice having been given by Councillor Meineke it was **RESOLVED** that staff prepare a report on the feasibility of constructing a road between Snow Street and Cook Street more or less on the alignment of East Street and Barnes/Maloney Avenue (shown on attached map) with the report to include measures to prohibit heavy vehicular traffic generated by the new road from traversing local 'residential' streets in the immediate vicinity.
(Councillors Meineke/Graham)
(06-4885: R6915,R6911)

Reports

DA06/97 – Above Ground Structure for Pump Stations associated with the Lismore Source Project

- 99/06 **RESOLVED** that the report be received and -
- A** That Council grant delegated authority to the General Manager - subject to the concurrence of the applicant being Rous Water in relation to attached conditions of consent applied to this application, to approve Development Application No. 2006/97 for the erection of aboveground structures relating to the low lift and high lift pump stations.

- B** That Council grant delegated authority to the General Manager - subject to the concurrence of the Development Assessment Panel, to approve variations of a minor and/or arithmetic nature to conditions of consent applied to this application except where a particular condition has been specifically identified as requiring Council consent if it is to be varied.
- 1 In granting this development consent, Council requires:
- All proposed buildings be constructed in accordance with any amendment or modification outlined in these conditions
 - All proposed works be carried out in accordance with any amendment or modification outlined in these conditions
 - Any proposed use of buildings or land be in accordance with any amendment or modification outlined in these conditions
- and be substantially in accordance with the stamped approved plan(s) No. 32606/C100/5 (May 05), 326060/M110/4(30/5/05), 326060/CL00/3 (May 05), 326060/C205/2 (12/5/05), 32606/C206/2 (12/5/05), 326060/C308/3 (Dec 05) and/or supporting documents submitted with the application. A copy/copies of the approved plan is/are attached to this consent.
- Reason:** *To correctly describe what has been approved. (EPA Act Sec 79C)*

BUILDING

- 2 Provide an on-site sign, in prominent visible position, stating:
- (a) That unauthorised access to the site is not permitted, and
 - (b) Showing the name of the builder or person responsible for the site and a telephone number at which such person can be contacted outside working hours.
- Reason:** *Required by Clause 78H of the Environmental Planning and Assessment Regulation.*
- 3 Provide a fence, hoarding or other measure to restrict public access to the site, when work is not in progress or the site is otherwise unoccupied. The fence is to be provided prior to any work commencing on site.
- Reason:** *Required by Clause 78H of the Environmental Planning and Assessment Regulation.*
- 4 Temporary toilet facilities must be provided on the site, prior to commencement of building work and must be maintained until permanent facilities are provided.
- Reason:** *To ensure the provision of minimum amenities to the site.*
- 5 The building must be clad in low-reflective material.
- Reason:** *To minimise the reflectivity of the building and to ensure its compatibility with the landscape.*
- 6 The roofing must have a low reflective finish.
- Reason:** *To minimise the reflectivity of the building and to ensure its compatibility with the landscape.*
- 7 All cut and fill on the property must be battered at an angle not greater than 45 degrees within the property boundary, stabilised to the satisfaction of the Principal Certifying Authority and provided with a dish drain at the base.
- Reason:** *To ensure stability of the site.*
- 8 Erosion and sediment control measures must be put in place and be maintained to prevent soil erosion and the transportation of sediment from the site into natural or constructed drainage lines or watercourses. Control measures are to remain in place until the site has been adequately revegetated or landscaped to prevent soil erosion.
- Note:** Inspections of the structural work will not be carried out and work may not proceed, until the sedimentation controls are in place.
- Reason:** *To prevent erosion of materials from the site.*
- 9 Drainage is to be provided to divert surface water clear of the building.
- Reason:** *To ensure adequate site drainage.*

- 10 Access is to be provided to the building and to those areas within the building to which the public would normally be expected to gain access in accordance with AS1428.1 - Design for Access and Mobility.

Reason: *Required by Clause D3.2 of the Building Code of Australia.*

DRAINAGE

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

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

All disturbed areas shall be stabilised and revegetated. Turfing or another approved seeding method shall be undertaken in each part of the development within 14 days of completion of earthworks. Topsoil shall be preserved for site revegetation. Appropriate signage shall be erected on-site identifying the requirement for the maintenance of these measures. Details of sediment control measures, revegetation works and signage shall be submitted to and approved by Council prior to commencement of any works upon the site.

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

- 12 All stormwater from the site shall be disposed of without causing nuisance to adjoining properties.

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

EARTHWORKS

- 13 Prior to commencement of works, certification from a practising qualified engineer is required verifying that:

- The proposed civil engineering works including any retaining walls have been assessed as structurally adequate,
- The proposed civil engineering works will not be affected by landslip either above or below the works,
- The proposed civil engineering works will not be affected by subsidence either above or below the works, and
- Adequate drainage has been provided within the proposed works.

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

ROADS

- 14 Prior to the commencement of works the applicant shall obtain approval under section 138 of the Roads Act and construct the proposed access to Bangalow Road. The application shall address the following issues:

- Design Plans to be submitted to and approved by the RTA prior to commencement of work.
- Access shall be located where adequate safe intersection sight distance is available
- Access is to be constructed in accordance with RTA's *Typical Rural Property Access Standards* and aligned at 90 degrees to Bangalow Road to provide for left-turns in and out of the driveway.
- The driveway is to be sealed to the property boundary
- The maintenance of the driveway shall be the responsibility of the property owner.
- All works are to be at no cost to the RTA.

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

- 15 Rous Water is to obtain all relevant approvals that may be required from the Department of Natural Resources in relation to the construction of the road and associated causeway.

NOISE

- 16 The operating noise level of all plant and equipment at the high lift and low lift pump stations must comply with the requirements of the NSW DEC (EPA) Industrial Noise Policy (INP) and construction standards identified by Bridges Acoustics to attenuate noise in their report dated May 23, 2006 complied with. In this respect a suitably qualified and experienced acoustic consultant must assess the operational noise level of both pump stations to ensure compliance with the INP and any recommended noise attenuation measures are to be installed prior to commissioning of the proposal. An independent consultant report to this Council on the noise levels after the pumpings start, at Rous Water's expense and on an ongoing 6 monthly basis.

Reason: *To protect the amenity of the area.*

ENVIRONMENTAL HEALTH

- 17 Environmental Management Plans must be prepared for proposed construction activities as identified and recommended in sections 6 and 7 of the Statement of Environmental Effects. The Plans must be implemented and complied with during the construction and remediation phase of the project.

Reason: *To protect the environment.*

AMENITY

- 18 The hours of work for general noise generating construction activities of the proposed development are to be limited to the following time restrictions:

Monday to Friday - 7.00am to 6.00pm

Saturday - 7.00am to 6.00pm

Construction activities that create more intrusive noise levels such as rock breaking and use of pneumatic tools etc are restricted on Saturdays to the hours 8.00am – 12 noon.

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

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

(Councillors Hampton/Graham)

Voting Against: Councillors Irwin, Ekins, Dowell and Swientek.

(D06/97)

Proposed Fluoridation of Lismore Water Supply

A MOTION WAS MOVED that the issue of the fluoridation of the water supply go to a referendum of the people in conjunction with the next local government election.

(Councillors Irwin/Ekins)

On submission to the meeting the MOTION was DEFEATED.

Voting Against: Councillors Tomlinson, Swientek, King, Chant, Graham, Hampton, Henry and Meineke.

A FORESHADOWED MOTION WAS MOVED that the report be received and that Council advise Rous Water and the NSW Department of Health of its in principle support for the proposition that fluoride be added to the water supply for the Lismore City Local Government Area.

(Councillors Graham/Hampton)

AN AMENDMENT WAS MOVED that the report be received and Council take note of the report in the business paper and refer the decision to fluoridate the water supply to the NSW Department of Health.

(Councillors Tomlinson/Chant)

On submission to the meeting the AMENDMENT was DEFEATED.

Voting Against: Councillors Irwin, Ekins, Dowell, Swientek, King, Crimmins, Graham, Hampton, Henry and Meineke.

100/06 **RESOLVED** that the report be received and that Council advise Rous Water and the NSW Department of Health of its in principle support for the proposition that fluoride be added to the water supply for the Lismore City Local Government Area.

(Councillors Graham/Hampton)

Voting Against: Councillors Irwin, Ekins, Chant and Crimmins.

101/06 **FURTHER RESOLVED** that Council seek recurrent funding from the NSW Department of Health for the cost of providing fluoride to Rous Water supply.

(Councillors Swientek/Graham) (S223)

Subdivision at 18 Dougan Road, Caniaba

S451

Councillor Irwin declared an interest in this matter and left the chamber during discussion and determination thereon.

A MOTION WAS MOVED that the report be received and -

- 1 Council accept a registered charge over Lot 1 in Deposited Plan 263257 as security for S94 levies and roadwork costs associated with Development Application 05/710.
- 2 That the General Manager and Mayor be authorised to sign and affix the Council seal to the legal documents associated with the charge to be registered over Lot 1 in Deposited Plan 263257.
- 3 All costs associated with the preparation and registration of the charge be borne by the applicant.
- 4 That interest accrue at the same percentage of overdue rates from the date of the release of the final linen plan of subdivision.

(Councillors Hampton/Graham)

AN AMENDMENT WAS MOVED that the report be received and –

- 1 Council accept a registered charge over Lot 1 in Deposited Plan 263257 as security for S94 levies and roadwork costs associated with Development Application 05/710.
- 2 That the General Manager and Mayor be authorised to sign and affix the Council seal to the legal documents associated with the charge to be registered over Lot 1 in Deposited Plan 263257.
- 3 All costs associated with the preparation and registration of the charge be borne by the applicant.
- 4 That interest accrue on Section 94 levies from the date of the release of the final linen plan of subdivision.

(Councillors Tomlinson/Dowell)

On submission to the meeting the AMENDMENT was DEFEATED.

Voting Against: Councillors Ekins, Dowell, Swientek, King, Crimmins, Graham, Hampton and Henry.

- 102/06 **RESOLVED** that the report be received and –
- 1 Council accept a registered charge over Lot 1 in Deposited Plan 263257 as security for S94 levies and roadwork costs associated with Development Application 05/710.
 - 2 That the General Manager and Mayor be authorised to sign and affix the Council seal to the legal documents associated with the charge to be registered over Lot 1 in Deposited Plan 263257.
 - 3 All costs associated with the preparation and registration of the charge be borne by the applicant.
 - 4 That interest accrue at the same percentage of overdue rates from the date of the release of the final linen plan of subdivision.
- (Councillors Hampton/Graham)
Voting Against: Councillor Ekins.
(D05/710)

Proposal for Joint Venture to establish a Small Business Incubator in Lismore

- 103/06 **RESOLVED** that the report be received and –
- 1 That Council support the Lismore Small Business Incubator proposal & writes to the BETC confirming Council's proposed contribution to the project.
 - 2 That Council not proceed with the land preparation until the BETC funding is confirmed.
 - 3 That Council secure its equity in the project by entering into a long term lease agreement with the BETC.
 - 4 If this proceeds Council make a determination on where the funding is to be sourced.
- (Councillors Henry/Dowell) (S640)

Renaming and Renumbering Proposal for Ballina Road and part of New Ballina Road

A MOTION WAS MOVED that the report be received and Council not proceed with the renumbering and renaming proposal.
(Councillors Swientek/Hampton)

On submission to the meeting the MOTION was DEFEATED.

Voting Against: Councillors Irwin, Tomlinson, Ekins, Dowell, King, Chant, Crimmins, Graham and Henry.

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

- 1 That Council undertake consultation with residents of the affected Streets and Road together with public bodies to determine the acceptance of the proposal and the preferred option of Ballina Road.
 - 2 That a further report be brought back to Council with recommendations for the removal of the confusion surrounding numbers and addresses for the subject section of the Bruxner Highway.
- (Councillors Irwin/Graham)

- 104/06 **RESOLVED** that the report be received and –
- 1 That Council undertake consultation with residents of the affected Streets and Road together with public bodies to determine acceptance of the proposal and the preferred option of Ballina Road.
 - 2 That a further report be brought back to Council with recommendations for the removal of the confusion surrounding numbers and addresses for the subject section of the Bruxner Highway.
- (Councillors Irwin/Graham)
Voting Against: Councillor Swientek. (R7126,R6408)

Draft Lismore LEP Amendment 31 – 246 Wyrallah Road, Lismore

- 105/06 **RESOLVED** that the report be received and Council –
- 1 Adopt draft Amendment No.31 to Lismore Local Environmental Plan 2000 to rezone part of Lot 2 DP 587430 Wyrallah Road, East Lismore to 4(a) Industrial Zone as per Attachment 1 to this report.
 - 2 Forward the draft LEP to the Department of Planning pursuant to section 68 of the EP&A Act.
 - 3 Prepare and place on public exhibition draft Development Control Plan No.53 for Lot 2 DP 587430 Wyrallah Road, East Lismore as per Attachment 3 to this report.
- (Councillors Irwin/Meineke) (S930)

New Legislative Requirements for DCPs

- 106/06 **RESOLVED** that Council's decision on this matter be deferred pending a presentation to Council on the inclusions, clarifications, provisions and amendments both minor and comprehensive to the content of DCP 1.
- (Councillors Dowell/Meineke)
(S924,S925,S385,S515,S531,S532,S562,S564,S690,S897,S921)

Rural Recycling and Drop Off Centres

- 107/06 **RESOLVED** that the report be received and –
- 1 That Council resolve to maintain the Brewster Street Drop-Off Centre in place of the proposed North Lismore site for at least a six-month period.
 - 2 That a further report be submitted to Council in six months time once the new waste strategy for collecting urban recyclables has been implemented outlining and making recommendations on:
 - a) the effect on the usage of the Brewster Street drop-off centre
 - b) implementation of a rural recycling collection
 - c) alternative DOC sites for rural residents, and
 - d) other related issues as necessary.
- (Councillors Irwin/Tomlinson)
Voting Against: Councillor Graham.
(S763)

Proposed Revision of 2006/08 Road Construction Programme

A MOTION WAS MOVED that the report be received and Council approve the revised 2006/07 and 2007/08 Road Construction Programmes as set out in the body of the report and Skyline/Durheim Road be brought forward from the 2008/09 year to the 2007/08 year.

(Councillors Meineke/Hampton)

AN AMENDMENT WAS MOVED that the report be received and Council approve the revised 2006/07 and 2007/08 Road Construction Programmes as set out in the body of the report.

(Councillors Tomlinson/Dowell)

The voting being tied the Mayor declared the amendment DEFEATED on his casting vote.
Voting Against: Councillors King, Chant, Crimmins, Graham, Hampton and Meineke.

- 108/06 **RESOLVED** that the report be received and Council approve the revised 2006/07 and 2007/08 Road Construction Programmes as set out in the body of the report and Skyline/Durheim Road be brought forward from the 2008/09 year to the 2007/08 year.
(Councillors Meineke/Hampton)
The voting being tied the Mayor declared the motion APPROVED on his casting vote.
Voting Against: Councillors Irwin, Tomlinson, Ekins, Dowell, Swientek and Henry.

A FORESHADOWED MOTION WAS MOVED that Council revert to 50/50 funding for road construction funding in rural and urban areas.

(Councillors Hampton/Swientek)

On submission to the meeting the foreshadowed motion was DEFEATED.

Voting Against: Councillors Irwin, Tomlinson, Ekins, Dowell, King, Crimmins, Graham and Henry.

(S374)

Alcohol Free Zones

- 109/06 **RESOLVED** that the report be received and the Alcohol Free Zones, as illustrated on the maps marked as Appendix 1 and Appendix 2 to this Report be continued for a period of three (3) years from June 13, 2006.
(Councillors King/Chant)
Voting Against: Councillor Irwin.
(S226)

Continuation

- 110/06 **RESOLVED** that the report *Purchase of Council Plant – Motor Grader* be considered and the remainder of the business paper be deferred to an Extraordinary meeting on June 20.
(Councillors Irwin/Crimmins)
Voting Against: Councillors Dowell, Swientek, Chant, Hampton and Henry.

Purchase of Council Plant – Motor Grader

- 111/06 **RESOLVED** that the report be received and Council purchase one only new **Caterpillar 12H-II** Grader as tendered (T26007) from **Westrac**, Grafton, NSW, for the cost of \$362,120.00 (including GST)
and
accept the offer of trade-in from **Westrac** of Grafton, NSW, for the grader being replaced (Fleet number 311), for \$165,000.00; change-over cost to Council being \$197,120.00, which includes GST.
(Councillors Hampton/Dowell) (T26007)

Closure

The meeting terminated at 10.35 pm.

CONFIRMED this 11TH day of JULY, 2006 at which meeting the signature herein was subscribed.

MAYOR

**MINUTES OF THE EXTRAORDINARY MEETING OF THE COUNCIL OF THE CITY OF LISMORE
HELD IN THE COUNCIL CHAMBER, GOONELLABAH ON TUESDAY, JUNE 20, 2006 AT 6.00PM.**

Present

Deputy Mayor, Councillor Chant; Councillors, Crimmins, Dowell, Ekins, Hampton, Henry, Irwin, Meineke, Swientek and Tomlinson, together with the General Manager, Executive Director-Development & Governance, Executive Director-Infrastructure Services, Principal Accountant, Manager-Community Services, Acting Media Officer, Corporate Support Co-ordinator and Administrative Support Officer.

112/06

**Apologies/
Leave of
Absence**

An apology for non-attendance on behalf of Councillor King was received and accepted and leave of absence granted.
(Councillors Hampton/Swientek)

Public Access Session

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

Mr Mike Berry re Dunoon Sports and Recreation Club

(See Minute No. 114/06)

Mr Berry spoke to the project to provide lighting for Balzer Park and sought an additional grant of \$10,000 from Council. He outlined the project to date, cited the current use of the oval and proposals for expanded use once the project is completed.
(S36)

Ms Jyllie Jackson re 2006/07-2009 Management Plan (Submission 244)

(See Minute No. 115/06)

Ms Jackson detailed the scope and success of the recent lantern parade. She emphasised the immediate economic benefits of the parade and its longer term benefit to the city. She sought additional financial and in kind support to continue the growth of the parade.
(S929)

Ms Cheryl Amor re 2006/07-2009 Management Plan (Submission 164)

(See Minute No. 115/06)

Ms Amor detailed the costs involved in maintaining the basketball stadium. She outlined the use of the facility and the work undertaken on the facility and efforts to obtain external funding. She sought Council's support for their request for \$21,200.
(S929)

Condolence

Late Mrs Ella Maude King

113/06

Mrs King was the mother of the Mayor. She passed away today at her home in Tregeagle. The Deputy Mayor moved that Council's expressions of sympathy be conveyed to the family of Mrs King and the motion was carried with members standing and observing the customary moment's silence. (S75)

Reports

Dunoon Sports and Recreation Club

A MOTION WAS MOVED that the report be received and Council consider the Sport and Recreation Policy Advisory Group's recommendation to provide the Dunoon Sports and Recreation Club a further \$10,000 for the installation of floodlights at Balzer Park and determine that expressions of interest be invited for allocation of the Rural Sportsgrounds Capital Improvement Program prior to a final decision for this specific application.
(Councillors Irwin/Hampton)

AN AMENDMENT WAS MOVED that the report be received and Council accept the Sport and Recreation Policy Advisory Group's recommendation to provide the Dunoon Sports and Recreation Club a further \$10,000 for the installation of floodlights at Balzer Park.
(Councillors Meineke/Crimmins)

On submission to the meeting the AMENDMENT was DEFEATED.

Voting Against: Councillors Irwin, Tomlinson, Ekins, Dowell, Swientek, Chant, Hampton and Henry.

On submission to the meeting the MOTION was DEFEATED.

Voting Against: Councillors Tomlinson, Dowell, Swientek, Chant, Hampton, Henry and Meineke.

A FORESHADOWED MOTION WAS MOVED that Council provide the Dunoon Sports and Recreation Club a further \$5,000 towards the installation of flood lights at Balzer Park and seek that the Club apply for a variation of the DOTARS grant for the remaining \$5,000.
(Councilors Henry/Tomlinson)

114/06 **RESOLVED** that the report be received and Council provide the Dunoon Sports and Recreation Club a further \$5,000 towards the installation of flood lights at Balzer Park and seek that the Club apply for a variation of the DOTARS grant for the remaining \$5,000.
(Councilors Henry/Tomlinson)
Voting Against: Councillors Irwin and Ekins.
(S36)

2006/07 – 2009 Management Plan

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

- 1 Acknowledge receipt and consideration of all public submissions
- 2 Adopts the 2006/07 – 2009 Management Plan, including the Budget and Fees & Charges as amended, based on that advertised and reported.
- 3 Seeks approval from the Department of Local Government for a new borrowings program of \$7,801,000 for specific works as detailed in the 2006/07 – 2009 Management Plan.

(Councillors Hampton/Meineke)

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

- 1 Acknowledge receipt and consideration of all public submissions
- 2 Adopt the 2006/07 – 2009 Management Plan, including the Budget and Fees & Charges as amended, with the following adjustments:

- a) The Lismore Lantern Parade – an additional allocation of \$7,000 in cash and \$3,000 in kind be approved.
 - b) Nimbin Preschool carpark spaces – Council contribute \$3,000 from General Fund to Special Property Projects Reserve in lieu of payment by the Nimbin Preschool.
 - c) Koala Care refurbishment – support in principle and request Mayor to donate the balance of his 2005/06 discretionary fund to that project.
 - d) Scouts Australia 1st Lismore Scout Group – be advised that issues re locking gate are being dealt with separately by Council staff and that there will be further discussions with them regarding priorities for funding.
 - e) Community Economic Development Officer – Council support in principle the lighting of the Nimbin western carpark and access laneways and seek external funding to provide the lighting required.
 - f) Basketball Association –
 - i) a 3 year moratorium be placed on their loan repayments to Council.
 - ii) their request for \$21,900 and resurfacing of the carpark be approved and funded from the 04/05 Sports development reserves.
- 3 Seek approval from the Department of Local Government for a new borrowings program of \$7,801,000 for specific works as detailed in the 2006/07 – 2009 Management Plan.
(Councillors Irwin/Ekins)

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

Voting Against: Councillors Ekins and Henry.

115/06

RESOLVED that the report be received and Council –

- 1 Acknowledge receipt and consideration of all public submissions
- 2 Adopt the 2006/07 – 2009 Management Plan, including the Budget and Fees & Charges as amended, with the following adjustments:
 - a) The Lismore Lantern Parade – an additional allocation of \$7,000 in cash and \$3,000 in kind be approved.
 - b) Nimbin Preschool carpark spaces – Council contribute \$3,000 from General Fund to Special Property Projects Reserve in lieu of payment by the Nimbin Preschool.
 - c) Koala Care refurbishment – support in principle and request Mayor to donate the balance of his 2005/06 discretionary fund to that project.
 - d) Scouts Australia 1st Lismore Scout Group – be advised that issues re locking gate are being dealt with separately by Council staff and that there will be further discussions with them regarding priorities for funding.
 - e) Community Economic Development Officer – Council support in principle the lighting of the Nimbin western carpark and access laneways and seek external funding to provide the lighting required.
 - f) Basketball Association –
 - i) a 3 year moratorium be placed on their loan repayments to Council.
 - ii) their request for \$21,900 and resurfacing of the carpark be approved and funded from the 04/05 Sports development reserves.
- 3 Seek approval from the Department of Local Government for a new borrowings program of \$7,801,000 for specific works as detailed in the 2006/07 – 2009 Management Plan.

(Councillors Irwin/Ekins)

Voting Against: Councillors Tomlinson, Ekins, Dowell, Swientek, Chant, Crimmins, Graham, Henry and Meineke.

(S929)

2006/07 Rates and Charges

116/06

RESOLVED that the report be received and following Council's advertisement of its 2006/07 Draft Management Plan in accordance with Section 405 of the Local Government Act, 1993 and the consideration of submissions received to the Draft Management Plan in accordance with Section 406 of the Local Government Act, 1993 :-

RATES

- (1) It is hereby resolved that a Business Rate to be known as the ' Business Inner CBD ' rate of three point four eight seven nine (3.4879) cents in the dollar per assessment, on the land value as at base date July 1, 2004 with a base amount of two hundred and eighty dollars (\$280.00) per assessment be now made for the rating year July 1, 2006 to June 30, 2007, on all rateable land within the centre of activity known as the Inner CBD shown as within the red boundary of the map, Schedule 'C,' and that meets the definition of Business as defined in Section 518 of the Local Government Act , 1993. The total income from base amounts equates to five (5) percent of the Business Inner CBD income.
- (2) It is hereby resolved that a Business Rate to be known as the ' Business Urban' rate of one point six eight five four (1.6854) cents in the dollar per assessment, on the land value as at base date July 1, 2004 with a base amount of two hundred and eighty dollars (\$280) per assessment that represents be now made for the rating year July 1, 2006 to June 30 , 2007, on all rateable land within the centre of activity outside the Inner CBD shown as within the red boundary of the map, Schedule 'C' but within the urban area of Lismore as shown by the red boundary on the map, Schedule 'D' and that meets the definition of Business as defined in Section 518 of the Local Government Act, 1993. The total income from base amounts equates to ten (10) percent of the Business Urban income.
- (3) It is hereby resolved that a **Business Rate** to be known as the '**Business Other**' rate of **one point one zero nine eight (1.1098) cents in the dollar** per assessment on the land value as at base date July 1 , 2004 with a **base amount of two hundred and eighty dollars (\$280)** per assessment be now made for the rating year July 1, 2006 to June 30, 2007, on all rateable land in the City of Lismore but not within the areas defined within the maps, Schedules ' C' and 'D' attached and the Village of Nimbin, as defined by the map of Nimbin Village in Schedule 'A', and that meets the definition of Business as defined in Section 518 of the Local Government Act, 1993. The total income from base amounts equates to **twenty two (22) percent of the Business Other income.**
- (4) It is hereby resolved that a **Business Rate** to be known as the '**Nimbin Business**' rate of **one point two five nine three cents in the dollar (1.2593) cents in the dollar** per assessment on the land value as at base date July 1, 2004 with a **base amount of two hundred and eighty dollars (\$280)** per assessment that represents be now made for the rating year July 1, 2006 to June 30, 2007, on all rateable land within the Village of Nimbin, as defined by the map of Nimbin Village in Schedule 'A', that meets the definition of Business as defined in Section 518 of the Local Government Act , 1993 The total income from base amounts equates to **fifteen (15) percent of the Nimbin Business income.**
- (5) It is hereby resolved that a **Farmland Rate** to be known as the '**Farmland**' rate , of **point five two six one (0.5261) of a cent in the dollar** per assessment, on the land value as at base date July 1, 2004 with a **base amount of two hundred and eighty dollars (\$280)** per assessment be now made for the rating year July 1, 2006 to June 30, 2007, on all rateable land in the City of Lismore area that meets the definition of Farmland as defined in Section 515 of the Local Government Act, 1993. The total

income from base amounts equates to **seventeen (17) percent of the Farmland income**

- (6) It is hereby resolved that a Residential Rate to be known as the “**Residential**” Rate of **point six nine zero two (0.6902) of a cent in the dollar**, on the Land Value as at Base Date July 1, 2004, with a base amount of **two hundred and eighty dollars (\$280)** per assessment, be now made for the rating year July 1, 2006 to June 30, 2007, on all rateable land within the centres of population defined and within the red lines shown on the maps in Schedule 'A' attached and meeting the definition of residential land, as set out in Section 516 of the Local Government Act, 1993. The total income from base amounts equates to **thirty three (33) percent of the Residential rate income.**
- (7) It is hereby resolved that a Residential Rate to be known as the “**Residential Rural**” Rate of **point six three seven eight (0.6378) of a cent in the dollar**, on the Land Value as at Base Date July 1, 2004, with a base amount of **two hundred and eighty dollars (\$280)** per assessment, be now made for the rating year July 1, 2006 to June 30, 2007, that meets the definition of Residential on all rateable land except for land within the centres of population defined by the maps in Schedule 'A' attached and meeting the definition of residential land, as set out in Section 516 of the Local Government Act, 1993. The total income from base amounts equates to **twenty seven (27) percent of the Residential Rural rate income.**
- (8) It is hereby resolved that a Special Rate to be known as the “**Flood Levee**” rate of **point zero six seven zero (0.0670) of a cent in the dollar**, per assessment, on the Land Value as at Base Date July 1, 2004 subject to a minimum amount of **two dollars** be now made for the rating year July 1, 2006 to June 30, 2007 on all land within the area shown within the red boundary as defined in Schedule 'E' attached to this report which in Council's opinion will receive a special benefit from the construction of the Flood Levee from a one in ten year flood event.

SEWER AND TRADE WASTE CHARGES

- (9) It is hereby resolved that in accordance with Sections 501, 503, 539 and 541 of the Local Government Act, 1993, an annual charge be now made for the provision of Sewerage Services to single units of residential occupation, residential, as defined in Section 516 (1) (a) of the Local Government Act, 1993, including residential strata units of four hundred and forty five dollars (\$445.00), per assessment. This charge applies to properties connected to the Lismore, Perradenya & Nimbin Sewerage Scheme and is to be known as the “Sewer” charge for the period July 1, 2006 to June 30, 2007.
- (10) It is hereby resolved that in accordance with Sections 501, 539 and 541 of the Local Government Act, 1993, an annual charge, as per the attached Schedule “F”, where the charge is indicated by the number of units of residential occupancy located on a property, be now made for the provision of Sewerage Services to a parcel of land connected to the Lismore, Perradenya & Nimbin Sewerage Scheme to be known as the “Sewer Multiple” charge for the period July 1, 2006 to June 30, 2007, excluding residential Strata Units.
- (11) It is hereby resolved that in accordance with Sections 501, 539 and 541 of the Local Government Act, 1993, an annual charge be now made for the availability of sewerage of two hundred and sixty seven dollars (\$267.00) per assessment for all rateable parcels of land within 75 metres of a Lismore, Perradenya & Nimbin Sewer Main and capable of discharging into that main but not connected thereto to be known as the “Sewer Unconnected” charge for the period July 1, 2006 to June 30, 2007.
- (12) It is hereby resolved that in accordance with Sections 501, 503, 539 and 541 of the

Local Government Act, 1993, for all other properties, not being residential land as defined in Section 516 (1) (a) of the Local Government Act, 1993, an annual charge be now made for the provision of trade waste services for properties connected to the Lismore, Perradenya & Nimbin Sewer Scheme, as per the attached Schedule "G", where the charge is indicated by the number of equivalent tenants or part thereof allocated to an assessment in accordance with the methodology set out in Council's Sewer Usage Charging Strategy to be known as the "Non-Residential Sewer" charge, except for properties declared by Lismore City Council to be Established Strength Users, for the period July 1, 2006 to June 30, 2007.

WATER CHARGES

- (13) It is hereby resolved that in accordance with Section 501, 503, 539 and 541 of the Local Government Act, 1993 an annual charge be now made for the year July 1, 2006 to June 30, 2007 for the provision of water and water service availability, based on the size of the water service connected to a property. For a property which has two or more water connections, the cost of the services will be the total number of services multiplied by the fixed service charged; in cases where different sized services are connected, the sum of the cost of the fixed service charges, except for water connections used solely for fire fighting services, the cost of which shall be one hundred dollars (\$100.00) per fire fighting service to be known as the "Fixed Service Charge" is hereby made in respect of:

Size of Service	Fixed Service Charge
20mm	\$ 100.00
25mm	\$ 156.25
32mm	\$ 256.00
40mm	\$ 400.00
50mm	\$ 625.00
65mm	\$1,025.25
80mm	\$1,600.00
100mm	\$2,500.00
150mm	\$5,625.00

- (14) In accordance with Sections 501, 503, 539 and 541 of the Local Government Act, 1993 an annual charge, for the availability of water to property not connected to Council's Water Supply but capable of connection thereto and within 225 metres of a Lismore City Council water main in accordance with Section 552 (1)(b) of the Local Government Act, 1993, for the year July 1, 2006 to June 30, 2007, to be known as the "**Water Availability**" charge, of **one hundred dollars (\$100.00)** per assessment is hereby made.
- (15) In accordance with Section 502 and 503 of the Local Government Act, 1993 for water recorded by the water meter on a property, a charge of **one dollar twenty two cents (\$1.22)** per kilolitre for the year July 1, 2006 to June 30, 2007 to be known as the "**Consumption**" charge is hereby made.

DOMESTIC AND NON DOMESTIC WASTE MANAGEMENT SERVICES

- (16) It is hereby resolved that an annual charge be now made, in accordance with Sections 496 of the Local Government Act, 1993, for all land within the declared domestic waste scavenging areas, both urban and rural, maps of which are available at Council's Oliver Avenue Office, not utilising the domestic waste management service provided by Council to be known as the "**Waste Availability**" charge, of **five dollars (\$5.00)** per assessment, except for those properties within the Nimbin Section 94 Plan Area, maps of which are available at Council's Oliver Avenue office, that are levied the Nimbin Transfer Station Charge, for the period July 1, 2006 to June 30, 2007.

- (17) It is hereby resolved that an annual charge be now made, in accordance with Section 501 of the Local Government Act, 1993, for all land within the Lismore City Council area, to be known as the **“Waste Minimisation ”** charge, of **twenty three dollars and fifty cents (\$23.50)** per assessment, except for those properties within the Nimbin Section 94 Plan Area, maps of which are available at Council’s Oliver Avenue Office, that are levied the Nimbin Transfer Station Charge, for the period July 1, 2006 to June 30, 2007. Two 100KG tip vouchers are included as part of the ‘Waste Minimisation’ Charge.
- (18) It is hereby resolved that an annual charge be now made, in accordance with Sections 501 and 541 of the Local Government Act, 1993, for all land located within the Nimbin Section 94 Plan Area, maps of which are available at Council’s Oliver Avenue Office, for the provision of the Nimbin Transfer Station Facility, of **fifty nine dollars (\$59.00)** per assessment and for properties with multiple units of residential occupancy a charge of **fifty nine dollars (\$59.00)** per unit of residential occupancy located on each assessment, to be known as the **“Transfer Station”** for the period July 1, 2006 to June 30, 2007. Properties paying for a waste removal service are exempt from this charge. Two 100KG tip vouchers are included for each ‘Transfer Station’ charge.
- (19) It is hereby resolved that an annual charge be now made, in accordance with Section 496 of the Local Government Act 1993, for all land within the declared scavenging area within the Lismore Urban Area, a map of which is available at Council’s office, for the removal, weekly, of the approved organic contents of a 240 litre approved mobile waste bin. In addition, on a fortnightly basis, Council will collect the approved recyclable contents a 240 litre approved mobile bin as well as the approved waste contents of a 120 or 140 litre approved mobile bin. This charge is to be known as the **“Integrated Waste”** collection service for the period July 1, 2006 to June 30, 2007 and will be charged at **one hundred and sixty six dollars (\$166.00)** per annum. Additional services will be charged at **one hundred and sixty six dollars (\$166.00) per annum**. Services commenced during the charging period will be charged for on a proportional basis.
- (20) It is hereby resolved that an annual charge be now made, in accordance with Section 496 of the Local Government Act 1993, for all land within the declared scavenging area within the Lismore Urban Area, a map of which is available at Council’s office, for the removal, weekly, of the organic contents of a 240 litre approved mobile waste bin. In addition, on a fortnightly basis, Council will collect the approved recyclable contents a 240 litre approved mobile bin as well as the approved waste contents of a 80 litre approved mobile bin, the cost of the provision of this bin is at the ratepayer’s cost This charge is to be known as the **“Integrated Waste- Discount”** collection service for the period July 1, 2006 to June 30, 2007 and will be charged at **one hundred and twenty six dollars (\$126.00)** per annum. Additional services will be charged at **one hundred and twenty six dollars (\$126.00) per annum**. Services commenced during the charging period will be charged for on a proportional basis.
- (21) It is hereby resolved that an annual charge be now made, in accordance with Section 496 of the Local Government Act 1993, for all land within the declared scavenging area within the Lismore Urban Area, a map of which is available at Council’s office, for the removal, weekly, of the approved organic contents of a 240 litre approved mobile bin. In addition, on a fortnightly basis, Council will collect the approved recyclable contents a 240 litre approved mobile bin as well as the approved waste contents of a 240 litre approved mobile bin, the cost of the provision of this bin is the ratepayer’s cost. This charge is to be known as the **“Integrated Waste –Waste Plus”** collection service for the period July 1, 2006 to June 30, 2007 and will be charged at **two hundred and eighty six dollars (\$286.00)** per annum. Additional services will be charged at **two hundred and eighty six dollars (\$286.00) per annum**. Services commenced during

the charging period will be charged for on a proportional basis.

- (22) It is hereby resolved that an annual charge be now made, in accordance with Section 496 of the Local Government Act 1993, for all land within the declared scavenging area within the Lismore Urban Area, a map of which is available at Council's office, for the removal, weekly, of the approved organic contents of a 240 litre approved mobile bin and the approved waste contents of a 120 or 140 litre approved mobile bin. In addition, on a fortnightly basis, Council will collect the approved recyclable contents a 240 litre approved mobile bin. This charge is to be known as the **"Integrated Waste – Premium"** collection service for the period July 1, 2006 to June 30, 2007 and will be charged at **three hundred and thirty six dollars (\$336.00)** per annum. Additional services will be charged at **three hundred and thirty six dollars (336.00) per annum**. Services commenced during the charging period will be charged for on a proportional basis.
- (23) It is hereby resolved that an annual charge be now made, in accordance with Section 496 of the Local Government Act 1993, for all land within the declared scavenging area within the Lismore Urban Area, a map of which is available at Council's office, for the removal, weekly, of the approved organic contents of a 240 litre approved mobile bin and the approved waste contents of a 240 litre approved mobile bin. In addition, on a fortnightly basis, Council will collect the approved recyclable contents a 240 litre approved mobile bin. The provision of the additional 240 litre bin is at the ratepayer's cost. This charge is to be known as the **"Integrated Waste – Premium Plus"** collection service for the period July 1, 2006 to June 30, 2007 and will be charged at **four hundred and fifty six dollars (\$456.00)** per annum. Additional services will be charged at **four hundred and fifty six dollars (456.00) per annum**. Services commenced during the charging period will be charged for on a proportional basis.
- (24) It is hereby resolved that an annual charge be now made, in accordance with Section 496 of the Local Government Act 1993, for all land within the declared scavenging area within the Lismore Urban Area, a map of which is available at Council's office, that have over 10 weekly collection services and subject to the Manager – Northern Rivers Waste approval, for the removal, weekly, of the approved waste contents of a 240 litre approved mobile bin. The provision of additional bins is at the ratepayer's cost. This charge is to be known as the **"Waste Collection – Urban"** service for the period July 1, 2006 to June 30, 2007 and will be charged at **one hundred and sixty six dollars (\$166.00)** per annum per mobile waste bin collected. Services commenced during the charging period will be charged for on a proportional basis.
- (25) It is hereby resolved that an annual charge be now made, in accordance with Section 496 of the Local Government Act 1993, for all land within the declared scavenging area within the Lismore Urban Area, a map of which is available at Council's office, for the removal, subject to the approval of the Manager of Northern Rivers Waste, fortnightly, of the approved waste contents a 240 litre approved mobile bin. This charge is to be known as the **"Urban Runner"** collection service for the period July 1, 2006 to June 30, 2007 and will be charged at **two hundred and sixteen dollars (\$216.00)** per annum. Additional services will be charged at **two hundred and sixteen dollars (\$216.00)** per annum. Services commenced during the charging period will be charged for on a proportional basis.
- (26) It is hereby resolved that an annual charge be now made, in accordance with Section 501 of the Local Government Act, 1993, for all properties, located within the Urban area of Lismore , a map of which is available at Council's Administration offices, whose waste does not meet the definition of domestic waste contained within the Local Government Act 1993 and where Council collects the approved waste contents of a approved 240 litre mobile waste bin and the approved organic contents of a 240 litre

approved mobile waste bin on a weekly basis from that property, of **one hundred and sixty six dollars forty cents (\$166.40)** per annum, to be known as the “**Non Domestic integrated waste- urban**” charge for the period July 1, 2006 to June 30, 2007. Additional services will be charged at **one hundred and sixty six dollars forty cents (\$166.40)** per annum. For services commenced during the year a proportional charge will be made.

- (27) It is hereby resolved that an annual charge be now made, in accordance with Section 496 of the Local Government Act 1993, for all land, located outside the urban area of Lismore but within the declared domestic waste scavenging area, a map of which is available at Council's Oliver Avenue Office for the removal, fortnightly, of the approved waste contents a 240 litre approved mobile bin and the approved organic contents of a 240 litre approved mobile bin. This charge is to be known as the “Waste Collection Service –Rural ’ collection service for the period July 1, 2006 to June 30, 2007 and will be charged at one hundred and forty one dollars (\$141.00) per annum. Additional services will be charged at one hundred and forty one dollars (\$141.00) per annum. Services commenced during the charging period will be charged for on a proportional basis.
- (28) It is hereby resolved that an annual charge be now made, in accordance with Section 501 of the Local Government Act, 1993, for all properties located outside the Urban area of Lismore, maps of which are available at Council's Administration offices, whose waste does not meet the definition of domestic waste contained within the Local Government Act 1993 and Council collects weekly, the approved waste contents a 240 litre approved mobile bin , of **one hundred and forty one dollars (\$141.00)** per bin collected per annum, to be known as the “ **Rural Non-Domestic Waste**” charge for the period July 1, 2006 to June 30, 2007. Services commenced during the charging period will be charged for on a proportional basis.

STORMWATER MANAGEMENT SERVICES CHARGE

It should be noted that this charge applies only to property located within the urban area of Lismore as defined by the map shown in Schedule 'A' used also for rating purposes.

- (29) It is hereby resolved that an annual charge be now made, in accordance with Section 496A (1) of the Local Government Act, 1993, for all eligible residential property within the Urban area of Lismore shown on the map in Schedule 'A', except for residential strata units, of **twenty five dollars (\$25.00)** , to be known as the ‘**Stormwater Charge – Residential**’ for the period July 1, 2006 to June 30, 2007.
- (30) It is hereby resolved that an annual charge be now made, in accordance with Section 496A (1) of the Local Government Act, 1993, for all residential strata units within the Urban area of Lismore shown on the map in Schedule 'A', of **twelve dollars fifty cents (\$12.50)** , to be known as the ‘**Stormwater Charge – Res Strata**’ for the period July 1, 2006 to June 30, 2007.
- (31) It is hereby resolved that an annual charge be now made, in accordance with Section 496A (1) of the Local Government Act, 1993, for all eligible business, commercial and industrial property, except for business, commercial and industrial strata units, located within the Urban area of Lismore shown on the map in Schedule 'A', of **twenty five dollars (\$25.00)** , to be known as the ‘**Stormwater Charge – Business**’ for the period July 1, 2006 to June 30, 2007.
- (32) It is hereby resolved that an annual charge be now made, in accordance with Section 496A (1) of the Local Government Act, 1993, for all eligible business, commercial and industrial strata units, located within the Urban area of Lismore shown on the map in Schedule 'A', of **twelve dollars fifty (\$12.50)** , to be known as the ‘**Stormwater**

Charge – Bus Strata' for the period July 1, 2006 to June 30, 2007.

INTEREST CHARGES

(33) It is hereby resolved in accordance with Section 566 (3) of the Local Government Act for the period July 1, 2006 to June 30 2007, the Interest Rate on outstanding Rates and Charges will be **nine percent (9%).**

(Councillors Irwin/Crimmins)

Voting Against: Councillor Swientek.

Closure

This concluded the business and the meeting terminated at 8.07 pm.

CONFIRMED this 11TH of JUNE 2006 at which meeting the signature herein was subscribed.

DEPUTY MAYOR

**MINUTES OF THE EXTRAORDINARY MEETING OF THE COUNCIL OF THE CITY OF LISMORE
HELD IN THE COUNCIL CHAMBER, GOONELLABAH ON TUESDAY, JUNE 20, 2006 AT 8.08PM.**

Present Deputy Mayor, Councillor Chant; Councillors Crimmins, Dowell, Ekins, Hampton, Henry, Irwin, Meineke, Swientek and Tomlinson, together with the General Manager, Executive Director-Development & Governance, Executive Director-Infrastructure Services, Acting Media Officer, Corporate Support Co-ordinator and Admin. Support Officer.

117/06 **Apologies/
Leave of
Absence** An apology for non-attendance on behalf of the Mayor, Councillor King, was received and accepted and leave of absence granted.
(Councillors Swientek/Hampton)

Public Access Session

Nil

Mayoral Minutes

Adoption of DCP No. 51 (Airport Industrial Estate)

118/06 **RESOLVED** that the minute be received and Council -
1 Adopt DCP No. 51 (Airport Industrial Estate) as per the attachment.
2 Give public notice of Council's adoption of DCP No.51 in accordance with the requirements of the EP&A Regulation 2000.
(Councillors Chant/Hampton)
Voting Against: Councillors Irwin and Ekins.
(S925)

Reports

Best Practice Management

119/06 **RESOLVED** that the report be received and Council note that Lismore Water has achieved substantial compliance with best-practice management criteria as required by Department of Energy, Utilities and Sustainability guidelines in the six criteria of -
1 Strategic Business Planning
2 Pricing and Developer Charges (including Liquid Trade Waste Approvals)
3 Demand Management
4 Drought Management
5 Performance Reporting
6 Integrated Water Cycle Management.
(Councillors Dowell/Henry)
Voting Against: Councillors Ekins, Dowell, Irwin and Swientek.
(S387,S301)

Request for Financial Assistance - Far North Coast Baseball Association Inc.

120/06 **RESOLVED** that the report be received and Council -
1 Agree in principle to guarantee a \$20,000 overdraft facility for Far North Coast Baseball Association Incorporated for a period of three (3) years subject to annual review by Council.

- 2 Far North Coast Baseball Association Incorporated are to provide the following information to Council:
 - a) Financial Report within four months of the end of each of their financial year covered by the guarantee;
 - b) A Budget Profit and Loss Summary within two months of the commencement of each financial year cover by the guarantee;
 - c) The 2004 and 2005 Financial Reports by September 30, 2006.
- 3 In accordance with Section 356(2) advertise the proposed guarantee for a period of 28 days and submit a report to Council at the expiration of this period.

(Councillors Dowell/Hampton)

Voting Against: Councillor Ekins.

(06-5005: P16984)

Titles for Land owned by Council – Bridge Street, Wyrallah

- 121/06 **RESOLVED** that the report be received and –
- 1 Council pay the administration fee to the NSW Department of Commerce, State Property
 - 2 the land known as Lots 1-6 in DP 913500, Parish of East Gundurimba, County of Rous, be classified as Operational Land in accordance with Part 2, Division 1, of the Local Government Act , 1993
 - 3 Council authorise any documents required to effect this transfer under the common seal of the Council.

(Councillors Hampton/Dowell)

(06-4127: R5235)

Annual Remuneration Fee for Mayor and Councillors

- 122/06 **RESOLVED** that the report be received and –
- 1 Council determine that the fee payable for councillors and the mayor for 2006/07 be the maximum fee.
 - 2 That Council call on the State Government to establish an independent commission to examine the social and economic advantages of a professionally remunerated elected council such as Queensland.
 - 3 That the issue in (2) above be submitted as a motion to the NSW Local Government Conference.

(Councillors Irwin/Hampton)

Voting Against: Councillor Dowell.

(S38)

May 2006 – Investments held by Council

- 123/06 **RESOLVED** that the report be received and noted.
(Councillors Irwin/Dowell) (S178)

Committee Recommendations

Traffic Advisory Committee 17/5/06

- 124/06 **RESOLVED** that the minutes be received and adopted and the recommendations contained therein be adopted, excluding Clause TAC37/06.
(Councillors Irwin/Dowell) (S352)

Clause TAC37/06 – Intersection of Richmond Hill Road and Boatharbour Road

- 125/06 **RESOLVED** that the investigation on the corner of Richmond Hill Road and Boatharbour Road include all options and a report be brought to Council.
(Councillors Ekins/Irwin) (S352)

Documents for Signing and Sealing

126/06 **RESOLVED** that the following documents be executed under the Common Seal of Council:

88B Instrument – Easement over Sewer Main 22 Ashgrove Drive

The owners of 22 Ashgrove Drive, Goonellabah have sought permission from Council to raise (at their expense) a sewer manhole located at the rear of their property. Once raised, the area around the manhole will be backfilled level with the existing surface of the yard.

Whilst Council has no objection to this work there is the possibility with the new levels that future owners may erect structures (garden shed, pool) over the sewer main. Accordingly Council sought and received permission from the owners to create an easement over the sewer main traversing their property. All costs associated with creating the easement will be borne by Council. (P25079)

Community Services Grants Program (CSGP) - Service Agreements

a) Salary Subsidy – Community Worker - \$11,916

b) Koala Long Day Care Centre - \$33,408

DOCS have provided annual funding (\$11,916) for the Community Services Grants Program (CSGP) which partly funds the Community Development Officer (Lismore Community Worker) position. This position works to an agreed Service Specification to comply with the CSGP Service framework, ie contributes to the development of capacity and social capital within identified local communities.

DOCS funds the Koala Child Care Centre on an annual basis (\$33,408) for providing:

- an education and development program for 19 places per day for children aged from birth to 3 years.
- an education and development program for 20 places per day for children aged from 3 to 6 years, who do not ordinarily attend school

for an aggregate of 50 hours per week.

(06-4440: S728)

Crown Lands NSW – Licence to Occupy Crown Land

The extension of the Rowing Club carpark wharf required that part of the wharf to be constructed on Crown land below Mean High Water Mark. As such, Council is required to obtain a licence from the Crown to “occupy” this land. The licence was agreed to by the Crown in 2004 prior to the construction of the wharf extension commencing and it is only now that the paper work has been finalised.

The annual licence fee has been set at \$338.30 and is subject to annual CPI increases.

(06-3646: P15856)

Lease Agreement Council and Goonellabah Tennis Club

The renewal of the lease between Council and the Goonellabah Tennis Club situated in Reserve Street, Goonellabah, from 1/7/04 to 30/6/09. The lease has been executed by the Goonellabah Tennis Club and now requires Council signing and sealing.

(06-2699: P15906)

Easement for Drainage Transfer Owners SP34381 to Lismore City Council.

As part of the Flood Levee Scheme the NSW Department of Commerce has been negotiating the acquisition of Easements for the Richmond River County Council. The Owners of the Common Property SP34381 have agreed to the transfer of the easement shown as "Easement for Drainage Variable Width" DP 1066948 for the sum of \$1.

(06-4675: P21437,P21438,P21439)

Agreement between Council and NORPA

Agreement for NORPA to manage and market the City Hall as a public facility for general hire by the community for the period 1/7/2005 to 30/6/2010. Council approved the awarding of the contract to NORPA on 12/7/05.

Allocation of Council funds for the operation of the City Hall for the period of the agreement are:

- 1/7/05 - 30/6/06 - \$140,000
- 1/7/06 - 30/6/07 - \$145,000
- 1/7/07 - 30/6/08 - \$150,000
- 1/7/08 - 30/6/09 - \$155,000
- 1/7/09 - 30/6/10 - \$160,000

Council also allocates an annual amount of \$15,000 for capital asset purchases to be expended on items approved by Council on NORPA's recommendation.

(P6816)

(Councillors Irwin/Crimmins)

Section 356 Donations

127/06 **RESOLVED** that in accordance with Section 356(1) of the Local Government Act 1993, the donations to persons as listed are hereby approved for distribution.

**a) Council Contributions to Charitable Organisations
Waste Facility – Policy 5.6.1 (GL2033.15)**

Budget: \$6,000 To date: \$7,812.71

May 2006

Animal Right & Rescue	\$18.64	
Challenge Foundation	\$110.00	
Five Loaves	\$29.09	
Friends of the Koala	\$18.18	
LifeLine	\$110.00	
Saint Vincent De Paul	\$5.45	
Shared Vision Aboriginal Corp	\$50.91	
Salvation Army	\$110.00	
Westpac Life Saver Rescue Helicopter	<u>\$30.91</u>	
<i>In accordance with policy.</i>		\$483.18

January to April 2006

Lismore Soup Kitchen Inc (Merriwa Youth Centre)
In accordance with policy. \$440.00

**b) Development & Construction Certificate Application Fees Subsidy –
Policy 1.4.7 (GL2033.7)**

Budget: \$600 To date: \$794.55

Pepper Tree Kitchen – temporary structure for Biggest Morning Tea on May 24. (06-4310: S164) \$158.00

**c) Miscellaneous Donation (GL2711.4)
Lismore Seniors' Week 2006 event**

Budget: \$7,000 To date: \$1,782.69

Multicultural refreshments and entertainment:

- Red Inc. Sign Language Choir \$50
- John and Nella Devoy (dancing) \$50

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• Val Willis (accordian)	\$50	
• Anna Kothea Aring (Sudanese)	\$40	
• Ellie Gava (Italian Seniors)	\$50	
• Luth Bath (Filipino Group)	\$80	
• Luz Press (Filipino Food)	\$40	
• Neville Northfield (Bagpipes)	<u>\$40</u>	\$400.00
d) Miscellaneous Donation (GL2711.4)		
Launch of Lismore's Living Library		
<i>Budget: \$7,000 To date: \$1,782.69</i>		
Donation toward cost of interpreting for deaf participant		
• Bronwyn Watson		\$50.00
e) Reduction in Water Charges - Lismore Water – Policy 6.1.6 (GL 8201.13)		
• C Sivewright, 17 Carolina Street, Lismore City Council	\$222.00	
• CN & El Graham, 10 Sunset Drive, Goonellabah	\$542.79	
• B Antonioli, 29 Pound Street, Lismore City Council	\$73.26	
• CF Millane & GK Robinson, 21 Nimbin Road, The Channon	\$617.16	
• KA & JM Harper, 598 Skyline Road, Goonellabah (Councillors Crimmins/Dowell)	<u>\$2,778.33</u>	\$4,233.54

Matter of Urgency

128/06 **RESOLVED** that the following matter be admitted to the business paper as a matter of urgency.
(Councillors Irwin/Ekins)

DCP 35 – Perradenya

129/06 **RESOLVED** that a report be brought to Council on how the intent of DCP 35 can be carried forward into the future.
(Councillors Irwin/Ekins) (S690)

Suspension of Standing Orders

130/06 **RESOLVED** that standing orders be suspended to deal with the Strategic Plan Steering Committee agenda prior to going into Committee of the Whole to discuss the Mayoral Minute *Monitoring Performance Review – General Manager – 2005/06*.
(Councillors Crimmins/Dowell)

Resumption of Standing Orders

131/06 **RESOLVED** that standing orders be resumed.
(Councillors Irwin/Dowell)

Confidential Matters – Committee of the Whole

132/06 **RESOLVED** that Council now exclude the press and public and meet in Committee of the Whole to consider the following matters:

Mayoral Minute – Monitoring Performance Review – General Manager – 2005/06

Grounds for closure: Section 10A(2) (a)

Public interest: Discussion of this matter in an open meeting would on balance be contrary to the public interest because the contents of the report are of a personnel matter concerning a particular individual.

(Councillors Irwin/Hampton)

Resumption of Open Council

When the Council had resumed its former sitting, the Deputy Mayor reported that Council, meeting in Committee of the Whole, had RECOMMENDED

- 1 That the Monitoring Performance Review of the General Manager for the six months ending January 2006 be received and noted.
- 2 That Council endorse the 2005/06 Performance Plan as amended.
- 3 That Council record its overall level of satisfaction with the performance of the General Manager.

133/06 **RESOLVED** that the Deputy Mayor's report of Council meeting in Committee of the Whole be received and adopted.
(Councillors Irwin/Hampton)

Closure

This concluded the business and the meeting terminated at 10.50 pm.

CONFIRMED this 11TH of JULY 2006 at which meeting the signature herein was subscribed.

DEPUTY MAYOR

