

COUNCIL Business Paper



MAY 2, 2000



NOTICE OF COUNCIL MEETING

An ORDINARY MEETING of LISMORE CITY COUNCIL will be held at the SOUTHERN CROSS UNIVERSITY BOARD ROOM on TUESDAY, MAY 2, 2000 at 6.30pm and members of Council are requested to attend.

Tour of University to commence at 4.30pm.

**(Ken Gainger)
GENERAL MANAGER**

**April 26, 2000
(Draft programme and location map enclosed)**

COUNCIL BUSINESS AGENDA

May 2, 2000

PUBLIC ACCESS SESSION:

PAGE NO.

PUBLIC QUESTION TIME:

OPENING OF MEETING AND PRAYER (MAYOR):

APOLOGIES AND LEAVE OF ABSENCE

CONFIRMATION OF MINUTES - Ordinary Meeting 4/4/00

CONDOLENCES

DISCLOSURE OF INTEREST

MAYORAL MINUTES

NOTICES OF RESCISSION

NOTICES OF MOTION

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SUSPENSION OF STANDING ORDERS

(Consideration of the Suspension of Standing Orders to debate matters raised during Public Access).

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QUESTIONS WITHOUT NOTICE

CONFIDENTIAL MATTERS - COMMITTEE OF THE WHOLE

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NOTICE OF MOTION

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

Council again examine the possibilities of the collection of recyclable materials from the waste stream which eventually ends up in the landfill. Targeting household waste and that from commercial premises, shops, hotels, restaurants etc.

Some matters to be considered:

Kerbside Collection (again)

- * methods/costs
- * use of present bins
- * distribution of collectable bags, which also must be recyclable.

Education Programme

- * promotion of the worth of drop off centres and their use
- * extension of this service to other areas in the City
- * existing and any new proposed drop off centres adequately screened and landscaped
- * **Incentives** schemes which would encourage people to reduce the amount of waste recyclables that would normally end up in the tip e.g. credits for low bin weights etc against garbage service fee.

COUNCILLOR John Crowther

DATE April 18, 2000

STAFF COMMENT BY:

Group Manager Business & Enterprise – Mr Craig Kelly

It would be most appropriate for the Environmental Health Manager, Mr Matthew Kelly to comment on this Notice of Motion. Unfortunately he is away on holidays.

Mr Kelly is going to carry out a full review of Council's recycling strategy. He expects this review to be completed this calendar year. I am sure that he would take full account of the issues raised in this motion.

NOTICE OF MOTION

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

That staff be directed to remove the "Nuclear Free Zone" sign at the entrance to Lismore on the Bruxner Highway, and that no further signs be erected.

COUNCILLOR John Crowther

DATE April 19, 2000

COMMENT: *This signage has no practical purpose. The law of the land precludes any activity, which allows for the manufacture, distribution and use of nuclear material. The use of such material for medical purposes is controlled by legislation and indeed is an example where nuclear material has a beneficial role to play within the community.*

To coin a "Pidgin English" phrase, the signs are "something nothing".

STAFF COMMENT BY:

Group Manager Corporate & Community Services – Mr Col Cooper

This matter was last considered by Council at its meeting on June 29, 1999. Council resolved:

"Lismore City Council re-erect "Nuclear Free Zone" signs at the previous locations around the local government area. Further that Council pursue avenues to ensure that these signs represent fact and are not just a token gesture."

The definition of a Nuclear Free Peace Zone can be found within Council Policy 3.1.1, a copy of which is attached.

NOTICE OF MOTION

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

That a report be provided to Council on the state of the drainage systems in the Lismore basin with detailed estimates on the cost of bringing these drains to an effective standard.

COUNCILLOR Ros Irwin

DATE April 19, 2000

STAFF COMMENT BY: Acting Group Manager - City Works

Features which should be noted about Lismore's drainage system include -

1. The unusual topography - basin shape with steep sides and very flat base.
2. The existing underground pipe infrastructure is inadequate and much of it is under-capacity.
3. Due to the lack of underground pipes, much of the stormwater travels along the surface and through open drains.
4. Investigation into our customer complaints records shows that drainage issues receive the most complaints in the urban area.
5. Council currently expends about \$200,000 on drainage maintenance per year. Substantial amounts could be saved if the infrastructure was in better condition.

A detailed report or investigation into the Lismore drainage system could be a very costly exercise and at the end of the day, Council may not have the funds to implement the recommendations.

I would suggest a staged investigation approach whereby we start with a conceptual investigation which looks at the big picture and sorts out issues such as hydraulic efficiency and water quality issues. It would also provide indicative budget estimates.

If the conceptual study appears feasible, we could then progress to more detailed studies. The resources to undertake the investigation are not currently available within Council and the work would need to be outsourced to a Consultant.

Subject/File No: SECTION 64 PLAN REVIEW
(S744)
Prepared By: Project Engineer, Client Services Unit - Janaka Weeraratne
Reason: Council Request
Objective: To review Developer Charges for Water and Wastewater Works
(S64 Charges)
Management Plan Activity: Strategic Plan Link 6.4, 6.5 and 2.2

Background:

At the Council meeting held on April 4, 2000, Council resolved as follows for the report on Section 64 (S64) charges:

1. *That the report be received and that Council defer consideration of the Section 64 Contribution Plans to the next meeting to allow further review of the options in relation to the charges applicable to Nimbin.*

S64 charges are up-front charges levied by Council's Water and Wastewater Business Unit to recover infrastructure costs (water and wastewater), and costs incurred in servicing new developments. That is, developers are required to buy their portion of the asset. (The issue of whether the asset has been fully paid off or is loan funded is not considered in the guidelines.)

Legislation

The power for Local Government to levy developer charges for water supply and wastewater derives from section 64 of the Local Government Act 1993 by means of a cross-reference in that Act to Division 2 of Part 3 of the Water Supply Authorities Act 1987.

Section 25(3) of the Water Supply Authorities Act 1987 provides the following:

- (3) In calculating an amount for the purposes of subsection (2):
 - (a) *the value of the existing works and the estimated cost of projected works may be taken into consideration, and*
 - (b) ***the amount of any government subsidy or any similar payment is not to be deducted from the relevant value or cost of the work, and***
 - (c) *consideration is given to any guidelines issued for the time being for the purposes of this Division by the Minister for Public Works*

In 1995, the Minister for Land and Water Conservation took over the responsibilities of the Minister for Public Works in regard to NSW country town water services, and the Minister for Land and Water Conservation is the Minister responsible for issue of guidelines for water utilities on the calculation of water supply and wastewater developer charges.

Review of S64 Contributions:

The main differences between the previous method of calculating S64 contributions and the current method is summarised below:

- All water and wastewater assets pre-1970 are not included in the calculations.
- Zones with substantial levels of post 1970 assets face increased charges.
- A return on investment factor (both for existing assets and proposed capital works) based on the estimated period for full take up and the construction date of the asset is applied to the cost of the asset.
- The adoption of a "reduction amount" in proportion to the proposed asset renewal costs. (This concept reflects the consumption of useful life of assets in the S64 charge calculations).

The following is a summary of the revised S64 charges calculated based on the DLWC guidelines:

S64 Charges - Wastewater

Zone	Current Charge (per ET)	Revised Charge (per ET)
Nimbin	\$5,821	\$15,450
East Lismore	\$4,429	\$2,940
Goonellabah	\$4,175	\$4,970
South Lismore	\$3,277	\$2,790

S64 Charges - Water

Zone	Current Charge (per ET)	Revised Charge (per ET)
Holland Street	\$2,213	\$1,590
Wyreema Ave	\$1,898	\$700
Ross Street	\$2,088	\$760
Central	\$1,873	\$720
Tanelawn	\$2,398	\$1,510
Nimbin	\$3,796	\$12,970 *
Dunoon/ Modanville/ Channon	\$7,523	\$6,950
Clunes	\$1,265	\$1,130
North Woodburn	\$1,488	\$0

* Reflects cost increase due to construction of the filtration plant.

Notes:

1. The true cost of the assets have been taken into account (i.e. Government subsidies have not been deducted from the value of the asset).
2. There is no S64 charge for North Woodburn because all the assets were constructed pre 1970.
3. The S64 charges are calculated as per the flow sheet given in Appendix A.
4. Further details of the above calculations are given in Attachment 1.

Charging less than calculated amount

DLWC in their draft report have stated the following:

“When Council adopts its policy on water supply and wastewater developer charges, a water utility may elect to charge less than the calculated amounts.

If a water utility elects to charge less than the calculated amounts of developer charges, then the resulting cross-subsidy from the existing customers in a typical residential bill needs to be calculated and published in the utilities annual report.”

Despite the fact that the legislation states that subsidy cannot be deducted from the cost of the Works, using DLWC’s philosophy, Council may deduct any State Government Subsidies received through the Country Towns Water Supply, Wastewater and Drainage Program in S64 calculations provided the subsidy is disclosed.

If the State Government subsidies received are taken into consideration, the S64 charges are as follows:

S64 Charges - Wastewater

Zone	Current Charge (per ET)	Revised Charge (per ET)	Revised Charge (subsidised) (per ET)
Nimbin	\$5,821	\$15,450	\$8,650
East Lismore	\$4,429	\$2,940	\$1,960
Goonellabah	\$4,175	\$4,970	\$3,690
South Lismore	\$3,277	\$2,790	\$2,040

S64 Charges - Water

Zone	Current Charge (per ET)	Revised Charge (per ET)	Revised Charge (subsidised) (per ET)
Holland Street	\$2,213	\$1,590	\$1,340
Wyreema Ave	\$1,898	\$700	\$560
Ross Street	\$2,088	\$760	\$760
Central	\$1,873	\$720	\$720
Tanelawn	\$2,398	\$1,510	\$1,510
Nimbin	\$3,796	\$12,970 *	\$11,470 *
Dunoon/ Modanville/ Channon	\$7,523	\$6,950	\$5,540
Clunes	\$1,265	\$1,130	\$1,130
North Woodburn	\$1,488	\$0	\$0

* Reflects the cost increase due to construction of the filtration plant.

Nimbin Filtration Plan

It is current State Government Policy (DLWC) that capacity allowed for growth is not subsidised. The filtration plant is estimated to cost \$1.8 million. Approximately 25% of the capacity of this filtration plant (\$1.8 million) will be reserved for future growth. As such, only 75% of the project costs will be eligible for subsidy.

Based on the above, the estimated S64 charges for the filtration plant component is \$7,410 per ET.

Subsidising S64 Developer Charges for Nimbin

The tables below show the effects of cross-subsidising the charges for Nimbin by the rate payers:

Nimbin Water

Developer Charge (per ET)	Cross-subsidy to New Development (per ET)	Cross-subsidy from Typical Residential Bill
\$11,470	Nil	Nil
\$8,603	\$5,735 (25%)	\$1.21
\$5,735	\$5,735 (50%)	\$2.42
\$3,796	\$7,674 (67%)	\$3.24
\$0	\$11,470 (100%)	\$4.85

Notes:

1. This is based on 12,300 assessments and;
2. It has been assumed that the assets will be taken up within a 20 year period.

Nimbin Sewerage

Developer Charge (per ET)	Cross-subsidy to New Development (per ET)	Cross-subsidy from Typical Residential Bill
\$8,650	Nil	Nil
\$6,488	\$2,163 (25%)	\$1.00
\$5,831	\$2,829 (33%)	\$1.31
\$4,325	\$4,325 (50%)	\$2.00
\$0	\$8,650 (100%)	\$4.00

Notes:

1. This is based on 10,800 assessments and;
2. It has been assumed that the assets will be taken up within a 20 year period

Manager - Finance & Administration Comments

The calculation of Section 64 Developer Charges are quite specific and relate directly to works undertaken or to be undertaken because of development. As such, the proposition that developers should pay for their component of these costs via developer charges is not disputed.

It is interesting to note that based on the Revised Charges, most of the developer charges have reduced except for, Nimbin Wastewater, Goonellabah Wastewater and Nimbin Water. It is also possible to reduce these charges further if you include the level of government subsidy applicable to these works in the calculation.

The adoption of the Revised Charge (subsidised) amounts is supported in that most charges are for works completed and fully funded within the current user charge structure. As such, any S64 income received would be used to fund other capital works such as renewals etc. This decision may stimulate development by improving affordability.

In relation to further subsidising Nimbin, the report clearly indicates the cost to all user of providing an increased subsidy, at various percentages, over a twenty year period. While there is no preferred option, I can only reiterate to Council what has been previously stated in that the rates & charges for Lismore ratepayers are considered high already. While the likely impost of this subsidy is only small, it is still an increase.

Manager Economic Development Unit - Comments

The methods of review (with or without subsidy) produce significant savings for most areas of Lismore in which economic development is likely to occur. Therefore, I support the indicative results.

The disparities produced by both processes have been canvassed by other Managers and do not fall into the brief of the EDU. Nevertheless, I would support adoption of the greatest set of savings to businesses as the best way of minimising the impact of statutory charges.

Manager Water and Wastewater Services - Comments

The S64 charges have been calculated based on current DLWC guidelines. Most areas will have a substantial reduction in developer charges. However, charges are higher in areas with small population bases and new infrastructure, such as Nimbin.

There is a necessity to review developer charges at least on a five (5) yearly basis or if the works program changes substantially or the funding situation changes.

"Revised" S64 charges

If Council resolves to adopt the revised charges, it indicates that the true cost of the asset has been taken into consideration, i.e. it is a genuine user pay charge.

"Revised" (Subsidised) S64 charges

If Council adopts the revised (subsidised) charges, it indicates that the cost of assets have been undervalued by the amount of subsidy received.

Adopting the revised (subsidised) charges will not have a direct impact on existing customers. However it would be necessary to publish the fact that the State Government subsidies have been discounted.

Further reduction in S64 charges for Nimbin

If Council resolves to further reduce S64 charges, then it would be necessary to cross subsidise from existing customers and the amount per residential bill needs to be calculated and published.

Public Consultations

Public consultation will take place with the formal exhibition of the revised S64 plan.

Conclusion

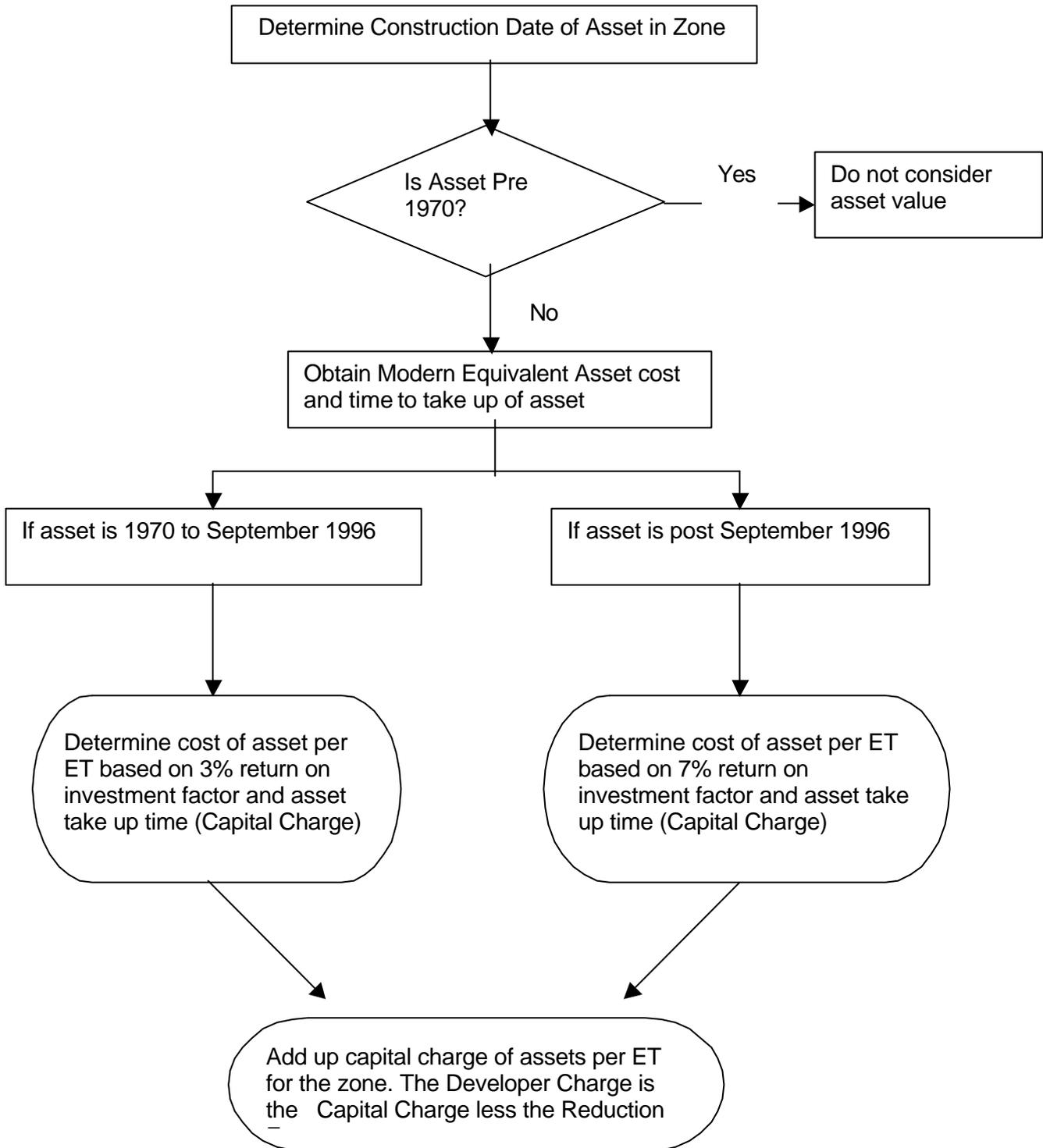
The S64 charges have been prepared in accordance with the DLWC guidelines and are shown as "revised charges". Council may wish to adopt a charge less than the calculated amount provided the relevant facts are published.

Recommendation

1. That Council adopt the "Subsidised S64 Contribution Plans" for Water and Wastewater for all areas other than Nimbin.
2. That Council publish the fact that the State Government Contributions have been deducted from the relevant assets.
3. That Council determine the appropriate level of subsidy for the Nimbin Water and Wastewater systems and publish the amount per assessment.
4. That the fixed fee charge for Water and Wastewater be increased by the appropriate level of subsidy as determined in point 3 above.
5. The S64 Contribution Plans for Water and Wastewater be displayed for public comment for twenty eight (28) days.
6. On completion of the display period, a further report be brought forward to Council for adoption of the S64 Contribution Plans.

Appendix A

Method used for calculating Developer Charges
(As per Draft DLWC guidelines)



Subject/File No: RTA STATE ROADS WORK - SINGLE INVITATION CONTRACTS
(GJH:VLC:S341)

Prepared By: Manager - Roads & Infrastructure, Garry Hemsworth

Reason: To update Council in the way the RTA proposes to engage Council to undertake RTA roadworks.

Objective: To gain Council's approval to submit tenders for RTA works.

Management Plan Activity: Roads - RTA

Background:

The Minister for Roads announced on November 30, 1999 that all road maintenance works on the National and State Road Network would be performed under Single Invitation Contracts with Councils.

Council will not have to bid competitively for work but will need to assume some contractual risks, particularly in relation to costs.

As a consequence of the Minister's announcement, the RTA expects to achieve better value for money in its road maintenance expenditure. To facilitate this, the RTA will establish a vigorous and formal benchmarking programme that should benefit the industry generally.

The RTA believes by establishing best practice benchmarks and prices it will be in a sound position to negotiate efficiency improvements with respect to performance in time, cost, quality and environmental issues.

If the above savings and improvements are realised, Council can benefit by applying them to our Local Road works.

Discussion:

Prequalification

The RTA only wishes to do business with competent organisations. To ensure competency, the RTA has insisted that Council has good business management systems and Council must demonstrate this through a prequalification process.

Council must demonstrate that we have a -

1. Quality Management System
2. Occupational Health & Safety System
3. Environmental Management System.

The Roads Section is well on the way in developing these systems and it is planned to submit them for prequalification approval in mid-May 2000.

Single Invitation Contracts

The RTA proposes to undertake all work on the State Roads (*ie, Bruxner Highway and Bangalow Road*), by Single Invitation Contracts. This includes maintenance, resurfacing and rehabilitation works.

LISMORE CITY COUNCIL - Meeting held May 2, 2000

RTA State Roads Work - Single Invitation Contracts

The main features of the Single Invitation Contracts are -

1. It provides for the delivery of services on a lump sum and schedule of rates basis. There is provision for a component of the lump sum to be renegotiated and adjusted during the contract. This will be discussed in more detail later in this report.
2. Council will be contracted to perform in accordance with specifications which determine standards in terms of quality, safety, environmental and intervention requirements.
3. It will be administered as a Quality Assurance Contract with formal release of Hold Points; surveillance of performance and records, as well as audits.

Assessment of Risk

In any contractual situation there is the risk of losing money. However, under these Single Invitation Contracts, there is also an opportunity to make a profit.

Council will carry the following risks:

- a) estimating
- b) cost of rework due to non-conformance
- c) plant and labour efficiencies
- d) construction management and supervision deficiencies
- e) cost of clean-up, reinstating and any decontamination of worksites and stockpile areas
- f) wet weather risk will be capped - the RTA will pay for wet weather above a set limit, *eg, two days per project.*

The "Renegotiable Lump Sum" also mitigates Council's risk. During the first year if Council cannot provide the services required to meet the standards set for the contracted price, the lump sum amount can be renegotiated.

It is the RTA's intention after the first year (when both parties have learnt the financial realities of applying the standards), to move to a lump sum agreement.

Roads Section's Strategy

It is the Roads Section's plan to expose Council to as little risk as possible. As is currently the case, the RTA will be charged all associated oncosts and overheads. Additional steps will be taken to ensure **all** costs associated with RTA work are included in the contract prices.

All foreseeable risks will be assessed and included in the contract price. A profit margin will also be included in the prices.

Over the past two years the Roads Section has been concentrating on improving estimating, cost monitoring and control. We have been changing the way we manage our works so that when this contractual arrangement was introduced, we would be well positioned.

Principal Accountant's Comments

It is quite clear that the RTA is seeking to get more value for their money through this process of contracting roadworks. This change in business relationship will necessitate Council becoming more business focused in the manner in which works are estimated, quoted and performed.

LISMORE CITY COUNCIL - Meeting held May 2, 2000

RTA State Roads Work - Single Invitation Contracts

As addressed in the report, Council should aim to minimise its potential risk in these situations. The inclusion of a profit margin in calculating contract prices should help reduce this risk. It is my understanding that any profit made on a particular project will be used to balance any losses on other contracted projects. As long as the profit margin is realistic and set for this purpose, Council should be in a relatively stable position regarding this change in arrangements.

Public Consultations N/A.

Other Group Comments Not required

Conclusion

Single Invitation Contracts will apply to all future RTA work. Tenders for next year's maintenance works close on May 12, 2000.

It is beneficial to Council to undertake work for the RTA as the increased cash flow provides efficiencies to Council by increased utilisation of labour, plant and support services. Without the RTA work, several positions, both internal and external, would become redundant. Council will also be in a position to make some profit from the work in the future.

The way the contracts are currently set up, the risk to Council is not high. The Roads Section has been preparing for this type of work and is well positioned to perform satisfactorily.

Recommendation (WOR14)

1. That Council note the introduction by the RTA of Single Invitation Contracts.
2. That Council delegate authority to the General Manager to submit tenders on behalf of Council for RTA Single Invitation Contracts.

Subject/File No: NIMBIN SCHOOL OF ARTS INCORPORATED - REQUEST FOR LOAN OF \$35,000 FOR PROPOSED BUILDING EXTENSION (RS/P16061)

Prepared By: Manager - Finance & Administration - Rino Santin

Reason: For consideration in the absence of a policy.

Objective: To determine level of assistance, if any.

Management Plan Activity: Financial Services

Background:

Council has received a letter (copy attached) from the Nimbin School of Arts Incorporated asking for assistance in the form of either a loan or acting as guarantor, for \$35,000 for building extensions. The Local Government Act 1993, s356, allows Council to provide this type of financial assistance.

The proposal is to build a covered deck with a storeroom. It is stated that "This development will greatly enhance the amenity value of our community hall and includes the important provision of a ramp to enable disabled access to the toilets.". The 'assured income' from these works is \$500 per month which is to be used to pay off the loan commitment.

The School of Arts has also approached Westpac, but it is likely that they will require a guarantor for the funds.

Council previously loaned the School of Art \$11,500 for renovation works. The loan has been paid in full and in advance.

Precedent :

It is important to note that we are not a lending institution. However, to enhance community development, Council has resolved from time to time to support this type of request for financial assistance. As such, we currently have a number of 'like' arrangements and the following summary of these is provided :-

Loans			
<u>Organisation</u>	<u>Outstanding Amount</u> 17/4/2000	<u>Interest Rate</u>	<u>Pay Out Date</u>
FNC Hockey Association	21,036	7.30%	2002
Lismore Basketball Association	26,380	6.50%	2006
FNC Baseball Association	18,000	NA	2000
The Channon Child Care Centre	6,257	7.70%	2004
Nimbin Community Development Association	126,133	6.21%	2008
Guarantor			
<u>Organisation</u>	<u>Amount</u>	<u>Termination Date</u>	
FNC Baseball Association	120,000	2006	
Lismore Tennis Club	30,000	2002	

The issue with the majority of the current arrangements is that we have no security or agreed default position (other than Nimbin Community Development Association). This means that should one of the organisations default on their repayments, we would have to bear the repayment costs. It is important to note that this situation has never occurred.

Application Appraisal :

The School of Arts letter provides some useful financial information, but unfortunately provides insufficient security to protect Council. This is why it is likely that lending institutions will ask for a 'guarantor' for the loan. This will be a consistent problem faced by all community/sporting groups when chasing funds for infrastructure improvement purposes.

Other than security, the following financial information is useful,

- a) a previous loan by Council of \$11,500 was paid off in advance,
- b) the building extension will generate additional income of \$500 per month in excess of existing requirements (\$6,000 per annum) to be used to pay off a loan (a repayment schedule of 8 years),
- c) the profit and loss statements for 1996 to 1999 shows an ongoing 'operating surplus' result with 1999 being \$14,511,
- d) the committee engage in active fundraising to supplement standard rental income.

Public Consultations

NA

Other Group Comments

Manager - Community Services

Whilst I would acknowledge the concerns raised by the Manager, Finance and Administration concerning the lack of security for a loan, there are a number of important issues to consider in favour of Council proceeding into an arrangement with the Nimbin School of Arts:

- The Local Government Act 1993 permits Council to undertake this role.
- There are already numerous precedents, primarily in the sport and recreation area, of Council providing such support.
- The School of Arts has a "good track record" with Council in terms of meeting its loan commitments and can demonstrate the income capacity to offset the loan repayments.

I would therefore support assistance by way of guarantee to the Nimbin School of Arts.

Conclusion

It is clear that there is a 'risk' involved in supporting this request whether it be in the form of providing the funds or acting as guarantor. The main risk being a lack of security. What this means is that Council's investment is not protected. This is consistent with arrangements we have with other groups.

At the same time, the School of Arts has demonstrated the ability to service a loan as well as generate an operating surplus since 1996 (at least). This indicates to me that the facility is well patronised and managed. Also, it is proposed that these works will generate additional income to meet the loan repayments.

If Council is of the belief that support is warranted to 'foster community development', then Council acting as guarantor for a period of up to eight years would be supported. On this basis, the need for security is diminished and the capacity to repay has greater credibility. Acting as guarantor is preferred as the administration of such arrangements is best managed by lending institutions with appropriate systems.

Recommendation Cor14

Council agree to act as guarantor for the Nimbin School of Arts Incorporated for a loan of up to \$35,000 to a maximum of eight (8) years, with the loan based on standard commercial conditions.

Subject/File No: CHANGE OF TITLE - CIVIC DESIGN PANEL
(NM:VLC:S273)

Prepared By: Manager - Parks & Recreation

Reason: Request from Civic Design Panel.

Objective: To gain Council approval for change of Panel title.

Management Plan Activity: N/A

Introduction:

In accordance with established procedures, changing the title of an Advisory Panel requires the approval of Council. As Servicing Officer for the Civic Design Panel it is my responsibility to present this report requesting Council approve the name change of the Civic Design Panel to the **Spirit of Lismore Panel**.

Background:

During the course of 1999, the Civic Design Panel undertook an assessment of its value and self-worth. To this end, the Panel conducted, as part of its regular meetings, a series of sessions with current and former members of the Panel looking at how the Panel began; what it has evolved into, and whether or not it was making a worthwhile contribution to the Council and its activities.

At these sessions the Panel Members also looked at what they felt the Panel was about and how its focus had changed with new members coming onto the Panel over the years. With these considerations in mind, the Panel reflected on how its existence impacted on numerous factors such as Lismore's streetscapes, amenity, heritage, culture, ambience, planning, natural environment, built environment and economic development, to name just a few.

In addition, members considered how the Panel could integrate better with other activities of Council; in particular contributing towards heritage awareness, tourism development, cultural development, etc - all in the Panel's own way. The Panel wanted to take a broader, more strategic approach to its existence rather than focusing on discreet landscaping projects around the City. Members felt they wanted to contribute on a broader scale with an integrated approach to projects other Advisory Panels and Departments of Council may be considering, eg, *the Wilson Riverbank Development Project*.

As an outcome of all this, the Panel felt that it was probably time to change its name to reflect this new focus and direction. However, the Local Government Elections were approaching and it was considered best to await the outcome of the Election.

With the advent of the recent Elections, the Panel waited to learn the identity of the new Panel appointments. Once this was determined, members began the task of developing a new strategic plan to reflect this new approach (**a copy of the Strategic Plan is attached as Annexure 1**).

At this time the Panel passed a resolution to request Council change the title of the Panel to the **Spirit of Lismore Panel**. This name was chosen as it was felt it best reflected the broader focus the new Panel was striving to achieve. Consequently, as Servicing Officer, I now pass on this request.

Manager - Finance & Administration Comments N/A

Public Consultations N/A

Other Group Comments

General Manager:

The Civic Design Panel has been reviewing its relevance/role for some months following the resignation of the former Chairman, James Lyon. Whilst it is encouraging that the Panel is seeking to undertake a role that will add value to Council decision-making, Council must be satisfied that the role envisaged does not unnecessarily duplicate work currently being undertaken by other Committees/Panels and thus create the potential for further delays with vital projects.

The new objectives developed by the Panel are wide-ranging and represent a significant broadening of its role. The Wilson River re-development project for example, has been worked up by the Lismore Economic Development Advisory Board following wide consultation with stakeholders and the community. Is it therefore necessary to further extend/duplicate this role by endowing some responsibility for this project with the Civic Design Panel?

Council recently reviewed its Committee structure and jettisoned a number of underperforming Committees/Panels. The Civic Design Panel was one Panel to come under some scrutiny but a decision on its future was deferred until the CDP presented the proposal to enhance the role and title of the Panel. Now that this report has been presented it is an appropriate time for Council to consider the future viability of this Panel.

Author's Conclusion

Now that the Panel has developed its strategic plan, it awaits confirmation of this request in order to 'fine tune' its activities and objectives for the future.

Recommendation (WOR12)

1. That Council approve the title change of the Civic Design Panel to the **Spirit of Lismore Panel** to take effect from the next meeting of the Panel.
2. That Council adopt the Strategic Plan for the Panel and endorse its inclusion with the Panel's Plan of Management.

LISMORE CITY COUNCIL - Meeting held May 2, 2000

Subject/File No: Lismore Rainbow Region Masters Games 2001 Organising Committee (JB:LC:S720)
Prepared By: Recreation Officer - John Bancroft
Reason: Council resolution December 14, 1999.
Objective: To determine Membership and Management matters relevant to the Games Committee.
Management Plan Activity: 5,8

Background:

Council, on December 14, 1999 resolved to underwrite the abovenamed event and sanctioned the formation of a Games Organising Committee. Part of the resolution included:-

"Individual appointments to the Committee and a Plan of Management for 2001 Games be determined via report to Council".

The purpose of this report is to advise as such. Elements of the Games Committee Marketing Strategies have been included in the Management Plan for Councils information.

Appointments to the Games Committee

Due to the success of the 1999 Games it is considered imperative that an elevated level of prior membership be maintained. Most of the 1999 group have indicated their willingness to offer their skills and knowledge once again. Should Council wish to put forward other individuals to be part of the Committee, I would prefer that they be added to the group rather than replacing those who have been involved from the feasibility stage of the project (1997).

With this in mind I propose the following:

Councillors x 2 (to be determined via resolution)
North Coast Academy of Sport x 1 - Mr Tony Clarke
Southern Cross University x 3 - Mr Peter Cordery, Ms Alison James & Mr Jak Carroll
Economic Development Unit x 1 - Mr Dave Arthur
Lismore Unlimited x 2 - (to be determined by Lismore Unlimited)
Southern Cross University Student Union x 1 - Mr Dave Graham
Tourist Office x 1 - Ms Andrea Roberts
Department of Sport & Recreation x 1 - Mr Sean Farrar
Lismore District Sports Association x 2 - Ms Therese Crollick & Mrs Gloria Mortimer (LDSA resolution April 12, 2000)
Community/Sport x 2 - Mr Paul Deegan & Mr Chris Hayward

Games Committee Management & Marketing Plan

A Management & Marketing Plan relevant to the Committee that is consistent with Councils format for such documents is attached for determination.

Conclusion

Committee membership matters and management documents are put to Council for determination. It is intended to commence initial meetings with sports groups etc on May 9, 2000. The next report to Council will be in October 2000 and it will detail financial, sponsorships and organisational matters relevant to the Games.

LISMORE CITY COUNCIL - Meeting held May 2, 2000

Lismore Rainbow Region Masters Games 2001 Organising Committee

Recommendation Cor13

1. Council appoint Councillor _____ & Councillor _____ as members of the Lismore Masters Games Organising Committee.
2. Community membership be as follows:
 - North Coast Academy of Sport x 1 - Mr Tony Clarke
 - Southern Cross University x 3 - Mr Peter Cordery, Ms Alison James & Mr Jak Carroll
 - Economic Development Unit x 1 - Mr Dave Arthur
 - Lismore Unlimited x 2 - (to be determined by Lismore Unlimited)
 - Southern Cross University Student Union x 1 - Mr Dave Graham
 - Tourist Office x 1 - Ms Andrea Roberts
 - Department of Sport & Recreation x 1 - Mr Sean Farrar
 - Lismore District Sports Association x 2 - Ms Therese Crollick & Mrs Gloria Mortimer (LDSA resolution April 12, 2000)
 - Community/Sport x 2 - Mr Paul Deegan & Mr Chris Hayward
3. Council adopt the Lismore Masters Games Organising Committee Management & Marketing Plan as attached.

LISMORE CITY COUNCIL - May 2, 2000

LOCAL GOVERNMENT CONFERENCE - GOSFORD

Subject/File No: LOCAL GOVERNMENT CONFERENCE - GOSFORD (S569)

Prepared By: Administrative Services Manager - Graeme Wilson

Reason: Need to book accommodation

Objective: To determine Delegates and Observers

Management Plan Activity:

Background:

The annual Local Government conference will be held this year at Gosford from November 12 - 15, 2000.

Attendance at Conference

Normally Council deals with the issue of who will be attending the subject conference nearer to the date when it will be held. However due to requirements associated with booking accommodation, this information is required now.

Council is entitled to send three voting delegates to the Conference and may send additional people as observers.

Council's policy on the issue of attendance, No 1.2.1 is reproduced below:

The Mayor and General Manager shall, where practicable, attend the Annual conference of the Local Government Association (NSW), with Council resolving each year the number of additional delegates/observers that will attend.

It should be noted that Councillors Irwin and Gallen will be attending the Conference in their capacity as members of the Executive.

Motions

Each Council is entitled to submit to the Conference motions for debate. It has been the usual practice for the Council to submit such motions.

Details surrounding this issue are yet to be received from the Association. When they are, they will be distributed to all Councillors with a view to possible motions being considered at a Council meeting.

Manager - Financial Services Comments

Not requested

Public consultations

N/A

Other Group Comments

N/A

Recommendation (Cor12)

- 1 That the Mayor and Crs _____ and _____ be appointed as Council's delegates to the conference
- 2 That Council determine any additional Councillors to attend as observers.

Subject/File No: INVESTMENTS HELD BY COUNCIL AS AT MARCH 31, 2000
(GB:LC:S170)

Prepared By: Financial Accountant, Graeme Blanch

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

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

Management Plan Activity: General Purpose Revenues

Background:

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

Council's total investment for March amounted to \$22,544,878.12 with an average interest return of 6.09%. The interest rates at the same time last year was 4.61%. Interest rates have been slowly rising over the last month in line with increasing borrowing rates.

Manager - Finance & Administration Comments

Included in the body of the report.

Public Consultations

Not required.

Other Group Comments

Not requested.

Recommendation Cor10

That the report be received and noted.

DOCUMENTS FOR SIGNING AND SEALING

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

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

Recommendation:

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

88E(3) Instrument:-Positive Covenant for Tenants in Common

To allow the utilisation of one on site treatment system and effluent treatment area between two dwellings on Lot 7 DP 6199992, 929 Blue Knob Road, Blue Knob. (DA99/888:P13756)

Request for Variation of Restriction on the Use of Land

Lot 8 DP715141, 28 Windsor Court, Goonellabah, to alter the building line from 6.0 metres to 5.0 metres (on that lot only) which will align with an approval granted in 1988 under DA88/368 (No physical change is made to the dwelling on the land, the Seal on the Request form simply allows correction to the Section 88B document in respect of that lot in line with the building line alteration previously granted.) (00-5421:P17206)

Cook Subdivision of 8 Windsor Court, Goonellabah

Request on Title Cancel Caveat K200000P releasing Public Reserve for Road Widening. (P18694:00-5247)

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE CITY OF LISMORE
HELD IN THE COUNCIL CHAMBER, GOONELLABAH ON TUESDAY,
APRIL 4, 2000 AT 6.03PM.

- Present:** His Worship the Mayor, Councillor Gates; Councillors Baxter, Chant, Crowther, Gallen, Hampton, Irwin, King, Roberts, Suffolk, Swientek and Tomlinson, together with the General Manager; Group Managers- Corporate & Community Services, City Works, Acting Planning & Development, Business & Enterprise; Manager Finance & Administration, Manager Water & Wastewater, Contracts Engineer, Acting Manager Planning Services, Workshop & Fleet Manager, Manager Waste Services, Manager Business Development and Administrative Services Manager.
- 72/00 **Apologies/** Leave of absence granted to Councillor Chant from April 5, 2000 to
Leave of May 1, 2000 and to Councillor Irwin for May 16, 2000.
Absence: (Councillors Gallen/Baxter)
- 73/00 **Minutes:** The Minutes of the Ordinary Meeting held on March 14, 2000,
were confirmed.
(Councillors Baxter/King)

PUBLIC ACCESS SESSION:

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

Mr Barry Robinson re Mayoral Minute - CBD Upgrade

Mr Robinson advised he represented Lismore Unlimited, Lismore Economic Development Unit and the Civic Design Panel.

He spoke in support of redevelopment of the CBD because, it would attract business, the need to keep up with competitors, the CBD has paid for such work through its rates, the need to create the CBD as an attraction feature and finally because a City is judged by its CBD.

Mr Peter Burge re Rescission Motion - Draft Amendment No 3 - Lismore LEP 2000

On behalf of the applicant, Eastpoint Shopping Centre, Mr Burge sort deferral of the Rescission Motion and subsequent Notice of Motion for six weeks, during which he hoped that discussion of various matters with the RTA would be finalised.

Mr Alex McLeay re Report DA 99/910 - Extension of Macadamia Processing Facility

Mr McLeay offered qualified support for the development. He requested that previous conditions of consent be complied with and sought a bond be applied to the development to ensure compliance with future conditions of consent.
(DA99910)

Mr Bryan Raphael re Report DA 99/910 - Extension of Macadamia Processing Facility

Mr Raphael outlined the current operation and its benefit to the community. He then detailed the proposed development and urged its support by Council.
(DA99/910)

Ms M Penton re Report DA 99/910 - Extension of Macadamia Processing Facility

Ms Penton advised she spoke on behalf of a group of concerned residents. She claimed inadequate time to consider the proposed conditions of consent and sought deferral of the application to allow such consideration. Failing this, she detailed a number of changes to the conditions as proposed. She stressed the need to ensure compliance with and enforcement of conditions of consent.
(DA99/910)

Mr Stan Heywood re Torch Relay Celebration

Mr Heywood spoke entertainingly using as a basis a 1938 document entitled "Myself, the Duke & the Mayor" on the issue of the Olympic Torch Relay. His theme being that the relay will have no long-term tourism benefit for the rural areas.
(S727)

CONDOLENCES

Family of the Late Bill McKenzie

Mr McKenzie was employed by Lismore City Council from December 24, 1966 to October 31, 1997. During this time Bill occupied a number of positions chiefly in the areas of plant operator and truck driver. Bill will best be remembered for his role as Council's emergency call out person. Bill always approached his duty with a smile on his face. His contribution to the community of Lismore in this role should not be underestimated.

Family of the Late Florian Volpato

Dr Volpato arrived in Sydney from Italy in 1951 after surviving World War II as a prisoner of war and member of the Resistance in Italy. He worked in a sugar mill at Pyrmont, a glass factory and a timber mill before getting a job as a bookkeeper for Importer Vic Fiorelli.

Dr Volpato moved to Lismore for Fiorelli and soon had his own business and qualified as a tax agent. He set out to help members of the local Italian community with his business experience, teaching English to immigrants and Italian to local businessmen. He broadcast a radio program in Italian and English for more than 10 years.

Dr Volpato became an Italian Consular Agent, Justice of the Peace, interpreter, real estate agent and travel agent.

From the 1950's to the 1970's he helped set up the Continental Music, Sports and Recreation Club and became president of the Lismore Lions Club. He also created the Summerland Travel Organisation, which now has 20 offices Australia wide, and was instrumental in the creation of the Casino Hide Traders tannery.

Dr Volpato was president of the New Italy Museum Inc and said previously that his most satisfying achievement was the establishment of the New Italy Museum and Park of Peace Complex.

His contribution to the Arts in the city was significant as was his efforts in the retention of heritage buildings.

Dr Volpato received many awards, including a Medal of the Order of Australia in 1996, the NAB Ethnic Business Award for NSW and ACT in 1996, Citizen of the Year and the Cavaliere Award in 1999

74/00

The Mayor moved that Council's expressions of sympathy be conveyed to the families of the above and the motion was carried with members standing and observing the customary moments silence.

MAYORAL MINUTES:

Lismore CBD Upgrade

(Copy attached)

A motion was moved that the minute be received and Council advise Lismore Unlimited it will provide \$450,000 when required from the 2000/2001 loan program provided:

- 1 Lismore Unlimited carry out a survey of owners and operators of CBD property to determine:
 - a) what form the upgrade should take;
 - b) a fair and equitable contribution from benefiting ratepayers. The method of the survey to be approved by Council.
- 2 The method, extent and form of survey to be agreed to by Council and Lismore Unlimited.

(Councillors Gates/King) (S273)

AN AMENDMENT WAS MOVED that

- 1 Council approve the inclusion of \$450,000 in the 2000/2001 budget for CBD beautification.
- 2 That this be funded from loan funds.
- 3 That a report be presented to a Council workshop as soon as possible on the CBD beautification design endorsed by the community, with a series of options as to the location of future beautification works.
- 4 The options be put to the business community and the broader community in the form of a survey.

(Councillors Irwin/Gallen)

On submission to the meeting the AMENDMENT was DEFEATED.

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

75/00

RESOLVED that the minute be received and Council advise Lismore Unlimited it will provide \$450,000 when required from the 2000/2001 loan program provided:

- 1 Lismore Unlimited carry out a survey of owners and operators of CBD property to determine:
 - a) What form the upgrade should take;
 - b) a fair and equitable contribution from benefiting ratepayers. The method of the survey to be approved by Council.
- 2 The method, extent and form of survey to be agreed to by Council and Lismore Unlimited.

(Councillors Gates/King) (S273)

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

Budget Preparation - Road Rehabilitation

(Copy attached) (Tabled)

76/00

RESOLVED that the minute be received and the target for road rehabilitation in the 2000/2001 budget be \$2M excluding FAGs funds except for that portion which is allocated to road maintenance.

(Councillors Gates/Hampton) (S374,S755)

Voting Against: Councillors Irwin, Roberts and Gallen.

RESCISSION MOTIONS:

Council Documents for Councillors

(Copy attached)

77/00

Formal notice having been given by Councillors Gates, Suffolk and Hampton it was **RESOLVED** that resolution 56/00 dealing with deferral of items on the business paper unless all information becomes available at the time of delivering the business paper be rescinded.

(Councillors Gates/Suffolk) (00-4246: S43)

Voting Against: Councillors Irwin, Roberts, Tomlinson and Gallen

Draft Amendment No. 3 - Lismore LEP

Formal notice was given by Councillors Crowther, Irwin and Tomlinson that the motion referring to Draft Amendment No. 3 - Lismore LEP 2000 - Neighbourhood Shopping Centre, Cnr. Holland Street and Ballina Road, Goonellabah (Minute No. 33/00) be rescinded.

At the request of Councillor Crowther the Recission Motion was WITHDRAWN.

(00-4002: S746)

NOTICE OF MOTIONS:

Council Documents for Councillors

(Copy attached)

78/00

Formal notice having been given by Councillor Gates it was **RESOLVED** that -

- 1 That staff take all reasonable steps to ensure that documents, reports and other items relevant to issues in a Council business paper be distributed to all Councillors with the business paper or prior to delivery of the business paper. When this does not occur resulting in the information not reaching Councillors with adequate time for consideration, the relevant matter be either withdrawn from the business paper or be considered for deferral depending on the urgency of the matter.
- 2 That the above be established as a matter of policy.
- 3 that documents such as amended "Documents for Signing and Sealing" and legal opinions be exempted from the policy.
- 4 That the policy not apply where despite the best efforts of staff relevant material has not been delivered to any Councillor/s because of their unavailability or inaccessibility.

(Councillors Gates/Swientek) (00-4247: S43)

Voting Against: Councillors Irwin, Roberts, Tomlinson and Gallen

Draft Amendment No. 3 - Lismore LEP

(Copy attached)

Formal notice was given by Councillor Crowther that subject to satisfactory traffic management pertaining to the proposal to develop a shopping centre on the subject land, the rezoning amendment No. 3 be approved.

At the request of Councillor Crowther the Notice of Motion was WITHDRAWN.

(00-4002: S746)

Special Rate Variation - Nimbin Village

(Copy attached)

Formal notice was given by Councillor Roberts that -

- 1 That Council support in principle an application to the Minister for Local Government for a special rate variation to be applied to all properties subject to a business rate within Nimbin Village with the aim of raising between \$10,000 and \$20,000 per annum.
- 2 The funds raised by this special rate are to be expended in the Nimbin Village commercial precinct at the discretion of the Nimbin Chamber of Commerce in consultation with the local business community and Council.
- 3 That Council and the Nimbin Chamber of Commerce immediately engage in consultation with affected property owners to gain support or otherwise for such a proposal.

At the request of Councillor Roberts the Notice of Motion was WITHDRAWN.

(00-4385: S384)

REPORTS:

DA99/910 - Staged Extension of the Macadamia Processing Facility and Increased Production, Cnr Bruxner Highway & Cowlong Road

(Copy attached)

A MOTION WAS MOVED that

- A That Council grant delegated authority to the General Manager to approve variations of a minor nature and/or arithmetic nature and/or staging reconfiguration to conditions of consent applied to this application except where a particular condition has been specifically identified as requiring Council consent if it is to be varied.
- B That Council, as the consent authority, approve Development Application 99/910 for the staged extension of the macadamia processing facility and increased production, Cnr Bruxner Highway and Cowlong Road, Alphadale, being Lot 22 DP 631981, subject to the following conditions:

CONDITIONS APPLICABLE TO ALL STAGES (STAGES 1, 2, 3 AND 4):

Planning

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. 99069 sheets DA1 to DA4 inclusive dated November 1999 and 99069 sheet DA5 dated March 2000 and supporting documents submitted with the application. A copy of the approved plan is/are attached to this consent.

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

- 2 Total production for the facility is limited under this consent to a maximum of 20,000 tonnes nut in shell at 10% moisture content per annum. Any proposed to extend production beyond this limit requires a further Development Consent from Council.

Reason: To provide a limitation to production and relativity of conditions.

- 3 A statement of production amounts (nut in shell) signed by the General Manager for Macadamia Processing Company is to be submitted to Council by February 1 of each year for the preceding calendar year, certifying the production tonnage for that year.

Reason: To provide a monitoring base in relation to conditions.

Drainage

- 4 Paved surfaces, landscaped areas, roof water and subsoil drainage systems, shall be designed so all water is directed to a drainage system acceptable to Council to prevent discharge runoff onto adjoining land. Full design details of the proposed drainage system shall be submitted for approval with the Construction Certificate for the Stage 1 Warehouse Building (and, as relevant, each construction certificate for subsequent development stages), the layout shall be generally in accordance with the site plan 99069 - DA1 as submitted with the Development Application.

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))*

- 5 Measures shall be put in place to control stormwater runoff. These control measures shall be in place prior to the commencement of works and shall prevent soil erosion and the transport of sediment from the development site into either:
- adjoining land
 - natural drainage courses
 - constructed drainage systems, or
 - waterways.

All disturbed areas shall be stabilised and revegetated. Turfing or another approved seeding method shall be undertaken in each part of the development within 14 days of completion of earthworks. Topsoil shall be preserved for site revegetation. Details of sediment control measures and revegetation works shall be submitted to the Principal Certifying Authority for approval prior to release of the Construction Certificate.

Reason: *To ensure protection of natural waterways from the effects of transported sediment loads as a result of erosion and runoff from polluted environments .*

- 6 The proponent shall make satisfactory provision for stormwater to be directed through piped drains that are constructed according to Council's Development, Design and Construction Manual (as amended). All roof water from any proposed building and/or surface water from paved areas shall be directed to a Council approved drainage system.

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))*

- 7 Suitable stormwater detention basin(s) shall be provided for the outfall of all concentrated stormwater within the site and shall be operational prior to the commencement of any works on site. The design of the basins shall be in accordance with the blue book from the Department of Housing, "Managing Urban Stormwater Soils and Construction" for the peak storm for a 5 year recurrence interval. The detention basins shall remain in place and shall be regularly maintained for the life of the development and shall be maintained in accordance with a management plan written specifically for that purpose. The basin shall also be designed for a maximum retention period of 15 days and shall not be permitted to develop anaerobic bacteria.

Reason: *To ensure protection of natural waterways from the effects of transported sediment loads as a result of erosion and runoff from polluted environments.*

Earthworks

- 8 The slope of any fill batter shall not exceed 1:4. The batter shall be stabilised with plantings and maintained in a neat state. Details of plantings shall be submitted to the Principal Certifying Authority prior to release of the Construction Certificate for Stage 1 roadwork's.

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

- 9 Bulk earthworks shall not commence on site before the release of relevant Construction Certificates.
-

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

10 All filling used for building platforms to be certified by a NATA registered laboratory, in accordance with Australian Standards 3798 and 1289.

Reason: To ensure the development is completed in accordance with the conditions and approved construction design plans. (EPA Act Sec 79C(b))

Roads

11 The proponent shall provide the following roadworks with associated stormwater drainage structures that have been designed and constructed in accordance with Council's Development, Design and Construction Manual (as amended). The proponent shall be responsible for any costs, including maintenance, for a period of six months from the date of approval of completion of the work. Required roadworks include the works indicated on Plan No 99069 - DA5 amendment C as submitted with the Development Application. The works shall include:

- Widening of Cowlong Road between the two existing entrances to 7.0m wide seal with a minimum gravel depth of 300mm of compacted gravel, in accordance with Council's Development and Construction Manual (February 1993) as amended from time to time.
- The northern entrance to the site shall be reconstructed to allow the free turning movement of semi trailer trucks and shall provide for a sight distance of 105m. The pavement composition shall be a minimum depth 300mm of compacted gravel, in accordance with Council's Development and Construction Manual (February 1993) as amended from time to time and shall be sealed for a distance of 25m from the edge of the seal in Cowlong Road.
- Kerb and gutter shall be constructed to inside the property boundary along the returns of the northern entrance, and for the extent of the road widening along the western edge of Cowlong Road

An accredited certifier or practising qualified surveyor or engineer shall submit to the Principal Certifying Authority for approval prior to the release of the compliance certificate, a "works-as-executed" set of plans and construction certification. The compliance certificate for construction shall detail satisfactory completion of all roads, drainage and civil works required by this development consent and Construction Certificate.

- That this condition not be actioned until a design is approved by Council with a view to retaining as many trees as possible with the exception of camphor laurels.

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

12 Full design plans of the proposed engineering works to satisfy conditions 4, 5, 6, 7, 8, 11 and 14, shall be submitted to the Principal Certifying Authority for approval prior to the issue of a Construction Certificate for the Stage 1 Roadworks (and, as relevant, each Construction Certificate for subsequent development stages). If such plans are approved by Council, a checking fee is payable on submission of engineering design plans for drainage or roadworks and shall be charged in accordance with Council's fees and charges at the time of the service.

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

13 Prior to carrying out any works within a public road reserve, the proponent shall complete an application for road opening permit and receive written approval from Council. Satisfactory arrangements for restoration with Council's City Works Group shall also be required, with all works constructed according to Council's Development, Design and Construction Manuals (as amended). All costs shall be the responsibility of the proponent.

Reason: To ensure all restoration works are in accordance with Council's minimum standards (EPA Act Sec 79C(b))

14 The proponent shall provide a plan of management for the construction of all civil works outside the real property boundaries of the proposed development. The

plan shall table scheduling of works so as to be completed in the shortest possible time with minimal impact on the general community. Such plan shall include a Traffic Control Plan prepared by an RTA accredited person. This plan of management shall be provided and approved by the Principal Certifying Authority prior to the release of Construction Certificate for Stage 1 Roadworks.

Reason: *To ensure no conflict occurs between civil works and general public during construction.*

Vehicular Access

15 Driveways, access aisles and parking areas shall be provided with a bitumen sealed or other approved surface. Such a surface shall be on a suitable pavement, constructed and maintained in accordance with Council's Development, Design and Construction Manuals (as amended).

Reason: *To provide adequate internal circulation roads and to prevent dust and the transport of eroded road pavement material for the anticipated traffic that will be generated by the development. (EPA Act Sec 79C(a))*

16 All loading and unloading shall take place within the property boundaries, including the parking of construction and private vehicles associated with the development.

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

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

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

Car Parking

18 Provision shall be made for an additional 50 carparking spaces with a bitumen sealed, paved or equivalent hard surface constructed and landscaped in accordance with the requirements of the Council's Development Control Plan No. 18 Off Street Carparking Requirements. Documentary evidence to be submitted to the Principal Certifying Authority prior to the release of an Occupation Certificate.

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

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

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

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

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

21 The new car parking area proposed on Plan No 99069 - DA1 as submitted with the Development Application shall be restricted in its use to the day time working shift and shall be available for use only between the hours of 5.30am to 8.00pm daily.

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

Section 94 Contributions

22 Payment of contributions levied under Section 94 of the Environmental Planning and Assessment Act and Lismore City Council S94 Contributions Plan 1994 (as amended) are required. Such levies shall contribute towards the provision of public services and/or amenities identified in the attached schedule. Such levies shall be calculated at the rate(s) in effect on the date the Construction Certificate is granted. The rates and amounts applying at the date of this notice, totalling \$24,900 payable to Council must be by bank cheque or cash. Personal cheques

are not acceptable. All contributions, bonds etc. shall be paid prior to the Construction Certificate is granted.

Should levies set out in the attached schedule not be paid within twelve (12) months of the date of this consent, the rates shall be increased in accordance with the percentage increase from the date of approval to the date of payment, as notified by the Consumer Price Index (Sydney).

The contributions set out in the schedule are exclusive of any GST (if any) and if the provision of any services or the construction of any infrastructure or any other thing with those contributions occurs after July 1, 2000, then in addition to the amount specified above the Applicant will pay to the Council the GST (as defined below) which is payable by the Council in respect of the provision of such services or construction of any infrastructure or any other thing.

If the contributions set out in the schedule, or part thereof, are to be met by the dedication of land or other approved Material Public Benefit, then the Applicant will pay to Council the GST (defined below) applicable to the value of land dedicated or (Material Public Benefit) which is payable by the Council in respect of the provision of such services or construction of any infrastructure or any other thing.

GST means any tax levy charge or impost under the authority of any GST Law (as defined by the GST Act) and includes GST within the meaning of the GST Act.

The GST Act means A New Tax System (Goods and Services Tax) Act 1999 or any amending or succeeding legislation.

Reason: *To provide funds for the provision of services and facilities identified in Lismore City Council's Section 94 Contributions Plan dated July 1999 as required by the increased population or activity. (EPA Act Sec 94)*

Building

23 The following building works are to be certified by Council or by an Accredited Certifier in the form of a Compliance Certificate. In the event that Council is the Principal Certifying Authority, you are required to notify Council at least 24 hours prior to the inspection.

- (a) Footings - the foundation trenches are open and the steel reinforcement is in position, prior to concrete being placed.
- (b) External drainage - the drainage lines have been laid externally by the plumber and or drainer, so that a water test may be carried out, prior to the pipes being covered. The internal drainage is to be certified by the plumber and or drainer and a layout plan to be submitted to Council prior to pouring of the concrete slab.
- (c) Slab - the slab reinforcement is in position, prior to concrete being placed.
- (d) Framework - the framework is completed, wet area flashing in place, external brickwork erected (where applicable) and the roof covering in position, prior to fixing the internal linings.
- (e) Occupation - the building is completed or an Occupation Certificate is required.

In the event that Council is the Principal Certifying Authority, you are required to notify Council at least 24 hours prior to the inspection.

Reason: *To assess compliance with this approval.*

NOTE: Please note that rural areas and villages will only be serviced for building inspections on Tuesdays and Thursdays. Council seeks your co-operation in organising your works program to suit these times.

24 Buildings are not to be occupied until an Occupation Certificate is issued by the Principal Certifying Authority.

All works associated with the treatment and disposal of effluent shall be completed prior to issue of the Occupation Certificate for the Stage 2 Processing Building.

Reason: *To meet statutory requirements and to ensure compliance with this approval.*

25 Council to be advised on completion of building works undertaken for each stage.

Reason: *To assess compliance with this approval.*

- 26 Before work is commenced Council must be informed in writing of the name and accreditation number of the Principal Certifying Authority who has been appointed to do the work.

Reason: *Required by Section 113 of the Local Government Act.*

- 27 Prior to the issue of a Construction Certificate, for the Stage 1 Warehouse Building (and, as relevant, each Construction Certificate for subsequent development stages), the applicant shall submit written advice from the NSW Fire Brigades that the design of the 6 metre wide fire fighting access road surrounding the building is suitable for use by the Fire Brigade.

Reason: *To ensure fire trucks can negotiate the road.*

- 28 Application being made to Lismore City Council for any activity proposed under Section 68 of the Local Government Act.

Reason: *To comply with the statutory requirements.*

Water and Sewerage

- 29 Effluent treatment and disposal shall be in accordance with the reports submitted by Bill Payne and Associates of March 13, 2000, and March 24, 2000. All associated costs in relation to connection to the sewerage system are to be borne by the developer.

Reason: *To ensure adequate protection of utility services and to ensure compliance with the Trade Waste Approval. (EPA Act Sec 79C(b))*

- 30 Prior to the release of the Construction Certificate in respect of Effluent Treatment Facilities, an application to discharge trade waste, including a plan that contains all details of the proposed trade waste installation, as specified in the "Guidelines and Information required in the Assessment of an Application" as issued by the Department of Land and Water Conservation, shall be submitted to Lismore City Council. Designs are to be in accordance with Australian Standard 3500, the NSW Code of Practice - Plumbing and Drainage, and other relevant Australian Standards.

Reason: *To ensure adequate protection of utility services and to ensure compliance with the Trade Waste Approval. (EPA Act Sec 79C(b))*

- 31 Prior to release of the Construction Certificate in respect of Effluent Treatment Facilities, an approval to discharge Trade Waste under Part 3 of the Local Government (Approvals) Regulations 1999 is to be obtained from the Water and Wastewater Section.

Reason: *To ensure adequate protection of utility services and to ensure compliance with the Trade Waste Approval. (EPA Act Sec 79C(b))*

- 32 The proponent is responsible for ensuring that the existing water/sewer pipe is not damaged while performing the works. If the existing water/sewer pipe is damaged during the course of performing the works, the proponent will:

- notify Lismore City Council immediately when the breakage occurs, and
- repair the damage at no cost to Lismore City Council.

Reason: *To ensure adequate protection of utility services. (EPA Act Sec 79C(b))*

- 33 Full design plans of the proposed engineering works to satisfy condition(s) shall be submitted to Lismore City Council. Such plans must be approved by the Manager-Water and Sewerage before the issue of the Construction Certificate in respect of Effluent Treatment Facilities. Construction of these works will need to be completed before a Certificate of Compliance is issued by Lismore City Council under s.26 of the Water Supply Authorities Act 1987.

Reason: *To provide adequate services for the development (EPA Act Sec 79C(c))*

- 34 The proponent shall pay to Council all Water and Sewerage Headworks Levies deemed necessary by Council and in accordance with Section 64 of the Local Government Act 1993, as detailed in the attached schedule. Such levies shall be paid prior to release of Construction Certificate.

The contributions set out in the schedule are exclusive of any GST (if any) and if the provision of any services or the construction of any infrastructure or any other thing with those contributions occurs after July 1, 2000, then in addition to the

amount specified above the Applicant will pay to the Council the GST (as defined below) which is payable by the Council in respect of the provision of such services or construction of any infrastructure or any other thing.

If the contributions set out in the schedule, or part thereof, are to be met by the dedication of land or other approved Material Public Benefit, then the Applicant will pay to Council the GST (defined below) applicable to the value of land dedicated or (Material Public Benefit) which is payable by the Council in respect of the provision of such services or construction of any infrastructure or any other thing.

GST means any tax levy charge or impost under the authority of any GST Law (as defined by the GST Act) and includes GST within the meaning of the GST Act.

The GST Act means A New Tax System (Goods and Services Tax) Act 1999 or any amending or succeeding legislation.

Reason: *To provide funds for the provision of services and facilities identified in Lismore City Council's Section 64 Contributions Plan dated February 1996 as required by the increased population or activity. (EPA Act Sec 94)*

35 The applicant is to provide full details of

- a) The discharge sewer manhole is to be 19D16A unless determined otherwise by Council's Water and Wastewater Manager.
- b) The pump station with the magnetic flow meter.
- c) The effluent quality monitoring system downstream of the pumping station.
- d) Proposed discharge times

These details are to be submitted for approval prior to the issue of the construction certificate in respect of effluent treatment facilities, and shall be designed, constructed and operated in accordance with Lismore City Council's adopted standards.

Reason: *To ensure that the Council's existing sewer services are not overloaded. (EPA Act Sec 79C(b))*

36 The Applicant shall be responsible for the full cost of sewerage maintenance directly related to the facilities and infrastructure provided by Macadamia Processing Pty Ltd as considered necessary by Lismore City Council's Manager-Water & Waste Water for a period of twelve months from the date of approval of the work.

After satisfactory completion of this work, a practising qualified surveyor shall submit "works-as-executed" set of 1:1000 transparency plans and plans in digital format (Autocad or similar) showing these works.

Reason: *To ensure adequate protection of utility services. (EPA Act Sec 79C(b))*

37 The applicant to have an Easement for sewerage line where the sewerage line traverses private property, and written permission to be obtained from all relevant Authorities prior to the construction of the sewer line.

Reason: *To ensure that all relevant approvals are in place.*

38 Maintenance and the operation of the proposed infrastructure provided by the applicant will be the responsibility of the applicant unless alternative arrangements are concluded between the applicant and the Council.

Reason: *To set clear responsibility guidelines.*

39 The applicant is to seek approval from the necessary agencies, including the Department of Health and Council's Environmental Health Section for the use of effluent reuse for washdown purposes.

Reason: *To ensure that all relevant approvals are in place.*

Environmental Health

40 A report undertaken by a suitably qualified professional which identifies any contamination plume around the dip site and any impacts on the proposed development must be submitted to Council prior to release of the Construction Certificate for the Stage 1 Warehouse Building. Sampling must be carried out in accordance with the NSW EPA Contaminated Sites "Sampling Design Guidelines".

Reason: *To ensure that the dip site and surrounds are to acceptable environmental health standards.*

- 41 A plan of management detailing proposals for ongoing inspection and maintenance of the stormwater management system are to be submitted to and approved by Council prior to the release of the Construction Certificate for the Stage 1 Warehouse Building.

Reason: *To ensure that stormwater management is an acceptable level.*

Planning

- 42 External building colours are to match those existing and as detailed in the Statement of Environmental Effects.

Reason: *To ensure satisfactory visual appearance of the development.*

- 43 Amplification of external telephones is not to occur during the hours of 8.00pm to 7.00am daily.

Reason: *To reduce potential after hours noise nuisance.*

- 44 During construction the environmental impact amelioration recommendations by Gary Opit - Ecosse Environmental Consultants, as contained in Section 9.5 - General Ameliorative Measures in the Report dated December 1999 submitted with the Development Application, are to be adhered to.

Reason: *To ensure compliance with submitted environmental safeguards.*

- 45 A rodent baiting programme is to be developed and submitted to Council for approval prior to construction commencing. This programme is to outline measures to be taken by macadamia processing company to control the incidence of vermin for the development.

Reason: *To ensure an adequate vermin control is provided.*

- 46 The Macadamia Processing Company is to submit to Council an annual compliance report (certified by the General Manager - Macadamia Processing Company) identifying compliance or otherwise with the conditions of this consent. The report is to be submitted to Council no later than February 1 each year, to cover the preceding year. The first report is due February 1 of the year following the commencement of construction works.

Reason: *To ensure an overall annual compliance with all conditions as set.*

- 47 A detailed landscape plan shall be submitted to Council prior to the release of the Construction Certificate for the Stage 1 Warehouse Building, this plan identifying proposed landscaping to the immediate south of the additional carparking facility.

Reason: *To provide landscaping detail.*

- 48 The applicant or operator shall appoint a company liaison person, and notify all local residents living within 500 metres of the development site of the appointment, name and contact of that person. The company liaison person shall initiate a community consultation process in accordance with the Plan of Management contained within the Development Application.

Reason: *To ensure formal access to a person responsible for operational compliances.*

Noise

- 49 The applicant or operator shall ensure that all factory door openings are used in a manner in accordance with the noise and traffic plan of management, and that the plans of management are submitted to Lismore City Council for approval prior to release of the Construction Certificate for the Stage 1 internal fitout.

Reason: *To ensure that noise levels are properly contained.*

- 50 A noise test is to be undertaken at the completion of each stage of the development certifying compliance with noise control requirements. In the event that noise levels are exceeded, works are to be undertaken to ensure compliance.

Reason: *To provide a monitoring procedure for noise issues.*

- 51 Mechanical ventilation shall comply with Australian Standards 1668 (Parts 1 and 2). The applicant or operator shall submit to Council plans and specifications of any system of mechanical ventilation and air conditioning.

Reason: *To provide for satisfactory work environment whilst containing noise escape.*

- 52 The Southern Loading Dock door of the existing processing plant building is to be kept closed between the hours of 8.00pm to 7.00am daily until such time as

internal alterations and air-conditioning within that building are completed, to attenuate the emission of light and noise from that doorway.

After these internal works to the existing processing plant are completed, the Company Liaison Person is to liaise with the residents adjacent to the southern doorway to review effectiveness of the works undertaken.

Reason: *To ensure that noise and light nuisance is substantially reduced, and to provide a mechanism for monitoring of the noise and light escape."*

ADVISORY NOTES

NOTE 1: Water and/or Sewerage Headworks levies payable under the Water Supply Authorities Act 1987 totalling \$215,125 will need to be paid to Council prior to Council issuing a Construction Certificate under s.26 of the Water Supply Authorities Act 1987. The contributions set out in the schedule are exclusive of any GST (if any) and if the provision of any services or the construction of any infrastructure or any other thing with those contributions occurs after July 1, 2000, then in addition to the amount specified above the Applicant will pay to the Council the GST (as defined below) which is payable by the Council in respect of the provision of such services or construction of any infrastructure or any other thing.

If the contributions set out in the schedule, or part thereof, are to be met by the dedication of land or other approved Material Public Benefit, then the Applicant will pay to Council the GST (defined below) applicable to the value of land dedicated or (Material Public Benefit) which is payable by the Council in respect of the provision of such services or construction of any infrastructure or any other thing.

GST means any tax levy charge or impost under the authority of any GST Law (as defined by the GST Act) and includes GST within the meaning of the GST Act.

The GST Act means A New Tax System (Goods and Services Tax) Act 1999 or any amending or succeeding legislation.

NOTE 2: In relation to Condition No. 30, approval from the Department of Land and Water Conservation (DLWC) and Lismore City Council is required prior to discharging Trade Waste into the sewerage system. This approval from DLWC can take up to two (2) months to grant. Application forms will be forwarded by Council to the DLWC and are available from Lismore City Council. An application fee is payable on the submission of a Trade Waste Application. The current application fee can be obtained by contacting Council.

NOTE 3: The proponent is advised to consult Rous County Council regarding their requirements for the provision of services to the development and the location of existing services that may be affected by proposed works, either on site or on the adjacent public road(s).

NOTE 4: Prior to commencing any construction works, the following provisions of the Environmental Planning and Assessment act, 1979, are to be complied with:

- (i) A Construction Certificate is to be obtained from the Consent Authority or an Accredited Certifier in accordance with Section 81A(2)(a) of the Act.
- (ii) A Principal Certifying Authority is to be appointed and Council is to be notified of the appointment in accordance with Section 81A(2)(b) of the Act.
- (iii) Council is to be given at least two (2) days notice of the persons intention to commence building works, in accordance with Section 81A(2)(c) of the Act.

NOTE 5: The applicant may apply to the Council or an Accredited Certifier for the issuing of a Construction Certificate and to be the Principal Certifying Authority to monitor compliance with the approval and issue any relevant documentary evidence or certificates.

NOTE 6: This development approval does not guarantee compliance with the Disability Discrimination Act and the developer should therefore investigate their liability under the Act. Council can assist developers by directing them to Parts 2, 3 and 4 of Australian Standard 1428 - Design for Access and Mobility (Part 1 is mandatory in the BCA).

NOTE 7: Nut and shell receival times as set down in previous consents (being 7.00am to 5.00pm Mondays to Fridays only) remains unchanged.
(Councillors Swientek/Suffolk) (D99/910)

AN AMENDMENT WAS MOVED that the development be approved as detailed in the motion subject to; Item A being amended to read;

That Council grant delegated authority to the General Manager to approve variations of a minor nature and/or arithmetic nature and/or staging reconfiguration 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 and excluding issues surrounding noise abatement, hours of operations significant monies payable to Council, effluent treatment and staging completion times.

An additional condition;

53 The residents be consulted in the development of the Management Plan and that quarterly meetings be held with residents in the first year.

(Councillors Irwin/Roberts)

On submission to the meeting the AMENDMENT was DEFEATED.

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

79/00

RESOLVED that the report be received and

A That Council grant delegated authority to the General Manager to approve variations of a minor nature and/or arithmetic nature and/or staging reconfiguration to conditions of consent applied to this application except where a particular condition has been specifically identified as requiring Council consent if it is to be varied.

B That Council, as the consent authority, approve Development Application 99/910 for the staged extension of the macadamia processing facility and increased production, cnr Bruxner Highway and Cowlong Road, Alphadale, being Lot 22 DP 631981, subject to the following conditions:

CONDITIONS APPLICABLE TO ALL STAGES (STAGES 1, 2, 3 AND 4):

Planning

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. 99069 sheets DA1 to DA4 inclusive dated November 1999 and 99069 sheet DA5 dated March 2000 and supporting documents submitted with the application. A copy of the approved plan is/are attached to this consent.

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

2 Total production for the facility is limited under this consent to a maximum of 20,000 tonnes nut in shell at 10% moisture content per annum. Any proposed to extend production beyond this limit requires a further Development Consent from Council.

Reason: *To provide a limitation to production and relativity of conditions.*

3 A statement of production amounts (nut in shell) signed by the General Manager for Macadamia Processing Company is to be submitted to Council by February 1 of each year for the preceding calendar year, certifying the production tonnage for that year.

Reason: *To provide a monitoring base in relation to conditions.*

Drainage

4 Paved surfaces, landscaped areas, roof water and subsoil drainage systems, shall be designed so all water is directed to a drainage system acceptable to Council to prevent discharge runoff onto adjoining land. Full design details of the proposed drainage system shall be submitted for approval with the Construction

Certificate for the Stage 1 Warehouse Building (and, as relevant, each construction certificate for subsequent development stages), the layout shall be generally in accordance with the site plan 99069 - DA1 as submitted with the Development Application.

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))*

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

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

All disturbed areas shall be stabilised and revegetated. Turfing or another approved seeding method shall be undertaken in each part of the development within 14 days of completion of earthworks. Topsoil shall be preserved for site revegetation. Details of sediment control measures and revegetation works shall be submitted to the Principal Certifying Authority for approval prior to release of the Construction Certificate.

Reason: *To ensure protection of natural waterways from the effects of transported sediment loads as a result of erosion and runoff from polluted environments .*

6 The proponent shall make satisfactory provision for stormwater to be directed through piped drains that are constructed according to Council's Development, Design and Construction Manual (as amended). All roof water from any proposed building and/or surface water from paved areas shall be directed to a Council approved drainage system.

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))*

7 Suitable stormwater detention basin(s) shall be provided for the outfall of all concentrated stormwater within the site and shall be operational prior to the commencement of any works on site. The design of the basins shall be in accordance with the blue book from the Department of Housing, "Managing Urban Stormwater Soils and Construction" for the peak storm for a 5 year recurrence interval. The detention basins shall remain in place and shall be regularly maintained for the life of the development and shall be maintained in accordance with a management plan written specifically for that purpose. The basin shall also be designed for a maximum retention period of 15 days and shall not be permitted to develop anaerobic bacteria.

Reason: *To ensure protection of natural waterways from the effects of transported sediment loads as a result of erosion and runoff from polluted environments.*

Earthworks

8 The slope of any fill batter shall not exceed 1:4. The batter shall be stabilised with plantings and maintained in a neat state. Details of plantings shall be submitted to the Principal Certifying Authority prior to release of the Construction Certificate for Stage 1 roadworks.

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

9 Bulk earthworks shall not commence on site before the release of relevant Construction Certificates.

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

10 All filling used for building platforms to be certified by a NATA registered laboratory, in accordance with Australian Standards 3798 and 1289.

Reason: *To ensure the development is completed in accordance with the conditions and approved construction design plans. (EPA Act Sec 79C(b))*

Roads

11 The proponent shall provide the following roadworks with associated stormwater drainage structures that have been designed and constructed in accordance with Council's Development, Design and Construction Manual (as amended). The proponent shall be responsible for any costs, including maintenance, for a period of six months from the date of approval of completion of the work. Required roadworks include the works indicated on Plan No 99069 - DA5 amendment C as submitted with the Development Application. The works shall include:

- Widening of Cowlong Road between the two existing entrances to 7.0m wide seal with a minimum gravel depth of 300mm of compacted gravel, in accordance with Council's Development and Construction Manual (February 1993) as amended from time to time.
- The northern entrance to the site shall be reconstructed to allow the free turning movement of semi trailer trucks and shall provide for a sight distance of 105m. The pavement composition shall be a minimum depth 300mm of compacted gravel, in accordance with Council's Development and Construction Manual (February 1993) as amended from time to time and shall be sealed for a distance of 25m from the edge of the seal in Cowlong Road.
- Kerb and gutter shall be constructed to inside the property boundary along the returns of the northern entrance, and for the extent of the road widening along the western edge of Cowlong Road

An accredited certifier or practising qualified surveyor or engineer shall submit to the Principal Certifying Authority for approval prior to the release of the compliance certificate, a "works-as-executed" set of plans and construction certification. The compliance certificate for construction shall detail satisfactory completion of all roads, drainage and civil works required by this development consent and Construction Certificate.

- That this condition not be actioned until a design is approved by Council with a view to retaining as many trees as possible with the exception of camphor laurels.

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

12 Full design plans of the proposed engineering works to satisfy conditions 4, 5, 6, 7, 8, 11 and 14, shall be submitted to the Principal Certifying Authority for approval prior to the issue of a Construction Certificate for the Stage 1 Roadworks (and, as relevant, each Construction Certificate for subsequent development stages). If such plans are approved by Council, a checking fee is payable on submission of engineering design plans for drainage or roadworks and shall be charged in accordance with Council's fees and charges at the time of the service.

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

13 Prior to carrying out any works within a public road reserve, the proponent shall complete an application for road opening permit and receive written approval from Council. Satisfactory arrangements for restoration with Council's City Works Group shall also be required, with all works constructed according to Council's Development, Design and Construction Manuals (as amended). All costs shall be the responsibility of the proponent.

Reason: *To ensure all restoration works are in accordance with Council's minimum standards (EPA Act Sec 79C(b))*

14 The proponent shall provide a plan of management for the construction of all civil works outside the real property boundaries of the proposed development. The plan shall table scheduling of works so as to be completed in the shortest possible time with minimal impact on the general community. Such plan shall include a Traffic Control Plan prepared by an RTA accredited person. This plan of

management shall be provided and approved by the Principal Certifying Authority prior to the release of Construction Certificate for Stage 1 Roadworks.

Reason: *To ensure no conflict occurs between civil works and general public during construction.*

Vehicular Access

15 Driveways, access aisles and parking areas shall be provided with a bitumen sealed or other approved surface. Such a surface shall be on a suitable pavement, constructed and maintained in accordance with Council's Development, Design and Construction Manuals (as amended).

Reason: *To provide adequate internal circulation roads and to prevent dust and the transport of eroded road pavement material for the anticipated traffic that will be generated by the development. (EPA Act Sec 79C(a))*

16 All loading and unloading shall take place within the property boundaries, including the parking of construction and private vehicles associated with the development.

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

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

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

Car Parking

18 Provision shall be made for an additional 50 carparking spaces with a bitumen sealed, paved or equivalent hard surface constructed and landscaped in accordance with the requirements of the Council's Development Control Plan No. 18 Off Street Carparking Requirements. Documentary evidence to be submitted to the Principal Certifying Authority prior to the release of an Occupation Certificate.

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

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

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

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

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

21 The new car parking area proposed on Plan No 99069 - DA1 as submitted with the Development Application shall be restricted in its use to the day time working shift and shall be available for use only between the hours of 5.30am to 8.00pm daily.

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

Section 94 Contributions

22 Payment of contributions levied under Section 94 of the Environmental Planning and Assessment Act and Lismore City Council S94 Contributions Plan 1994 (as amended) are required. Such levies shall contribute towards the provision of public services and/or amenities identified in the attached schedule. Such levies shall be calculated at the rate(s) in effect on the date the Construction Certificate is granted. The rates and amounts applying at the date of this notice, totalling \$24,900 payable to Council must be by bank cheque or cash. Personal cheques are not acceptable. All contributions, bonds etc. shall be paid prior to the Construction Certificate is granted.

Should levies set out in the attached schedule not be paid within twelve (12) months of the date of this consent, the rates shall be increased in accordance with the percentage increase from the date of approval to the date of payment, as notified by the Consumer Price Index (Sydney).

The contributions set out in the schedule are exclusive of any GST (if any) and if the provision of any services or the construction of any infrastructure or any other thing with those contributions occurs after July 1, 2000, then in addition to the amount specified above the Applicant will pay to the Council the GST (as defined below) which is payable by the Council in respect of the provision of such services or construction of any infrastructure or any other thing.

If the contributions set out in the schedule, or part thereof, are to be met by the dedication of land or other approved Material Public Benefit, then the Applicant will pay to Council the GST (defined below) applicable to the value of land dedicated or (Material Public Benefit) which is payable by the Council in respect of the provision of such services or construction of any infrastructure or any other thing.

GST means any tax levy charge or impost under the authority of any GST Law (as defined by the GST Act) and includes GST within the meaning of the GST Act.

The GST Act means A New Tax System (Goods and Services Tax) Act 1999 or any amending or succeeding legislation.

Reason: *To provide funds for the provision of services and facilities identified in Lismore City Council's Section 94 Contributions Plan dated July 1999 as required by the increased population or activity. (EPA Act Sec 94)*

Building

23 The following building works are to be certified by Council or by an Accredited Certifier in the form of a Compliance Certificate. In the event that Council is the Principal Certifying Authority, you are required to notify Council at least 24 hours prior to the inspection.

- (a) Footings - the foundation trenches are open and the steel reinforcement is in position, prior to concrete being placed.
- (b) External drainage - the drainage lines have been laid externally by the plumber and or drainer, so that a water test may be carried out, prior to the pipes being covered. The internal drainage is to be certified by the plumber and or drainer and a layout plan to be submitted to Council prior to pouring of the concrete slab.
- (c) Slab - the slab reinforcement is in position, prior to concrete being placed.
- (d) Framework - the framework is completed, wet area flashing in place, external brickwork erected (where applicable) and the roof covering in position, prior to fixing the internal linings.
- (e) Occupation - the building is completed or an Occupation Certificate is required.

In the event that Council is the Principal Certifying Authority, you are required to notify Council at least 24 hours prior to the inspection.

Reason: *To assess compliance with this approval.*

NOTE: Please note that rural areas and villages will only be serviced for building inspections on Tuesdays and Thursdays. Council seeks your co-operation in organising your works program to suit these times.

24 Buildings are not to be occupied until an Occupation Certificate is issued by the Principal Certifying Authority.

All works associated with the treatment and disposal of effluent shall be completed prior to issue of the Occupation Certificate for the Stage 2 Processing Building.

Reason: *To meet statutory requirements and to ensure compliance with this approval.*

25 Council to be advised on completion of building works undertaken for each stage.

Reason: *To assess compliance with this approval.*

26 Before work is commenced Council must be informed in writing of the name and accreditation number of the Principal Certifying Authority who has been appointed to do the work.

Reason: *Required by Section 113 of the Local Government Act.*

27 Prior to the issue of a Construction Certificate, for the Stage 1 Warehouse Building (and, as relevant, each Construction Certificate for subsequent development stages), the applicant shall submit written advice from the NSW Fire Brigades that the design of the 6 metre wide fire fighting access road surrounding the building is suitable for use by the Fire Brigade.

Reason: *To ensure fire trucks can negotiate the road.*

28 Application being made to Lismore City Council for any activity proposed under Section 68 of the Local Government Act.

Reason: *To comply with the statutory requirements.*

Water and Sewerage

29 Effluent treatment and disposal shall be in accordance with the reports submitted by Bill Payne and Associates of March 13, 2000, and March 24, 2000. All associated costs in relation to connection to the sewerage system are to be borne by the developer.

Reason: *To ensure adequate protection of utility services and to ensure compliance with the Trade Waste Approval. (EPA Act Sec 79C(b))*

30 Prior to the release of the Construction Certificate in respect of Effluent Treatment Facilities, an application to discharge trade waste, including a plan that contains all details of the proposed trade waste installation, as specified in the "Guidelines and Information required in the Assessment of an Application" as issued by the Department of Land and Water Conservation, shall be submitted to Lismore City Council. Designs are to be in accordance with Australian Standard 3500, the NSW Code of Practice - Plumbing and Drainage, and other relevant Australian Standards.

Reason: *To ensure adequate protection of utility services and to ensure compliance with the Trade Waste Approval. (EPA Act Sec 79C(b))*

31 Prior to release of the Construction Certificate in respect of Effluent Treatment Facilities, an approval to discharge Trade Waste under Part 3 of the Local Government (Approvals) Regulations 1999 is to be obtained from the Water and Wastewater Section.

Reason: *To ensure adequate protection of utility services and to ensure compliance with the Trade Waste Approval. (EPA Act Sec 79C(b))*

32 The proponent is responsible for ensuring that the existing water/sewer pipe is not damaged while performing the works. If the existing water/sewer pipe is damaged during the course of performing the works, the proponent will:

- notify Lismore City Council immediately when the breakage occurs, and
- repair the damage at no cost to Lismore City Council.

Reason: *To ensure adequate protection of utility services. (EPA Act Sec 79C(b))*

33 Full design plans of the proposed engineering works to satisfy condition(s) shall be submitted to Lismore City Council. Such plans must be approved by the Manager-Water and Sewerage before the issue of the Construction Certificate in respect of Effluent Treatment Facilities. Construction of these works will need to be completed before a Certificate of Compliance is issued by Lismore City Council under s.26 of the Water Supply Authorities Act 1987.

Reason: *To provide adequate services for the development (EPA Act Sec 79C(c))*

34 The proponent shall pay to Council all Water and Sewerage Headworks Levies deemed necessary by Council and in accordance with Section 64 of the Local Government Act 1993, as detailed in the attached schedule. Such levies shall be paid prior to release of Construction Certificate.

The contributions set out in the schedule are exclusive of any GST (if any) and if the provision of any services or the construction of any infrastructure or any other thing with those contributions occurs after July 1, 2000, then in addition to the amount specified above the Applicant will pay to the Council the GST (as defined below) which is payable by the Council in respect of the provision of such services or construction of any infrastructure or any other thing.

If the contributions set out in the schedule, or part thereof, are to be met by the dedication of land or other approved Material Public Benefit, then the Applicant will pay to Council the GST (defined below) applicable to the value of land dedicated or (Material Public Benefit) which is payable by the Council in respect of the provision of such services or construction of any infrastructure or any other thing. GST means any tax levy charge or impost under the authority of any GST Law (as defined by the GST Act) and includes GST within the meaning of the GST Act. The GST Act means A New Tax System (Goods and Services Tax) Act 1999 or any amending or succeeding legislation.

Reason: *To provide funds for the provision of services and facilities identified in Lismore City Council's Section 64 Contributions Plan dated February 1996 as required by the increased population or activity. (EPA Act Sec 94)*

35 The applicant is to provide full details of

- a) The discharge sewer manhole is to be 19D16A unless determined otherwise by Council's Water and Wastewater Manager.
- b) The pump station with the magnetic flow meter.
- c) The effluent quality monitoring system downstream of the pumping station.
- d) Proposed discharge times

These details are to be submitted for approval prior to the issue of the construction certificate in respect of effluent treatment facilities, and shall be designed, constructed and operated in accordance with Lismore City Council's adopted standards.

Reason: *To ensure that the Council's existing sewer services are not overloaded. (EPA Act Sec 79C(b))*

36 The Applicant shall be responsible for the full cost of sewerage maintenance directly related to the facilities and infrastructure provided by Macadamia Processing Pty Ltd as considered necessary by Lismore City Council's Manager-Water & Waste Water for a period of twelve months from the date of approval of the work.

After satisfactory completion of his work, a practising qualified surveyor shall submit "works-as-executed" set of 1:1000 transparency plans and plans in digital format (Autocad or similar) showing these works.

Reason: *To ensure adequate protection of utility services. (EPA Act Sec 79C(b))*

37 The applicant to have an Easement for sewerage line where the sewerage line traverses private property, and written permission to be obtained from all relevant Authorities prior to the construction of the sewer line.

Reason: *To ensure that all relevant approvals are in place.*

38 Maintenance and the operation of the proposed infrastructure provided by the applicant will be the responsibility of the applicant unless alternative arrangements are concluded between the applicant and the Council.

Reason: *To set clear responsibility guidelines.*

39 The applicant is to seek approval from the necessary agencies, including the Department of Health and Council's Environmental Health Section for the use of effluent reuse for washdown purposes.

Reason: *To ensure that all relevant approvals are in place.*

Environmental Health

40 A report undertaken by a suitably qualified professional which identifies any contamination plume around the dip site and any impacts on the proposed development must be submitted to Council prior to release of the Construction Certificate for the Stage 1 Warehouse Building. Sampling must be carried out in accordance with the NSW EPA Contaminated Sites "Sampling Design Guidelines".

Reason: *To ensure that the dip site and surrounds are to acceptable environmental health standards.*

41 A plan of management detailing proposals for ongoing inspection and maintenance of the stormwater management system are to be submitted to and

approved by Council prior to the release of the Construction Certificate for the Stage 1 Warehouse Building.

Reason: *To ensure that stormwater management is an acceptable level.*

Planning

42 External building colours are to match those existing and as detailed in the Statement of Environmental Effects.

Reason: *To ensure satisfactory visual appearance of the development.*

43 Amplification of external telephones is not to occur during the hours of 8.00pm to 7.00am daily.

Reason: *To reduce potential after hours noise nuisance.*

44 During construction the environmental impact amelioration recommendations by Gary Opit - Ecosse Environmental Consultants, as contained in Section 9.5 - General Ameliorative Measures in the Report dated December 1999 submitted with the Development Application, are to be adhered to.

Reason: *To ensure compliance with submitted environmental safeguards.*

45 A rodent baiting programme is to be developed and submitted to Council for approval prior to construction commencing. This programme is to outline measures to be taken by macadamia processing company to control the incidence of vermin for the development.

Reason: *To ensure an adequate vermin control is provided.*

46 The Macadamia Processing Company is to submit to Council an annual compliance report (certified by the General Manager - Macadamia Processing Company) identifying compliance or otherwise with the conditions of this consent. The report is to be submitted to Council no later than February 1 each year, to cover the preceding year. The first report is due February 1 of the year following the commencement of construction works.

Reason: *To ensure an overall annual compliance with all conditions as set.*

47 A detailed landscape plan shall be submitted to Council prior to the release of the Construction Certificate for the Stage 1 Warehouse Building, this plan identifying proposed landscaping to the immediate south of the additional carparking facility.

Reason: *To provide landscaping detail.*

48 The applicant or operator shall appoint a company liaison person, and notify all local residents living within 500 metres of the development site of the appointment, name and contact of that person. The company liaison person shall initiate a community consultation process in accordance with the Plan of Management contained within the Development Application.

Reason: *To ensure formal access to a person responsible for operational compliances.*

Noise

49 The applicant or operator shall ensure that all factory door openings are used in a manner in accordance with the noise and traffic plan of management, and that the plans of management are submitted to Lismore City Council for approval prior to release of the Construction Certificate for the Stage 1 internal fitout.

Reason: *To ensure that noise levels are properly contained.*

50 A noise test is to be undertaken at the completion of each stage of the development certifying compliance with noise control requirements. In the event that noise levels are exceeded, works are to be undertaken to ensure compliance.

Reason: *To provide a monitoring procedure for noise issues.*

51 Mechanical ventilation shall comply with Australian Standards 1668 (Parts 1 and 2). The applicant or operator shall submit to Council plans and specifications of any system of mechanical ventilation and air conditioning.

Reason: *To provide for satisfactory work environment whilst containing noise escape.*

52 The Southern Loading Dock door of the existing processing plant building is to be kept closed between the hours of 8.00pm to 7.00am daily until such time as internal alterations and air-conditioning within that building are completed, to attenuate the emission of light and noise from that doorway.

After these internal works to the existing processing plant are completed, the Company Liaison Person is to liaise with the residents adjacent to the southern doorway to review effectiveness of the works undertaken.

Reason: *To ensure that noise and light nuisance is substantially reduced, and to provide a mechanism for monitoring of the noise and light escape."*

ADVISORY NOTES

NOTE 1: Water and/or Sewerage Headworks levies payable under the Water Supply Authorities Act 1987 totalling \$215,125 will need to be paid to Council prior to Council issuing a Construction Certificate under s.26 of the Water Supply Authorities Act 1987. The contributions set out in the schedule are exclusive of any GST (if any) and if the provision of any services or the construction of any infrastructure or any other thing with those contributions occurs after July 1, 2000, then in addition to the amount specified above the Applicant will pay to the Council the GST (as defined below) which is payable by the Council in respect of the provision of such services or construction of any infrastructure or any other thing.

If the contributions set out in the schedule, or part thereof, are to be met by the dedication of land or other approved Material Public Benefit, then the Applicant will pay to Council the GST (defined below) applicable to the value of land dedicated or (Material Public Benefit) which is payable by the Council in respect of the provision of such services or construction of any infrastructure or any other thing.

GST means any tax levy charge or impost under the authority of any GST Law (as defined by the GST Act) and includes GST within the meaning of the GST Act.

The GST Act means A New Tax System (Goods and Services Tax) Act 1999 or any amending or succeeding legislation.

NOTE 2: In relation to Condition No. 30, approval from the Department of Land and Water Conservation (DLWC) and Lismore City Council is required prior to discharging Trade Waste into the sewerage system. This approval from DLWC can take up to two (2) months to grant. Application forms will be forwarded by Council to the DLWC and are available from Lismore City Council. An application fee is payable on the submission of a Trade Waste Application. The current application fee can be obtained by contacting Council.

NOTE 3: The proponent is advised to consult Rous County Council regarding their requirements for the provision of services to the development and the location of existing services that may be affected by proposed works, either on site or on the adjacent public road(s).

NOTE 4: Prior to commencing any construction works, the following provisions of the Environmental Planning and Assessment act, 1979, are to be complied with:

- (i) A Construction Certificate is to be obtained from the Consent Authority or an Accredited Certifier in accordance with Section 81A(2)(a) of the Act.
- (ii) A Principal Certifying Authority is to be appointed and Council is to be notified of the appointment in accordance with Section 81A(2)(b) of the Act.
- (iii) Council is to be given at least two (2) days notice of the persons intention to commence building works, in accordance with Section 81A(2)(c) of the Act.

NOTE 5: The applicant may apply to the Council or an Accredited Certifier for the issuing of a Construction Certificate and to be the Principal Certifying Authority to monitor compliance with the approval and issue any relevant documentary evidence or certificates.

NOTE 6: This development approval does not guarantee compliance with the Disability Discrimination Act and the developer should therefore investigate their liability under the Act. Council can assist developers by directing them to Parts 2, 3 and 4 of Australian Standard 1428 - Design for Access and Mobility (Part 1 is mandatory in the BCA).

NOTE 7: Nut and shell receival times as set down in previous consents (being 7.00am to 5.00pm Mondays to Fridays only) remains unchanged.
(Councillors Swientek/Suffolk) (DA99/910)

Torch Relay Celebration

- (Copy attached)
- 80/00 **RESOLVED** that the report be received and -
- 1 Council increase its contribution to entertainment costs relevant to the Torch Relay Celebration from \$3,000 to \$6,000.
 - 2 External Funding options, as detailed in the report, be approved and pursued (particularly matching funds from Lismore Unlimited).
 - 3 A ground repair budget of \$5,000 be provided with expenditure to be managed by the Manager, Parks & Reserves.
 - 4 A report be provided to Council on options to locate the Community Cauldron.
- (Councillors Crowther/Gallen) (S727)

Airport Business Plan

- (Copy attached)
- 81/00 **RESOLVED** that the report be received and
1. That Council adopt the Airport Business Plan subject to the deletion of Item 4 from Goal 2 Aero-Industry Business Development.
 2. A report be presented to Council on the return of money from the Industrial Fund Reserve to the Airport Reserve.
- (Councillors Crowther/King) (P9733)
- Voting Against:** Councillors Swientek.

Water Supply Services Business Plan

- (Copy attached)
- 82/00 **RESOLVED** that the report be received and -
- 1 Council adopt the Business Plan.
 - 2 A report on the performance of the Business Plan be brought back to Council for consideration at the end of the financial year 2000/2001.
- (Councillors Swientek/Chant) (S301)

Wastewater Services Business Plan

- (Copy attached)
- 83/00 **RESOLVED** that the report be received and -
- 1 Council adopt the Wastewater Services Business Plan.
 - 2 The existing wastewater user charge be retained for the financial year 2000/01.
 - 3 A report on the performance of the Business Plan be brought back to Council for consideration at the end of the financial year 2000/2001.
- (Councillors Crowther/Swientek) (S301)

Quarry Business Plan

- (Copy attached)
- 84/00 **RESOLVED** that the report be received and the Business Plan be endorsed.
- (Councillors Swientek/Suffolk) (Q1)

Waste Services Strategic Business Plan - Overview

- (Copy attached)
- 85/00 **RESOLVED** that the report be received and -
- 1 Council adopt the Waste Services Strategic Plan overview.
 - 2 The General Manager or his delegate provide a further report to Council outlining options for a dividend policy from the Waste Services reserves funds on receipt of the renewed licence for the Wyrallah Road Waste Facility from the EPA.
 - 3 A report on option for services for the rural areas be brought to Council in conjunction with any proposal to remove drop off centres which would leave only the Wyrallah Road Facility.
 - 4 Should the drop-off centres be removed, Council investigate and report on the establishment of a twenty-four hour drop-off centre at the Wyrallah Road Facility.
- (Councillors Roberts/Irwin) (P25041)
-

Investigation of Effluent Disposal for Council's Villages

(Copy attached)

86/00 **RESOLVED** that the report be received and -

- 1 A staged approach be taken to investigating current on-site treatment and disposal systems at the villages before committing funds to sewerage. The priority list for investigations is to be based on the percentage of lots with less than 2000m².
- 2 Dunoon and The Channon villages be considered as stage one of this process and these studies are to commence in the financial year 2001/02 after assessing the outcomes of the Clunes and North Woodburn community consultation processes.
- 3 Council seeks subsidy from the Department of Land and Water Conservation to undertake these studies.
- 4 A report on options be brought back to Council on how to deal with the situations of new development and badly functioning on-site systems in villages earmarked for a sewerage system.

(Councillors Tomlinson/King) (S287,S289,S292,S293,S387)

Water Schemes - Nimbin

(Copy attached)

87/00 **RESOLVED** that the report be received and -

- 1 Council commences community consultation using the Nimbin Water Supply Augmentation Strategy Report March 2000 prepared by Department of Public Works and Services as a basis for the consultation process.
- 2 That, following commencement of the consultation process, a consultation committee be formed comprising representatives of the community, two Councillors and staff representatives.
- 3 The consultation committee report back to Council with the preferred option on completion of the consultation process.
- 4 Council seeks Government subsidy from the DLWC for the augmentation of the Nimbin Water Supply Scheme.
- 5 Preliminary investigations be carried out on the availability of subterranean water as part of the consultation process.

(Councillors Roberts/Irwin)

88/00 **FURTHER RESOLVED** that Councillors Roberts, Baxter and Hampton be nominated to the Consultation Committee.

(Councillors Crowther/Baxter) (S304)

Section 64 Plan Review

(Copy attached)

- 89/00 **RESOLVED** that the report be received and that Council defer consideration of the Section 64 Contribution Plans to the next meeting to allow further review of the options in relation to the charges applicable to Nimbin.
(Councillors Swientek/Chant) (S744)

Replacement of Council Plant - V349 Bomag Self Propelled Roller

(Copy attached)

- 90/00 **RESOLVED** that the report be received and -
1 That Council purchase one (1) Dynapac CA362D Self Propelled Roller as tendered (T2000-15) by Svedala of Silverwater, NSW for the cost of **\$142,150.00** (**No trade-in offer**);

and

- 2 Accept the 'Private offer to purchase V349' from Munro Machinery P/L of Rocklea, QLD, for the amount of \$32,775.00.
Change-over cost to Council being **\$109,375.00**. (Anticipated delivery of machine 3 weeks from placement of order.)
(Councillors Crowther/Chant) (T2000-15)

Investments held by Council as at 29/2/00

(Copy attached)

- 91/00 **RESOLVED** that the report be received and noted.
(Councillors Crowther/Suffolk) (S170)

COMMITTEE RECOMMENDATIONS:

Traffic Advisory Committee 15/3/00

(Copy attached)

- 92/00 **RESOLVED** that the minutes be received and the recommendations contained therein be adopted.
(Councillors Swientek/Chant) (S352)

This concluded the business and the meeting terminated at 10.11 pm.

CONFIRMED this 2ND day of MAY 2000 at which meeting the signature herein was subscribed.

MAYOR

