



## **NOTICE OF COUNCIL MEETING**

**An ORDINARY MEETING of LISMORE CITY COUNCIL will be held at the COUNCIL CHAMBERS, Oliver Avenue, GOONELLABAH on TUESDAY, APRIL 9, 2002, at 6.00pm and members of Council are requested to attend.**

Prior to the meeting a presentation will be made to Lorelle Pitton in recognition of her service to Council.

(Ken Gainger)  
**GENERAL MANAGER**

April 2, 2002

# **COUNCIL BUSINESS AGENDA**

April 9, 2002

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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:

1. **That in the formulation of the budget Council's management take into account the statutory obligations that are not being carried out, as identified in the recent Expenditure Review workshops, and that an assessment be made as to the financial and other risks to Council if the staff resources are not provided to enable these obligations to be met.**
2. **That the Council be advised of the outcome of these assessments prior to making decisions about the budget.**

**COUNCILLOR** R M Irwin

**DATE** March 14, 2002

**STAFF COMMENT BY: Manager - Finance & Administration**

Based on the information provided at the Expenditure Review Forums, it will be possible for the relevant Managers to estimate the financial and other risks associated with not fully meeting Council's obligations.

**COMMENT BY: General Manager**

Whilst in theory this appears to be a straight forward request, in practice it is ambiguous; open to interpretation, and has significant financial/resourcing implications.

For example, it may be suggested that Council is not fulfilling its obligations to enforce conditions applied to planning/building DAs. It is arguable as to the degree to which Council enforces compliance.

The onus for compliance is on the Applicant not the Council. Council Staff always respond to complaints from third parties regarding compliance with such terms, and staff generally make a final inspection of developments to ensure compliance.

To adopt a more rigorous regime would have considerable implications for staff resourcing (ie, staff costs), and Council's legal bills would escalate.

Another example is roads. Council has a statutory obligation to maintain its road network. Recent estimates of \$30M-\$40M to bring roads up to an acceptable standard have been prepared. Is Council willing and able to provide these funds to meet its statutory obligation?

In reality Council will always need to make judgements which fall short of the ideal.

(02-3190:S802)

**NOTICE OF MOTION**

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

**That Council:**

- 1. Notes that the final report of the Independent Review of Container Deposit legislation, released on February 28, 2002, concludes that the introduction of CD legislation in NSW would create jobs and produce major economic and environmental benefits, including an annualised net economic benefit of \$70-\$100 million per year.**
- 2. Calls on the State Government to implement the recommendations of the report.**
- 3. Writes to the Minister for the Environment and the Premier concerning the above.**
- 4. Officers publicise the above by issuing a press release as soon as possible.**

**COUNCILLOR** R M Irwin

**DATE** March 14, 2002

**STAFF COMMENT BY: Waste Minimisation Officer, Lesley Trott**

LCC's Waste Minimisation Officer was pleased to recently receive a copy of the CDL review report, prepared by Dr Stuart White (Institute for Sustainable Futures) for the Hon Bob Debus MP, Minister for the Environment. This report makes very clear recommendations in favour of implementing CDL in NSW. The report also concludes that CDL is not expected to have negative impacts on the financial viability of kerbside (or other) recycling in NSW.

The Hon Bob Debus MP, Minister for the Environment, acting on recommendations contained in the CDL review report, has passed the report to the Federal Minister for the Environment & Heritage, The Hon. Dr. David Kemp M. P., seeking agreement at a national level for the adoption of Extended Producer Responsibility (including CDL).

The Minister considered that it was beyond a State issue and is now in the Federal arena. Resolving this issue at Federal level is the most effective solution to CDL on a national level, however it probably means that a decision is not likely to be made in the foreseeable future. More's the pity.

(02-3188:S763)

**NOTICE OF MOTION**

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

**That in recognition of the importance of the airport and Hazelton Airlines to Lismore, and to maximise the financial return to the airport:**

1. It be adopted as Council policy that any intrastate airline tickets purchased by Council be with Hazelton and through Lismore airport.
2. That Council encourage other businesses located in Lismore to adopt a similar policy in regard to their own staff.
3. That the Mayor and senior staff actively lobby appropriate State and Federal Members of Parliament and Ministers to support existing regional air services within the region.

**COUNCILLOR** R M Irwin

**DATE** March 14, 2002

**STAFF COMMENT BY: Group Manager-Business & Enterprise**

The issue will be discussed at the Airport Advisory Panel meeting on Monday April 8 and any resolution from the Panel will be faxed to Councillors on Tuesday morning.

**COMMENT BY: General Manager**

Part 1. of the proposed motion has been Management practice for over 12 months.

(02-3427: P9733)

**NOTICE OF MOTION**

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

**That in its forthcoming budget deliberations Council staff seek to allocate more funds to the rural road network during 2002/03 including an amount necessary to increase the frequency of grading on major unsealed roads to three per year.**

**Reason:**

Excluding the Roads to Recovery funding, Council's expenditure on the rural road network has fallen by 10 per cent over the past 2 years. At the same time rural rates have risen by 8.4 per cent.

Rural residents, who comprise one third of the population of Lismore, put the integrity of the road network as their number one priority. Most receive only marginal benefit from the money that has been, or will be, spent on the flood levee, pool, river bank redevelopment, the Old Lismore High School site, the CBD upgrading and the airport terminal.

Worst hit are the unsealed roads where expenditure on maintenance has fallen by two per cent over the past two years or around 10 per cent in real terms (after inflation). The major unsealed roads are currently graded only once every 8 months. From an engineering and financial perspective it is more efficient to grade these highly trafficked roads once every 4 months.

**COUNCILLOR** D R Tomlinson

**DATE** March 26, 2002

**STAFF COMMENT BY: Manager - Roads & Infrastructure**

Over the last few years we have endeavoured to grade all the busy roads every six months. We have not been able to bring costs down as low as we anticipated because the existing condition of the roads need slightly more gravel and more work to deliver an acceptable service.

We are currently grading busy roads at a frequency of about 8 months not the desired 6 months. To increase the frequency of grading of busy roads to three times a year, which would provide a very good service, would cost an additional \$111,000.

**Manager- Finance & Administration**

Council's expenditure on its road infrastructure network, from all funding sources over the past three years has been as follows: -

Year	1999/00 Actual	2000/01 Actual	2001/02 Budget
Expenditure on road infrastructure network	\$12.2m	\$12.7m	\$15.1m

As to where available funds that Council controls are allocated, this decision rests with Council generally based on recommendations from the Roads Advisory Committee. To accommodate this request, perhaps the assessment criteria used to allocate funds could be revised resulting in a greater percentage being spent on rural roads.

Councillors are aware of the financial constraints that we operate under. If this item is determined by Council to be of a higher priority than others, then it should be included in the 2002/03 Budget at the expense of other submissions.

(02-3617: S802)



**NOTICE OF MOTION**

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

**That Council instruct the Roads Management Committee to include unsealed roads on the list of roads to be considered for its 2002/03 road construction programme.**

**Reason:**

Two years ago unsealed roads were removed from the point system that prioritised the road construction programme. The reason given at the time was that the roads were in such a bad shape that it would be unwise to extend the bitumen road network. This was despite the fact that some major unsealed roads carry heavy traffic volumes and are important economically to Lismore.

Since that time the sealed road network has improved considerably and it is time that the unsealed road network was able to compete for funding based on a point system that aims to put the money where the greatest benefit can be derived.

In addition, some communities have indicated that they are prepared to contribute to road sealing costs if Council changes its policy.

**COUNCILLOR** D R Tomlinson

**DATE** March 26, 2002

**STAFF COMMENT BY: Manager - Roads & Infrastructure**

Recent surveys have confirmed the condition of our roads has improved. This is a result of not only increased funding but also favourable weather conditions. Care needs to be exercised to ensure our ongoing rehabilitation program is not significantly reduced.

However to ensure funds gain the greatest benefit, gravel roads should be included in the list of roads for consideration in future works programs.

I recommend the Roads Advisory Committee consider all relevant factors such as category of road, traffic volumes, whole of life costing, contributions by others, etc, before making recommendations on sealing gravel roads.

(02-3616: S745)

**NOTICE OF MOTION**

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

**That any development application with more than 10 objections come to Council for determination.**

**COUNCILLOR** R M Irwin

**DATE** March 26, 2002

**STAFF COMMENT BY: Manager - Planning Services**

This proposal is not supported on the following grounds:

- It would considerably delay determination of applications and potentially increase Council's vulnerability to Court appeal for deemed refusal (ie not determined within 40 days). This is because Council meets monthly only, and the strict deadlines required for inclusion of a report in the business paper could potentially mean that determination of an application could be delayed by up to five weeks.
- The number of 10 objections is an arbitrary figure which does not recognise the validity of those objections; ie whether they raise genuine concerns which are not able to be addressed by negotiation with the applicant and alteration to the proposal, or able to be addressed by consent conditions. It is quite possible for less than 10 objections to raise issues of such significance that they determine the outcome of the application.
- It would be easy for a single objector or community group to raise 10 objections by means of calling on friends and neighbours to support them or sign petitions; the danger here is that there is no guarantee that the supporters are basing their views on accurate information and have genuine concerns.
- The Development Assessment Panel comprises senior officers with extensive experience in consideration of the issues raised by an application and its objectors. The delegations to the Panel have recognised this and as a result the efficient assessment process in Lismore has been seen as a model for other Councils.

Alternative approaches to that proposed in the NoM are already possible. Firstly, all Councillors are provided with a copy of the weekly listing showing status of development applications to be considered by the Development Assessment Panel (ie not those formerly requiring Building Applications). Any application can be called in for determination by Council by the request of two Councillors.

Secondly, the Panel is not permitted to give its concurrence to an application which has attracted a written valid public objection which cannot be overcome. In this circumstance the application is to be referred to Council for determination.

## LISMORE CITY COUNCIL - Meeting held April 9, 2002

### Notice of Motion – Development Applications to Council

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Thirdly, applications meeting the following criteria **must** be referred to Council for determination:

- Any amendment to a consent issued by the full Council
- DAs with a value in excess of \$2 million (*Note: there has been a number of applications stating their value at \$1.9 million perhaps with the aim of gaining the faster approval time possible with the DAP*).
- All quarry applications when objections have been received;
- All subdivisions over 30 lots
- DAs generating a substantial number of objections (*note there is no definition of 'substantial'*)
- Rural landsharing communities with substantial objections, substantial planning concerns or more than 10 dwellings.

In conclusion, it is considered that the current system for assessment of development applications provides sufficient flexibility to allow the full Council to determine applications which it wishes to consider, while allowing other applications to be subject to the faster determination time through the Development Assessment Panel.

(02-3575: S371)

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**Subject/File No:** MAYORAL COMMENTS ON INDIGENOUS FILM "RABBIT PROOF FENCE"  
(S136, 02-3244)

**Prepared By:** Annette Olive - Aboriginal Community Development Officer

**Reason:** Letter from Lismore Aboriginal Interagency

**Objective:** Provide opportunity to address Council and refer concerns to Wayiganna Aboriginal Advisory Group.

**Management Plan Activity:** Community Services

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### **Background:**

An article printed in the Northern Star, 23 February 2002, under the headline "Mayor's blast at Indigenous film" in regard to the movie "Rabbit Proof Fence" has commanded a great deal of feedback from both members of the Indigenous and non-Indigenous community since that date.

The Lismore Aboriginal Interagency, which has over 70 Indigenous members from various Aboriginal and non-Aboriginal Government departments and community based organisations has written to the Mayor, (a copy was forwarded to Councillors and Council) (further copy enclosed separately), expressing concern regarding the appropriateness and validity of the comments in the article. They have requested the letter be tabled at a Council meeting for discussion and an opportunity be provided for a representative to address Council on this issue.

### **Public Consultation**

Attendance by other members of the public at the Wayiganna Aboriginal Advisory Group meeting when the matter is discussed will be encouraged.

### **Manager - Finance & Administration Comments**

Not required.

### **Other Group Comments**

Not required.

### **Author's Response to Comments from Other Staff**

Not applicable.

### **Conclusion**

It should be noted that the Mayor has subsequently accepted an invitation to view the film and has issued an apology for hurt caused by his comments. There is still the perception in the wider community that much damage has been done and clearly this issue needs to be satisfactorily resolved.

Referral of this matter to the Wayiganna Aboriginal Advisory Group (of which the Mayor is a member) to consider the issues raised and report back to Council would appear to be a reasonable first step. A delegation from the Lismore Aboriginal Interagency should be invited to the meeting so that their concerns may be discussed in an open and frank manner. A representative of the Interagency has been invited to address Council in Public Access at this meeting.

**Recommendation (COR11)**

- 1 That the letter from the Aboriginal Interagency be referred to the Wayiganna Aboriginal Advisory Group to consider the issues raised and report back to Council.
- 2 Members of the Lismore Aboriginal Interagency be invited to attend the above meeting.

## LISMORE CITY COUNCIL – Meeting held April 9, 2002

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**Subject/File No:** NORTHERN RIVERS HERB FESTIVAL 2002 TO 2005 – THREE YEAR COUNCIL SPONSORSHIP  
(JB:LC:S704)

**Prepared By:** Event Co-ordinator – John Bancroft

**Reason:** Request from Lismore Unlimited for a three year commitment and Council (December 2001) resolution to support the Event.

**Objective:** To seek Council contribution/sponsorship of the 2002 Event.

**Management Plan Activity:** -

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### **Background:**

The Lismore Economic Development Unit and Lismore Unlimited have, for many years advocated efforts to bring to fruition an annual festival based on the burgeoning Northern New South Wales primary herb growing industry. According to the World Health Organisation, 60% of the world's population rely on herbal medicine as their primary source of healthcare and this rate is growing at a rate of 15% each year. Hence Lismore Economic Development Unit and Lismore Unlimited interests in fostering an “*alternative agriculture industry*” in our region.

Lismore Unlimited, in 2001, “picked up the ball” and obtained funding to pull such a festival together – Council contributed \$12,400 to the Event in 2001 (in both cash and in-kind). The Event cost in the vicinity of \$180,000 of which \$84,000 was utilised to deliver “on the ground services” for the Heritage Park – community component due to the Festival. The 2001 Festival was an outstanding success and industry advocates have acknowledged that its ongoing well being is very important in relation to bringing together all players and forging a future for the culinary and medicinal herb growing business.

Council in December in 2001 received Market Research documents relevant to the 2001 Event and resolved to “support the 2002 Northern Rivers Herb Festival.”

### **The Future of the Event**

The Organisers of the 2001 Festival embarked upon a “beg, steal or borrow” process in order to deliver the event. Such an existence or method is not sustainable for any event of any type if quality and longevity is to be assured. Hence the key to its future lies in the following areas:

- Thoughtful management of funds (Income & Expenditure)
- Appropriate Marketing (to assure attendance)
- The ability to pay for or hire appropriate skills machinery, stages etc that is of a quality suitable for an event of status.
- The ability to generate elevated levels of support from the 3 key players in this equation (Lismore Unlimited, Lismore City Council and Southern Cross University).
- The ability to generate other sponsorship/income from other sources (i.e. Industry Corporations, merchandising) and **Most importantly**
- **Sustained and consistent financial and logistical support from Council and Chamber of Commerce. (Lismore Unlimited).** All festivals of status in regional areas i.e. Tamworth Country Music, Casino Beef Week have such support on an ongoing basis. Further this helps leverage more funds from other Government Departments.

### **Development to Date re 2002 Festival**

- ❖ Funding obtained by Lismore Unlimited (the host or “owner” of the Event) to employ Event Planner.
  - ❖ Festival Steering Committee formed comprising of Louise Barry – Event Planner, Andrew Lovett - Economic Development & Tourism Manager, Michelle Bailey – Executive Assistant, Lismore City Council, Liz Terracini – Managing Director - NORPA, Marian Forwood – Lismore Unlimited, John Bancroft – Events Co-Ordinator, Lois Kelly – Project Officer, Melissa Overton – President Australian Herb Growers Industry Association, Terry Overton – General Manager Hotline Employment & Training, Emma Newman – Co-
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Ordinator – AusDance NSW, David Fluery – Board Member – Lismore Unlimited, Christine Cox – Board Member – Lismore Unlimited.

## LISMORE CITY COUNCIL – Meeting held April 9, 2002

### Northern Rivers Herb Festival 2002/2005 – Three Year Council Sponsorship

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- ❖ Secured \$15K in government funding from Tourism NSW for marketing the Festival on both a domestic level and international level. The funding will be used in the following mix:- Website, Point-of-Sale, Direct Marketing, Advertising and Promotion. The Festival has already secured spots in “*Wellbeing Magazine*” and on the “*Fresh*” program on Channel Nine (all national exposure for Lismore).
- ❖ All media and design sponsors have renewed their contracts for three years.
- ❖ Sunspirit have renewed with the plan to increase their sponsorship through inclusion of seminars at the Herb Festival.
- ❖ Greenridge Botanicals & Herbie’s Spices are potential sponsors ( details still being finalised)
- ❖ Decision taken to transfer substantial components of the Event away from Heritage Park due to its unavailability as a result of impending levee construction.
- ❖ The Major initiative, and the motivation for this report, initiate action re a three way, three year joint major sponsorship to the value of \$84,000 (i.e. \$28,000 each per annum) of the Event by
  - a. Lismore Unlimited
  - b. Lismore City Council and
  - c. Southern Cross University

#### **Lismore City Council – Ownership/Sponsorship of the Event**

The game of sponsorship is a new one for Lismore City Council and Councils willingness to enter into such a venture was most appreciated by Lismore Unlimited in 2001. The common drama’s for local or regional festivals are the “*who owns it*”.....“*who is supposed to fund it*” questions. Lismore Unlimited have thought long and hard about this dilemma as they alone cannot organise, promote, manage and totally fund the five days of action. There is undoubtedly many ways to increase income (i.e. merchandising, entry fees etc). However the answer to the simple questions

*“who owns it”.....“who is supposed to fund it????”*

is

*“those who wanted it to happen!!!!”.*

Hence it is imperative that all original advocates of the festival (i.e. Lismore Unlimited, Lismore Economic Development Unit and Southern Cross University) now assume an ownership, management and funding role with respect to the approximately \$84,000 community component to the Event. The key players/owners have always been, and always will be

- Lismore City Council (due to the economic and social benefits to Lismore).
- Lismore Unlimited (due to economic benefits to its members and business houses of Lismore.
- Tourism (as it stamps our brand and identity in terms of regional marketing strategies etc.) and
- Southern Cross University (Cellulose Valley plus School of Natural and Complimentary Medicines) – Herb Research – Herb Industry development was the original motivation-catalyst for the festival.

#### **Lismore City Council – Joint Major Sponsor – What does this mean?**

Should Council, via its 2002/2003 Management Plan resolve to contribute/co-major sponsor the Event the \$28,000 requested would provide for many logistical and inkind tasks as per the 2001 Event though it must be stated that with the unavailability of Heritage Park and the move to Molesworth Street, items such as traffic management, road closures, power augmentation/generation, City Hall hire, staging, toilets etc will be more costly and onerous. In addition to funding traditional/Council orientated functions it will provide a more substantial cash contribution to the Events content, marketing and operation.

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## LISMORE CITY COUNCIL – Meeting held April 9, 2002

### Northern Rivers Herb Festival 2002/2005 – Three Year Council Sponsorship

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As stated the Lismore Unlimited Event Planner adopted a “beg, steal, borrow, price haggle” tactic out of sheer necessity in 2001. It is fact that, for the Event to grow and maintain its established quality it needs to be realistically priced and that

- a. Appropriate equipment is hired at Commercial rates
- b. Artists get paid Industry standard wages
- c. People are correctly remunerated in areas such as site management, electrical services, staging, workcover/safety and
- d. Many and varied types of entertainment are on offer.

No doubt large chunks of services will be provided free of charge by volunteers. However, essential services must be adequately funded, professionally presented and managed in order to maintain professional standards.

#### **Lismore City Council Joint Major Sponsorship.**

Would give Council the following:

- ❖ An equal share in the event hence the ability to influence the benefits it might obtain. (A comprehensive document detailing Lismore Unlimited sponsorship benefit is attached for your information)
- ❖ Council logo presence on over \$20k worth of advertising
- ❖ Council logo presence on Festival promotional material (program, posters, website)
- ❖ Community good will with particular focus on kids, families and indigenous content; and
- ❖ Support of the Lismore Business Community
- ❖ Further it would ensure the Events immediate future (should both Lismore Unlimited and Southern Cross University commit as well)

#### **Proposed Lismore City Council \$28,000 Budget/Sponsorship**

Several discussions between relevant staff and Louise Barry at Lismore Unlimited have been held. A project team is currently working with event organisers to rationalise various logistical matters, but, as usual seemingly minor requests have a surprising budget impact.

*Lismore Unlimited requests Council fund or defray the following costs:*

City Hall hire	1500.00
Generator/power x 3-days	3000.00
Water usage	200.00
Banner production & site fee x 2	700.00
Displaying of banners in Uralba Street over 2-week period	300.00
Tree lopping (estimate only)	400.00
Barricades/street closures	800.00
Bins	400.00
Rubbish Removal @ \$4 per bin	500.00
Weigh-bridge	100.00
Program inclusion in rate notice or Community Link (subject to GM approval)	650.00
Section 68 Certificate	150.00
<b>Total Lismore City Council Service Costs</b>	<b>8700.00</b>

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### Northern Rivers Herb Festival 2002/2005 – Three Year Council Sponsorship

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Further to this, Lismore Unlimited is requesting Council to extend the events appeal to the wider community, rather than just those professionally or academically involved. This can be achieved by funding proposed associated costs as below:

Site Plan Preparation	500.00
Market Research – Southern Cross University quote	1815.00
Additional amenities (Port-a-loo hire inc toilet paper, pump-out, delivery & pick-up)	3185.00
Cultural Performances	2800.00
Kiddies Activities (Spagetti Circus all-day activities for children aged 2 – 10yrs 2-days, inclusive of pyrotechnic display, stilt walkers and fire show)	3000.00
<b>“Sponsorship” i.e. contribution to Festival as per Sponsorship document.</b>	8000.00
<b>Total Sponsorship Proposed Costs</b>	<b>19300.00</b>
Grand Total	28000.00

#### Local Impacts & Benefits

Council and the community have been saying for decades that Lismore needs a “signature” Event. The fact that the chosen theme for the Event (Culinary & Medicinal Herb growing) has long-term economic (and social) benefits for the city via Industry Development & Tourism (alternative agriculture) makes it more relevant for key players (Lismore City Council, Lismore Unlimited and Southern Cross University) to provide a consistent and significant annual contribution. Hence Lismore Unlimited’s request for a three way, three year support commitment is justified. The fact that Tourism NSW is also contributing highlights the credibility the Event now has and its relevance to regional marketing strategies. With committed local funds organisers can leverage grants from other external agencies and government departments.

#### Manager - Finance & Administration Comments

This is another project worthy of support and based on the 2001 Northern Rivers Herb Festival results reported to Council in December 2001, one which enjoys large scale community support, injects significantly into the Lismore economy and has the potential to be the "signature" event for Lismore.

The Event is planned for August each year. This means that planning is required to commence well in advance of that date meaning a commitment from Council as to sponsorship is required prior to deliberations associated with the Management Plan. Also, a commitment for the next three years has been requested.

In 2001, Council provided a \$12,400 cash contribution as well as an 'in-kind' contribution. The request for 2002 is \$28,000 with Lismore Unlimited, Southern Cross University and Council being equal beneficiaries and therefore equal contributors.

To put the contribution into perspective, I discussed the total budget for this Event with the Events Co-ordinator. The total budget is anticipated to be in the vicinity of \$180,000 of which \$85,000 equates to the cost of the actual event. I understand that this will result in a quality event.

While I support the concept, Council will need to weigh up the impact of this commitment on both other projects which may not be able to be supported due to a lack of funding, and the cost of not having this event to Lismore.

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### Northern Rivers Herb Festival 2002/2005 – Three Year Council Sponsorship

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**Public Consultations** N/A

#### **Other Group Comments**

##### Comment from Manager Economic Development and Tourism

*Disclosure: MED&T is a director of Lismore Unlimited and a member of the Herb Festival Committee.*

I strongly endorse the proposal for a three-year sponsorship of the Northern Rivers Herb Festival. This is an incredible opportunity for Lismore. We now have an event that has attracted significant institutional support and has the realistic potential to become a significant signature event of the calibre of the Country Music Festival at Tamworth or the Carnival of Flowers at Toowoomba.

The event has a business plan and it has a specialist and highly capable organiser. It is attracting significant sponsorship funding. By Council committing to the event in this cost effective way, we will be able to leverage our contribution many times over.

**Author's Response to Comments from Other Staff** N/A

#### **Conclusion**

As previously stated, Council has historically indicated its desire to foster events and particularly a signature event for Lismore. The Herb Festival has both events-based and industry-based benefits attached. Many strategies consistent with same have been adopted by Lismore City Council, Economic Development Unit and Lismore Unlimited, hence Council support is appropriate.

Council can now be confident that Lismore Unlimited has a documented intention to provide for the long term management of the event.

All advocates must now provide "on the ground support" and financial contributions on an ongoing basis (at least three years as per the sponsorship proposal attached).

#### **Recommendation (GM40)**

That:

- Council agree to supporting the Northern Rivers Herb Festival to the sum of \$28,000 per annum (CPI adjusted) .
- Council endorse the three year proposal as detailed in the Sponsorship documents provided.

**Subject/File No:** OLD LISMORE HIGH SCHOOL SITE DEVELOPMENT  
(WA: P26243)

**Prepared By:** Manager Client Services – Lindsay Walker  
Manager Community Services – Wendy Adriaans

**Reason:** To advise Council of progress to date

**Objective:** To seek Council approval to proceed with the tendering process

**Management Plan Activity:** Community Services

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### **Background:**

At the 13 November 2001 Council meeting, it was resolved that the General Manager proceed to call for Expressions of Interest for the development of the site, and that he further investigate the disposal of surplus properties to pull together Council's share of the funding requirement. This report will address the proposed costs to Council for the library phase of the Art in the Heart project.

The Art in the Heart Project Team has reconvened and meets on a monthly basis. A development application for the refurbishment of the library has been lodged, and approval subject to conditions is anticipated in April 2002. Approval for the removal of surplus buildings on the site has been obtained. Removal and/or demolition commenced the week beginning 11 March 2002. Temporary fencing has been erected on site, effectively ceasing vehicular access and parking on site. Signage advising the public of these changes has also been posted.

Broad estimates of total library refurbishment costs gathered together for funding application purposes indicate a cost of approximately \$1 million. Council Officers will proceed with obtaining detailed cost estimates via a tendering process, subject to Council approval. A contingency of 15% will be allowed for in the final costing.

### **Manager - Finance & Administration Comments**

In respect of the proposed library site development, the following funding has been identified:

- a) NSW State Library  
A grant application has been submitted requesting funding to redevelop and fit out of the building. The maximum funding of \$200,000 has been requested.
- b) Asset Sale  
The sale of the Lismore Neighbourhood Centre site, less relocation and modification costs to the existing library site, is expected to net in the vicinity of \$300,000-\$350,000.
- c) Community Contribution  
The Art in the Heart Community Committee' has set a target to raise \$250,000 for the overall site. I'm confident a portion of the funds raised will be allocated to the library.
- d) Borrowings  
Council allocates \$100,000 annually to reserves for the provision of a new library. If we use this allocation to repay a loan, it gives us the capacity to borrow \$860,000.
- e) Reserves  
At the end of this financial year, it is planned to have approximately \$115,000 in the Library Development reserve for this purpose.

# **LISMORE CITY COUNCIL - Meeting held April 9, 2002**

## **Old Lismore High School Site Development**

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I believe that there is sufficient capacity within these options to ensure that we have funding of approximately \$1,000,000 available to develop this site and therefore proceed to tender. In actual fact, if we use the options that are basically assured, being d) and e), \$975,000 is available.

My preference of course would be to ensure that all sources identified are realised as this places us in a more favourable position when considering the development of the overall Art in the Heart site.

### **Public Consultations**

The community Art in the Heart Committee has re-formed and is working enthusiastically with Council Officers on the proposed project. To date the Committee has initially pledged to fundraise \$250,000 towards the entire project.

### **Other Group Comments**

Not required.

### **Author's Response to Comments from Other Staff**

Not applicable.

### **Conclusion**

Preliminary planning for the site is well under way. Further works for the first phase of development, the refurbishment of the library, are dependent upon planning approval and accurate cost estimates.

### **Recommendation (COR12)**

- 1 That Council proceed with obtaining detailed costings for the entire refurbishment of the library building via a tendering process.
- 2 That a report be submitted to Council complete with funding requirements once a clearer picture of the cost of total refurbishment emerges.

**Subject/File No:** GENERAL AMENDMENT TO LISMORE LEP - 2002 (AMENDMENT 10 TO LEP 2000)  
(S800)

**Prepared By:** MANAGER-PLANNING SERVICES – Helen Manning

**Reason:** To obtain Council's resolution to prepare a draft amending LEP.

**Objective:** To update and improve the Local Environmental Plan.

**Management Plan Activity:** Strategic Planning

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### Introduction and Summary:

This report describes the proposed contents of the next general amendment to the Lismore Local Environmental Plan and seeks Council's endorsement to prepare the amending plan accordingly.

The contents of the plan now proposed were included in a report considered by Council at its last meeting. The plan amendment then proposed contained a large number of heritage matters arising from resolution of the previous Council. The heritage matters have now been deleted from the proposed draft plan and in accordance with Council's resolution are to be subject to a Workshop.

Council's consideration of the remaining items is recommended as there is some urgency associated with the rezoning matters.

There will be two major components of this amending plan, as follows:

**A. Minor zoning** alterations at Nimbin, Clunes, Goonellabah, and North Lismore and for the National Parks and Wildlife Service; and

**B. Miscellaneous alterations** to the written plan to clarify provisions for markets, warehouses, motels and bed and breakfast development.

The procedure required by the Environmental Planning and Assessment Act is that, should Council endorse the proposed contents outlined in this report, consultation with all affected persons or authorities must take place before the draft plan is prepared. The requirements of affected persons/authorities are to be taken into consideration in the drafting of the plan.

Maps indicating the location of land involved, and other explanatory material, is included in the attachment to this business paper.

### **A. REZONINGS**

#### **1. Nimbin.**

The Planning Study which accompanied the reviewed DCP 9 Nimbin in November 2000 made several recommendations for rationalising the village zoning boundaries at Nimbin. These are:

##### **(a) Delete flood prone land from 2V zone**

The current 2(v) Village zone at Nimbin (shown in the attachment) includes a substantial amount of land in the north west as flood prone. A corresponding clause in LEP 2000 prevents Council from consenting to any building on the land unless that building is to be used for the purposes of flood emergency or utility services, or a necessary service to the community. It is understood that the land was originally included in village zoning on the basis of a specific development proposal, which subsequently did not proceed.

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# LISMORE CITY COUNCIL - Meeting held April 9, 2002

## General Amendment to Lismore LEP - 2002

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As the land is unable to be used for residential, commercial or industrial development it is misleading to include it in the Village Zone. The land should be rezoned to 1(r) Riverland to reflect its characteristics. This zone permits certain commercial and industrial development as well as general rural uses.

Consultation with property owners will be required.

### **(b) Include entire Dept. Education lands in Village Zone**

Land occupied by the school is currently zoned partly 2(v) Village and partly 1(a) Rural. The Rural zoning should be altered to Village to reflect the use of the land.

Consultation with the Department of Education and Training will be required.

### **(c) Bush Factory and Sibley Street filled lands**

The Planning Study states that these lands are outside the current village zoning but are currently used for, or have the potential for, light industrial uses which could be serviced with water and sewerage. The location of these lands, and the recommended zoning boundary, is illustrated on the map in the attachment to the Business Paper.

Consultation with property owners will be required.

## **2. 9 Blue Hills Avenue, Goonellabah**

The land is currently zoned 1(a) General Rural. It is located on the south-east of Goonellabah and is adjacent to residential zoned land across Taylors Road and Blue Hills Ave. The land is within an area identified in the 1996 Urban Development Strategy for future residential use when sewerage becomes available.

As Lot 1 DP 255203, the land comprises 2.5ha; however the application is to rezone only that part of the land capable of being seweraged (5702 sq. m) so as to facilitate the development of five residential allotments. The owner of this land (Mr. R W Coe) applied in 1999 to have the land rezoned for residential use, but was content to wait for the rezoning to be included in a general amendment to zonings.

The applicant has submitted a rezoning report which addresses all necessary requirements, indicating that the land is free from hazards, and including a letter from Lismore Water advising that the Blue Hills Sewage Pump Station would have capacity for a further four lots.

Because of the small number of lots, the availability of sewerage, and the suitability of the land for residential development, it is recommended that the land be rezoned to 2(a) Residential in advance of any zoning alterations flowing from the current review of the urban development strategy.

Further consultation with Lismore Water will be required to ascertain that sewerage capacity remains, and to quantify the amount of that capacity. Consultation with adjoining landowners should also be undertaken.

## **3. National Parks**

Over the last three years some State Forests have been transferred by the State Government to the National Parks and Wildlife Service for national park/nature reserve use. However the zoning under the Lismore LEP has not been updated in response, so that new National Parks may remain zoned 1(f) Forestry. That zoning permits uses authorised by the Forestry Act 1916, whereas Zone 8 National Parks and Nature Reserves permits uses authorised by the National Parks and Wildlife Act 1974. The NPWS has been requested to advise Council of its current holdings in Lismore LGA so that the zoning can be adjusted accordingly. The proposed LEP amendment will rezone some land from 1(f) Forestry to 8 National Parks and Nature Reserves.

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# LISMORE CITY COUNCIL - Meeting held April 9, 2002

## General Amendment to Lismore LEP - 2002

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Consultation with NP&WS has resulted in an up to date map of the services' holdings being provided.

### **4. 81 James Gibson Road, Clunes (Lot 382 DP 867394)**

This land is zoned part 2(v) Villages and Part 1(d) Investigation and appears to have been within this zoning since at least 1988. The boundary between the zones is an irregular shape that does not relate to any topographical feature and may have been based on a former easement to access a creek. The land is in one ownership.

The owner, Mr R Hancock, has applied to rationalise the zoning boundary by realigning it as a straight east-west line, so as to facilitate the preparation of conceptual development designs for village expansion in the 2(v) zone. The result will be in the nature of a "land swap" between the two zones, the areas of which will remain similar to current areas. Support is recommended as rezoning now will enable consideration of future development proposals without the necessity of awaiting the outcome of the cumbersome rezoning process.

The land has been used for grazing purposes and is not subject to any known hazard or contamination. The realigned zone boundary will cross pasture land.

### **5. 33 Tweed Street, North Lismore (Lot 3, DP 732534)**

This land is owned by the Roman Catholic Church and is currently in three (3) zonings, being Residential 2(f) Flood Liable; Special Uses 5 (Church) and 1(r) Riverland. The land has been for sale for some time. It contains two brick buildings formerly used as a church and school but now surplus to the Church's requirements.

Council has received several enquiries about purchase and potential uses of the land, but the Special Uses 5 Zone restricts it to Church-related uses only. As a result Father Peter Karam has now sought to alter that zoning.

Given the flood prone nature of the land, the most appropriate zoning for the land is that of adjoining properties, being Residential 2(f) Flood Liable. This will permit a wider range of uses, such as residential or light industrial. Rezoning of the land is recommended.

### **6. 30, 32 & 34 Ravenswood Drive, Goonellabah**

These properties are part of an established residential subdivision adjoining a public reserve and contain dwellings approved in 1993. However, they are currently subject to dual zoning, being part 2(a) Residential and part 6(a) Recreation. This split zoning is illustrated in the attachment.

The 6(a) zone boundary does not relate to topography or vegetation on the site and is probably a drafting error. This anomaly may have been in place since the original zoning of the area for residential use, but remained undetected when the buildings were developed.

It is recommended that the zone boundary be redrawn along the property boundaries between the public reserve and the private properties. The effect will be that the properties will be fully within the 2(a) zone and the 6(a) zone will accurately reflect the public reserve.

Consultation with the property owners will be undertaken.

## **B. MISCELLANEOUS**

### **1. Markets**

Lismore Local Environmental Plan does not make any specific provision for markets. Instead, they have been assessed as 'commercial premises' and permitted or prohibited according to the permissibility of that use in the zoning table.

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# LISMORE CITY COUNCIL - Meeting held April 9, 2002

## General Amendment to Lismore LEP - 2002

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While this is clear to practicing planners, it is not clear to the public or to market operators. In the interests of making the planning controls clear and transparent to all users, it is recommended that a definition of 'market' be introduced and the zoning tables be altered to indicate where this use is permissible and where it is prohibited. The following definition has been adapted from that which has been in use in the Tweed Shire LEP for some years:

***Market:** A temporary outlet for the sale of local crafts and goods, a large proportion of which are not available through normal commercial outlets and*

*(a) which operates on one day of the week only and*

*(b) which does not require the erection of permanent structures.*

Markets should be made permissible with Council's consent as advertised development in 2(v) Village, 3(a), 3(b) and 3(f) Commercial, 4(a) Industrial, 5 Special Uses, 5(b) SCU Technology Park, and 6(b) Private Recreation Zones. They should be prohibited in the rural, urban residential and environmental protection zones because of their significant demands for parking, waste management, water and sewerage. The term 'local' is deliberately not defined so as to avoid demands for policing the source of goods sold, as this could not be resourced without the employment of an enforcement officer.

Consultation with Council's Economic Development & Tourism will be required.

### **2. Warehouses**

By virtue of adoption of the Model Provisions the Lismore LEP contains a definition of 'warehouse' as follows:

*Means a building or place used for the storage of goods, merchandise or materials pending their sale and distribution to persons engaged in the retail trade.*

The requirement for goods to be intended for 'persons engaged in the retail trade' is considered to be too restrictive, as there are instances where goods can be stored pending further distribution to wholesalers or manufacturers. It is proposed that the LEP adopt the following definition:

*'warehouse' means a building or place used for the storage of goods, merchandise or materials pending their sale or distribution.*

Consultation will not be required for this proposal.

### **3. Motels in General Rural 1(a) Zone**

Motels are currently permissible with consent in this zone and it is proposed to require them to be "advertised" development. This is because motels can impact on surrounding land uses, and as advertised development, the proposal would be exhibited for public comment for two weeks.

Consultation will not be required for this proposal.

### **4. Bed and Breakfast Establishments in Zone 7(b) Environmental Protection (Habitat)**

Probably due to an oversight in the drafting of the LEP, bed and breakfast's are currently prohibited in the 7(b) zone. It is recommended that the use become permissible with consent to allow landowners an ability to gain some income from the conservation values of their land.

Consultation will not be required for this proposal.

# LISMORE CITY COUNCIL - Meeting held April 9, 2002

## General Amendment to Lismore LEP - 2002

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### **Manager - Finance & Administration Comments**

There will obviously be 'consultation' costs incurred in this process. I understand that they will be funded from existing budgets.

### **Public Consultations**

Noted throughout body of report. Public exhibition will be required for a minimum of 28 days.

The draft plan instrument and maps will be prepared following the required consultations, and taking into account any issues arising in that consultation. If no significant issues arise, the resulting planning instrument will simply enact Council's resolution from this meeting, and in those circumstances it is recommended that Council agree that the draft plan can be placed on public exhibition without being reported again to Council.

However, if significant issues arise during consultation, which may require alteration to the proposed draft LEP Amendment, it is appropriate that it be reported to Council again for endorsement before public exhibition.

In either event, the draft plan will be reported to Council following public exhibition in order to advise of public submissions and obtain endorsement for the plan's submission to the Minister.

### **Other Group Comments**

Not sought at this stage – see consultation requirements for individual items.

**Author's Response to Comments from Other Staff** Not applicable.

### **Conclusion**

Draft Amendment No. 10 to the Lismore Local Environmental Plan represents the annual alterations to the plan which have been found to be necessary during its operation.

### **Recommendation (PLA10)**

That Council, pursuant to S. 54 of the Environmental Planning & Assessment Act:

1. Prepare a draft amending local environmental plan which introduces the following changes to the Lismore Local Environmental Plan:
    - (a) rezones certain flood prone land at Nimbin to 1(r) Riverland;
    - (b) includes the entire Nimbin School site in the 2(v) Village Zone;
    - (c) includes the Bush Factory and filled land in Sibley Street with development potential within the 2(v) Village Zone at Nimbin;
    - (d) rezones part of Lot 1, DP 255203, Blue Hills Ave., Goonellabah, to 2(a) Residential;
    - (e) rezones lands held by the National Parks & Wildlife Service to 8 National Parks and Nature Reserves;
    - (f) realigns the 1(d)/2(v) zone boundary on Lot 382 DP 867394, Clunes;
    - (g) removes the Special Use 5 Zone from part of 33 Tweed Street, North Lismore and replace it with the Residential 2(f) Flood Liable zone.
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## LISMORE CITY COUNCIL - Meeting held April 9, 2002

### General Amendment to Lismore LEP - 2002

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- (h) removes the 6(a) Recreation Zone from No's 30, 32 & 34 Ravenswood Drive, Goonellabah and replaces it with the 2(a) Residential Zone.
  - (i) introduces a definition of 'markets' and makes provision for this use within the zoning tables;
  - (j) introduces a new definition of 'warehouse';
  - (k) requires the advertisement for public comment of proposals for motels in the 1(a) zone; and
  - (l) permits bed and breakfast establishments to be developed with consent in the 7(b) zone.
2. Exhibit the draft amending plan in accordance with the Guideline 'LEPs and Council Land', dated January 1997.
  3. Agree that, should no issues arise during consultation which would significantly alter the proposed draft plan, the draft plan can be placed on public exhibition without further reporting to Council.

**Subject/File No:** APPLICATION TO ACQUIRE LOTS 159 AND 160 DP755729 KNOWN AS OLD QUARRY ROAD NORTH LISMORE UNDER THE LAND ACQUISITION (JUST TERMS COMPENSATION) ACT 1991 FOR THE PURPOSE OF THE ROADS ACT 1993 AND UPON ACQUISITION CLASSIFY AS 'OPERATIONAL' LAND. (P9388:R2854:DA99/787)

**Prepared By:** Manager Client Services, Lindsay Walker

**Reason:** To provide permanent Right of Carriageway to Council's North Lismore Quarry site and a number of private holdings.

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

**Management Plan Activity:** N/A

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**Background:**

As part of approval conditions for DA99/787 for subdivision (refer Map 'B') lodged by Mr McLeay it is necessary that a Right of Carriageway be created to provide access to the proposed bts. At present access is an informal arrangement over a constructed roadway pavement through Lots 159 and 160 DP755729 being vacant Crown land and a Crown Public Road (shown on Map 'C'). This access provides entry to a number of private holdings, the Telstra tower, DLWC Survey Point and Aviation Navigation Beacon and also to Lismore City Council's North Lismore Quarry site.

For the subdivision to proceed and to enable the dedication of Lot 3 to Lismore City Council for a Koala Habitat Reserve as well as providing a permanent Right of Carriageway to the North Lismore Quarry site all possible options have been considered and it is now believed the best solution would be for Council to acquire Lots 159 and 160 DP755729 from the Crown under the Land Acquisition (Just Terms Compensation) Act 1991 for the purpose of the Roads Act 1993. Pending the successful outcome of this acquisition Council would also apply for transfer of the affected Crown public road to come under Council control (as indicated on Map 'D'). When these acquisitions are satisfactorily effected then Council can grant Mr Keith McLeay a Right of Carriageway over Lot 1 DP367581, Lots 159 and 160 DP755729 and resolve all access issues for the subdivision.

Council has approached the Department of Land and Water Conservation with the proposal and has received a favourable response. A valuation has been obtained from the State Valuation Office and the report states compensation payable under the provision of the Land Acquisition (Just Terms Compensation) Act 1991 is assessed at \$14,487.70. Mr McLeay has been approached to contribute \$8,000.00 towards the compensation and costs involved in the acquisition.

**Manager - Finance & Administration Comments**

This would appear to be a reasonable outcome to this situation.

As the predominate purpose of this action is to shore up right of carriageway to affected properties, it is suggested that funding for this be from Council's road maintenance budget.

Based on a valuation of \$14,500, other administrative and valuation costs of approximately \$2,000, and a contribution from Mr McLeay of \$8,000, the net cost to Council will be in the vicinity of \$8,500.

# **LISMORE CITY COUNCIL - Meeting held 9 April 2002**

## **Acquisition of Lots 159 & 160 DP755729 known as Old Quarry Road, North Lismore**

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### **Public Consultations**

Under Section 34 of the Local Government Act 1993, Part 2 of Chapter 6 for the acquisition of land as operational land a Council must resolve to acquire the land as operational, call for submissions through a Public Notice, then resolve that the land be classified operational, whilst considering any submissions.

Public Notice of the proposed resolution to classify Lots 159 and 160 DP755729 as 'operational' land was advertised on 14 February 2002 allowing 28 days for submissions to be lodged. Closing date for submissions was 15 March 2002. No submissions were received.

### **Other Group Comments**

Nil.

### **Author's Response to Comments from Other Staff**

Nil.

### **Conclusion**

The acquisition of Lots 159 and 160 DP755729 and the transfer of the Crown public road to Council's control will enable Council to grant a Right of Carriageway to adjoining private holdings and to Lismore City Council's North Lismore Quarry land. The formalising of Right of Carriageway under Clause 13 of the subdivision (DA99/787) will enable Development Consent to be granted and Lot 3 to be dedicated to Council as a Koala Habitat Reserve. The recommendation below completes the necessary process in classifying this public land as operational.

### **Recommendation (GM38)**

The Council resolve to:

1. Acquire Lots 159 and 160 DP755729 as operational land. The land is to be acquired under the Land Acquisition (Just Terms Compensation) Act 1991 for the purpose of the Roads Act 1993 from the Crown.
2. Apply to the Crown for the transfer of the Crown public road to Council's control.
3. Formalise right of Carriageway as required under Development Assessment Clause 13 of DA99/787.
4. That the General Manager be authorised to sign any documents necessary to bring about the action (i.e. Contracts of Sale/Transfer).

**Subject/File No:** VOLUNTARY FLOOD PRONE PROPERTY ACQUISITION SCHEME – 62 LAKE STREET, NORTH LISMORE (P6022)

**Prepared By:** Manager - Client Services, Lindsay Walker and Manager - Finance and Administration, Rino Santin

**Reason:** A Council resolution is required prior to acquisition.

**Objective:** To gain Council authorisation to proceed with the purchase of 62 Lake Street, North Lismore.

**Management Plan Activity:** Emergency Services

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### **Background**

The abovementioned property, being Lots 1 – 4 Deposited Plan 37270 and Lot 4 Deposited Plan 114455 is situated on the southwestern corner of Lake Street and Winterton Parade.

This property like many others, is inundated in times of flooding and has been previously identified as a key property for acquisition under the Voluntary Flood Prone Property Acquisition Scheme.

Valuation

The property, Lots 1 – 4 Deposited Plan 37270 and Lot 4 Deposited Plan 114455 was valued by Mr AJ Andrews on March 8, 2002.

The value was determined to be \$90,000.00.

In this particular instance, the vendor has asked to be able to purchase the house for an amount of \$5,000.00. This is agreeable as it is reasonable to expect the proceeds from the sale, less sale costs, to be in the vicinity of \$5,000.00.

### **Manager - Finance & Administration Comments**

The request to purchase 62 Lake Street is another example of the increased demand on Council to acquire properties as a result of the Lismore Levee and Lismore Floodplain Risk Management Plan. It is expected that more will follow shortly.

From a financial perspective, Council's contribution will be approximately \$29,000. There is sufficient funding available for this acquisition.

### **Public Consultations**

Nil.

### **Other Group Comments**

Nil.

### **Author's Response to Comments from Other Staff**

Nil.

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**Conclusion**

There is little or no long term future for the dwelling constructed on Lots 1 – 4 Deposited Plan 37270 and Lot 4 Deposited Plan 114455. This is acknowledged in conversations with both Councils Group Manager, City Works and Richmond River County Councils Mr Paul O’Sullivan.

The Lismore Flood Plain Risk Management Plan indicates that the property is within an area noted as “High flood Risk Area”.

**Recommendation – GM37**

1. That Council authorise the General Manager or his delegate to purchase No. 62 Lake Street, North Lismore.
2. That Council contribute its 1/3 funding contribution for the purchase of Lots 1 – 4 Deposited Plan 37270 and Lot 4 Deposited Plan 114455, for an agreed price of \$90,000.00 together with all reasonable expenses, from its Voluntary Acquisition Funding and such contribution be contingent upon matching 1/3 funding being provided by both Richmond River County Council and the Department of Land and Water Conservation.
3. Council agree to sell to the owners, the house for \$5,000.00 and this be deducted from the settlement payment.
4. That the General Manager and Mayor be authorised to sign and apply the Common Seal of the Council to the Contract for Sale of property transfer as necessary.

## LISMORE CITY COUNCIL - Meeting held April 9, 2002

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**Subject/File No:** TENDERS FOR THE RENEWAL OF SEWER MAINS AT CONWAY, JAMES, CASINO AND NIELSON STREETS, LISMORE (T22011)

**Prepared By:** Contracts Engineer - Ravi Ariyasinghe

**Reason:** To inform Council of tenders received for the renewal of sewer mains at Conway, James, Casino and Nielson Streets, Lismore.

**Objective:** To obtain Council approval to award the Tender

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

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### Background

Tenders have been called for renewal of sewer mains in sections of Conway, James, Casino and Nielson Streets in Lismore as part of the 2001/02 sewer main renewal program.

These sewer mains were identified as needing renewal because they were in poor service condition.

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

Tenders were advertised in the Northern Star, the Courier Mail and the Sydney Morning Herald. Tender documents were issued to twelve companies, with four tenders being received by the close of tender on 2.00pm, Tuesday 19 March 2002.

### Tender Examination

The tenders received are summarised below:

TENDERER	TENDER PRICE
Pipe Replacement Solutions Pty Ltd	\$ 198,192.00
Collex NoDig Pty Ltd	\$ 231,816.43
Kembla Pty Ltd	\$ 256,009.00
Airpipe Pty Ltd	\$ 502,135.45

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

This tender is a schedule of rates tender. The tender price is the estimated price of the works using the respective rates of each tenderer.

The total budget estimate for undertaking these works is \$308,000, which includes design, and supervision costs.

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

The tender documentation (Clause B7) defined five criteria by which each tender would be assessed: i Total Price ii Material, Equipment & Methodology, iii Capability, iv Quality, Safety & Environmental Management and v Management Plan. The tenderers were required to address each of these criteria in their tender.

The criterion for Price has been broken down to three areas i Comparison of tenders received, ii Comparison with internal benchmarks, and iii Analysis of individual tendered items.

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# **LISMORE CITY COUNCIL - Meeting held April 9, 2002**

## **Tenders for the Provision for the Renewal of Sewer Mains -T22011**

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The attachment "A" shows the weighted result for each criterion.

When all the criteria are taken into account, the weighted result for Collex NoDig Pty Ltd is higher than the weighted result for Pipe Replacement Solutions Pty Ltd despite that the tender price of Pipe Replacement Solutions is the lowest.

The weighted assessment shows that Collex NoDig Pty Ltd's tender has provided a good value for this project.

### **Referee Check**

Collex NoDig Pty Ltd has recently carried out similar works for several councils including Wagga Wagga City Council and Wingecarribee Shire Council. The respective supervising officers confirmed that Collex NoDig Pty Ltd had performed these works to a high standard and commended Collex NoDig Pty Ltd's capability, quality, safety and environmental management.

### **Asset Manager - Lismore Water Comments**

Collex NoDig Pty Ltd is the best-suited tenderer to undertake the works and the recommendation to award the tender to Collex NoDig Pty Ltd is concurred with.

### **Principal Accountant's Comments**

There is adequate funding in this year's budget to complete the projects. The choice of Collex NoDig Pty Ltd appears to offer the best long-term option given the assessment criterion.

### **Public Consultations**

Not required.

### **Other Group Comments**

Not required.

### **Author's Response to Comments from Other Staff**

Not required.

### **Conclusion**

The tenderer is considered to have the ability to complete the work satisfactorily. It is recommended that the renewal of sewer mains at Conway, James, Casino and Nielson Streets, Lismore be awarded to Collex NoDig Pty Ltd at the rates submitted by Collex NoDig Pty Ltd for the amount of \$231,816.43 excluding GST.

### **Recommendation (GM39)**

1. The Contract for the renewal of sewer mains at Conway, James, Casino and Nielson Streets, Lismore be awarded to Collex NoDig Pty Ltd at the rates submitted by Collex NoDig Pty Ltd for the amount of \$231,816.43 excluding GST.
2. The Mayor and General Manager are authorised to execute the Contract on Council's behalf and attach the Common Seal of the Council.

**Subject/File No:** SPORTSGROUNDS – DRAFT PLAN OF MANAGEMENT (S375)  
**Prepared By:** Alex Wilford, Recreation Planner  
**Reason:** The exhibition and submission period for the Draft Plan of Management has ended.  
**Objective:** Council adoption of the (Generic) Plan of Management for Sportsgrounds  
**Management Plan Activity:** Community Services

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**Introduction:**

The public exhibition and submission period for the Draft Plan of Management for Sportsgrounds ended on March 22, 2002.

The purpose of this report is to advise Council of the results of the exhibition and submission process and seek formal adoption of the Plan of Management. A copy of the Draft Plan was previously forwarded to all Councillors for the December 11, 2001 meeting.

**Background:**

At the December 11, 2001 Council meeting it was resolved that –

1. Council give in-principle endorsement of the Draft Plan of Management for Sportsgrounds.
2. The Draft Plan be placed on exhibition and public submissions be invited in accordance with provisions of the Local Government Act 1993.
3. An opening statement be placed in a prominent position to indicate as follows;  
*“This plan of management does not commit Council to funding improvements outside budget limits.”*

The Draft Plan was subsequently amended to reflect the above point and placed on exhibition and public submissions were invited. As the Draft Plan was exhibited over the Christmas holidays, the exhibition and submission process was extended well beyond the minimum 6 week period. Advertisements notifying the community of the exhibition and submission process were placed in Council’s Public Notices within the Northern Rivers Echo. Copies of the Draft Plan were also sent to relevant sporting clubs and associations for their review and comment.

Only one submission to the Draft Plan was received. This submission, from the Richmond Rovers Soccer Club, simply pointed out that a minor correction was required in Appendix F with regard to floodlights at Neilson Park. The Draft Plan indicated that the floodlights are used for training and competition purposes, however they are only used for training purposes. The necessary correction has been made in the final plan.

**Key Elements of the Plan**

In June 2000, Council’s Management Group approved the development of generic plans of management for each category of community land (e.g. sportsgrounds, parks, natural areas) to gradually supersede the existing generic Public Land Plan of Management.

The generic Plan of Management for Sportsgrounds applies to all community land classified as sportsground within the Lismore Local Government Area, other than those sportsgrounds to which specific plans of management have been prepared (i.e. Lismore Park, Hepburn Park, Weston Park, Adam Gilchrist Park).

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## Sportsgrounds – Draft Plan of Management

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The sportsgrounds to which the plan applies are:

- Arthur Park
- Balzer Park (Dunoon)
- Caniaba Street Reserve
- Clifford Park
- McKenzie Park
- Neilson Park
- Nesbitt Park
- Riverview Park
- Sam Trimble Oval (Bexhill)
- Tregagle Oval

The plan contains five sections and numerous appendices.

*Section 1* provides background information such as the purpose of the plan, the land to which it applies and the corporate goals to which it relates. The guiding principles that underpin the ongoing management and development of Council's sportsgrounds are listed in section 1.8

*Section 2* of the Draft Plan broadly outlines the existing and future development and use of Council's sportsgrounds. More specific information is provided in appendices pertaining to each sportsground. A list of items that are generally considered appropriate for development at Council's sportsgrounds is provided in section 2.4.

Key management issues and practices such as public safety, hire of sportsgrounds, maintenance, vehicle access and parking, field lighting, signage, litter and informal recreation use are discussed in *section 3*.

Generic objectives, performance targets, actions and priorities for Council's sportsgrounds are presented in *section 4*.

*Section 5* discusses the plans implementation, monitoring and review.

Further information relating to each sportsground covered under the plan is provided in respective appendices. These appendices include property details, maps, background information and details of the existing and future development and use of each sportsground. Items that should be given priority at each sportsground are also identified.

### **Process Following Council's Adoption of the Plan**

Upon Council adoption of the plan, the following will be undertaken:

- Advertise Council's adoption of the Plan.
- Make a copy of the final Plan available for public inspection at Council's Administration Centre.
- Send key stakeholders a copy of the Plan.

### **Manager - Finance & Administration Comments**

From a financial perspective, the generic Plan of Management is supported as the funding required to implement its objectives is considered to be little more than that normally required to manage Council's sportsfields. At the same time, should specific funding be provided from Council or other sources, it provides the flexibility to undertake the development, enhancement, etc.

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# **LISMORE CITY COUNCIL - Meeting held April 9, 2002**

## **Sportsgrounds – Draft Plan of Management**

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### **Public Consultations**

The following consultation has occurred:

- Interviews with representatives of stakeholder and user groups (relevant sporting clubs and associations)
- Discussions with relevant Council Officers, the Public Lands Strategic Management Team and the Lismore District Sports Association.
- Media releases and newspaper advertisements advising that the plan was being prepared and inviting community input.
- Public exhibition of the Draft Plan.

### **Other Group Comments**

#### **Manager - Parks and Recreation Comments**

Having read this plan of management, I believe it addresses most of the issues that confront Council with regard the ongoing use and future development of sportsgrounds within the Lismore LGA. In doing so it provides the necessary framework for the Council and the Community to use these facilities effectively and for mutual benefit into the future.

All the main issues such as risk management, spectator comfort, vehicular movement, amenities and hiring agreements are all adequately covered and will assist greatly in the administration and management of sportsgrounds from here on in. I support the recommendation to adopt the Plan.

### **Conclusion**

The (Generic) Plan of Management for Sportsgrounds provides a generic framework for the ongoing development, management and use of Council's sportsgrounds (other than those covered by specific plans). The plan presents a series of objectives, targets, actions and priorities to ensure Council's sportsgrounds continue to meet the needs of user groups and the general community in the future.

The Draft Plan has been exhibited and public submissions invited in accordance with the provisions of the Local Government Act 1993. Only one submission was received and a necessary minor correction has been made to final plan.

### **Recommendation (COR08)**

That Council adopt the (Generic) Plan of Management for Sportsgrounds.

**Subject/File No:** DEMISE OF THE VOLUNTARY STRUCTURAL REFORM GROUP (S34)

**Prepared By:** General Manager

**Reason:** The Voluntary Structural Reform Group has resolved to disband.

**Objective:** To inform the Council of the Group's demise.

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### Management Plan Activity:

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In 1998, a Voluntary Structural Reform Group (VSRG), comprising Tweed, Byron, Ballina, Lismore, Kyogle and Richmond Valley Councils, was formed in response to calls by the Minister for Local Government and the Local Government and Shires Associations (LGSA) for councils to work together to address issues of local government structural/boundary reform. Rous County Council was subsequently added to the Group by invitation. A Memorandum of Understanding was developed and signed off by each of the member councils and the Mayors and General Managers of each of the VSRG councils were designated to represent their LGAs.

The MOU identified three principal areas for attention:

- ❖ Boundary reviews
- ❖ Resource sharing
- ❖ Corporatisation of service delivery areas.

One-off Federal Government funding was made available to the LGSA to enable external, accredited facilitators to be employed to work with groups of councils across NSW to progress structural reform. The LGSA developed a voluntary structural reform package that contained a number of voluntary structural reform principles, and these acted as a guide for the conduct of the sub-regional VSRG. A funded facilitator was subsequently engaged and worked with the VSRG for an initial period.

Not unexpectedly, the VSRG decided fairly early in the process not to pursue boundary reform/amalgamation issues when it became clear that there was a distinct lack of political will to pursue these issues. Given that this was a fundamental reason for the Minister and the LGSA calling for the creation of VSRGs, this was a disappointing outcome and signalled that the demise of the Group was somewhat inevitable. Whilst there were attempts by Lismore Council to reintroduce the issue of council amalgamations onto the Group's agenda late in 2001, there has been a continuing reluctance by the Group to objectively investigate such reform options.

The VSRG has achieved some minor economies and resource sharing outcomes, however the General Managers, after participating in two facilitated workshops to review the achievements of the Group to date, unanimously agreed to recommend to the Mayors and respective councils that the VSRG be wound up. It was further resolved that there is considerable benefit in the GMs continuing to meet monthly to facilitate inter-council communication and cooperation and to discuss operational/strategic issues. A summary of the VSRG review is included as an attachment to this report.

On 11<sup>th</sup> March, 2002 the VSRG met and resolved:

1. *That the VSRG be disbanded.*
  2. *That the sub-regional general managers group meet on a monthly basis to progress strategic and operational issues at a sub-regional level as outlined in the provisional agenda and with the Mayors attending meetings on a 6 monthly basis.*
  3. *That a task be assigned to the GMs Group to bring together and organise a quarterly regional forum hosted by individual councils on specific issues.*
-

**Manager - Finance & Administration Comments**

Not required.

**Public Consultations**

Not required.

**Other Group Comments**

Not required.

**Author's Response to Comments from Other Staff**     N/A

**Recommendation**

That the resolution of the Voluntary Structural Reform Group be noted and endorsed.

## LISMORE CITY COUNCIL - Meeting held April 9, 2002

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**Subject/File No:** NORLINK E-TOWN PROJECT  
(SC/S620:02-1613)

**Prepared By:** Sandra Cormack, Manager Information Services

**Reason:** Participate in a trail to advance telecommunications in the Northern Rivers Region

**Objective:** To obtain in principle support from Council that Lismore (or parts of Lismore) be included as an E-town in Norlink's Wireless Local Loop trial

**Management Plan Activity:** Economic Development Unit

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### **Background:**

Norlink is a representative group of peak bodies and major organisations from within the Northern Rivers region concerned with the pace of Information Technology and Telecommunications (IT&T) development within the region and the impact this has on the community.

Norlink has received a grant of \$1.5M under the Federal Government Networking the Nation program to revitalise regional towns through the appropriate use of advanced telecommunications technology.

The initial stage of this project is a Wireless Local Loop (WLL) trial, which involves implementing wireless technology in three communities in the region. WLL technology delivers high speed, low cost voice and data telecommunication services. Lismore has been nominated as one of these communities. Other communities nominated include Maclean and Mullumbimby.

Norlink presented an overview of the project to Councillors Tuesday 5<sup>th</sup> February.

For Lismore to be included as an E-town in the WLL trial, the next steps are:

1. Council to provide in principle support
2. Council and Norlink to discuss resource requirements
3. Council and Norlink to sign a Memorandum of Understanding
4. Council to drive the initiative in conjunction with Norlink
5. Council to arrange town meetings and establish a town steering committee
6. Council to approve the setup of a WLL base station at an existing suitable site
7. Council and Norlink to develop strategies for future initiatives

### **Manager - Finance & Administration Comments**

I agree that this provides an ideal opportunity for the development of a plan to provide sustainable telecommunication infrastructure for Lismore and its surrounds. The successful implementation of the telecommunication plan is anticipated to be of substantial benefit to all sections of the community.

From a financial perspective, I support the submission of this proposal for consideration during the 2002/03 Management Plan in conjunction with all other funding requests for Council to determine its overall priority.

### **Public Consultations**

Not required.

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**Other Group Comments**

**Manager Economic Development and Tourism**

It is an imperative to the economic development of regional Australia that telecommunications capacity is significantly upgraded, particularly in regional centres such as Lismore.

The Internet and the "new economy" has radically reshaped the way business and government carry out their work. The Internet and the growth of telecommunications render that old paradigm of "cost efficiencies through centralisation" no longer correct.

Lismore must position itself to maximise the opportunities presented by the "new economy". Telecommunications planning is fundamental to this. I strongly support the development of a telecommunications plan for the City.

It is very important that Lismore participates in the Norlink initiative. We have been presented with the "skeleton" of their proposal and there is a need to put much more "flesh on the bones". To achieve this, it is important for Council to collaborate in the process.

I strongly support the recommendations.

**Author's Response to Comments from Other Staff**

Not required.

**Conclusion**

For the trial to be a success, Council will need to identify and commit both human and non-human resources to the project (step 2 above). The resources required will be identified in a 2002/03 budget submission.

**Recommendation (COR07)**

That:

1. Council provide in principle support to Lismore being included as an E-town in Norlink's WLL trial.
2. Favourably consider the allocation of funding, estimated at \$20,000, in the 2002/03 Management Plan, to undertake this initiative.



**Subject/File No:** REVIEW OF THE AIRPORT BUSINESS PLAN  
(CWK:P9733)

**Prepared By:** Craig Kelly – Group Manager Business & Enterprise

**Reason:** Report back the outcomes achieved

**Objective:** To inform Council.

**Management Plan Activity:** Airport

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**Background:**

In April 2000 a report was presented to Council that outlined the business plan for the airport and the adopted goals. Following is a short report to advise Council of the outcomes of that plan, as steps are now in place to reset the objectives of the airport for the coming three years.

**Goal 1: A new passenger terminal with commercial facilities**

**1.1 and 1.2 Select Contractor and Construct New Terminal**

The new terminal was constructed and opened on December 1, 2000. The construction was delayed by the financial failure of the contractor and Council completed the project at a cost above the original budget.

**1.3 Issue Contracts for Airport Management and Ancillary Services**

Expressions of interest were called for a range of services. From this process Council has engaged Ambidji Frontec for airport management, Caddies Coffee Company for the operation of the airport café, all four car hire counters were licensed to the major companies. Council did not receive acceptable respondents for property development and this is an objective to be carried forward. The other key service of security car parking has been met through use of secure carparking in the CBD.

Apart from these Council has also reached an agreement with Summerland Credit Union for the provision of automatic teller machine services and BP for the provision of an in ground avgas installation.

Further work will be carried forward to the next plan to address contractual relationships with Mobil for the provision of mobile fuel services on the airport.

**Goal 2 Aero – industry business development**

**2.1 Improve Standard of Existing Facilities**

The reconstruction of Airport Drive, sealing of the western hangar road and the renewal of airport signed area dumbbells were completed in the year 2000 in accordance with the plan.

Plans to reconstruct the general aviation apron have been deferred following a full investigation of all airport pavements. This identified the need for urgent works on the shoulders of the runway and on the surface of the runway extension. The review also identified that the GA apron reconstruction could be deferred through the use of patching and through the exclusion of freight vehicles, which had already been implemented (refer to 2.3 below).

## **LISMORE CITY COUNCIL - Meeting held March 12, 2002**

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The outcome of the review of all airport pavements has set in place a long-term plan for the maintenance of all pavements to a suitable standard. This will be carried into the new plan.

### 2.2 Introduction of New Facilities

Lismore navigation aids were substantially improved with the introduction of a non-precision GPS approach path into Lismore, which was released in 1999. Staff have reviewed the possible introduction of improved navigation aids, such as precision approach path indicator lights (PAPI). While the costs of these aids are decreasing in real terms, the cost remains outside the airport means for the immediate future. This objective will be retained for future plans as it is seen as a further significant safety enhancement for the airport.

In 2000 an unsealed road was constructed to access the eastern hangar sites. Combined with the fencing of this side of the airport, this initiative removed a significant amount of cross apron vehicle traffic. This then brought the airport more in line with CASA regulations, reduced the risk of vehicle and plane contact and reduced deterioration of the apron pavement.

Through demand for hangar sites and additional three hangar sites were planned and developed. Two of these sites are leased with options to purchase. This has necessitated an extension of the GA apron.

Through negotiations undertaken by Ambidji and following some years of lobbying by Councillors and staff, the Bureau of Meteorology has agreed to install an automatic weather station on the airport. This has the dual impact of substantially improving the standard of weather data and therefore safety on the airport as well as reducing the minima by 100 feet from 700 to 600 for the operation of the airport. This therefore increases the airports opportunities for operation in bad weather or poor visibility.

### 2.3 Redevelopment of facilities

It was planned to convert the old terminal into a freight terminal. Previously freight vehicles would drive onto the aircraft apron to load and unload planes. With the relocation of the terminal it has been possible to relocate all freight operations to the old terminal area and use the existing breezeway to ferry freight to and from aircraft. This has substantially improved safety, reduced wear on pavements and provided a more appropriate location to undertake these activities.

## **Goal 3: A marketing Strategy to Maximise Growth Potential**

### **3.1 and 3.3 Identify and promote business opportunities associated with the new terminal**

A marketing strategy for the airport was developed as part of this business plan. The objectives of this plan will be more fully integrated into the business plan for the coming three years. Perhaps the most visible example of marketing initiatives was the launch of the new brand for the airport, Lismore Regional Airport.

Apart from regular dialogue with air service providers as part of an ongoing objective to lift the profile of Lismore, Council has twice attended the Regional Airlines Association Convention and used this as an opportunity to market Lismore directly to the providers. A key part of this approach was the engagement of Southern Cross University to undertake independent research into the new terminal and the wider market. This report has provided invaluable data for discussion with airlines as well as feedback on the terminal itself.

The terminal through the inclusion of the John Crowther Business Lounge has attracted a wide range of meetings and functions to the airport terminal. From book launches to the Lismore Unlimited Special General Meeting, the airport has shown itself to be a multi function facility.

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## Report – Review of the Airport Business Plan

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The terminal opening attracted wide publicity and the opportunity to have Mr James Strong as the official guest was a coup for Lismore.

### **3.2 Identify and promote aero industry opportunities associated with the airport**

Lismore City Council completed a bid for the relocation of Hazelton Airlines. This process however stalled, firstly with the delay in announcing changes to the deregulation of intra state air services and then, secondly, with the takeover of Hazelton Airlines by Ansett Airlines.

Apart from this Ambidji and Council are actively working with potential investors in the airport on a regular basis to attempt to attract further aero industry to Lismore.

## **Goal 4: Financial Action Objectives**

### **4.1 Improve financial performance of RPT operations**

It was the view of staff and our advisors on the Airport Development Strategy that the existing landing charges were too low and should be increased to reflect the services provided. Throughout the life of this plan charges were initially increased from \$6.50 to \$8.50, then to \$8.70 and then to \$9.00. Plans were well developed to cope with the unexpected additional financial burden owing to the failure of McMaster and retain the self-funding status of the airport. The financial failure of Ansett however has not made it possible for this to be achieved in last year of the current plan. This has been fully reported to Council in December 2001 and through the quarterly management plan review. This objective however will be carried into the new plan.

### **4.2 Improve financial performance of GA operations**

In 2000 a complete review of the GA landing fee structure was undertaken. The outcomes of this review were to institute charging for all aircraft. All existing exemptions for certain aircraft were removed and exemptions were only provided to community service aircraft such as the Rescue Helicopter. This was reported to and resolved by Council.

Unpaid landing charges are pursued by Avdata, Council's landing fee billing agent, and Ambidji, to improve the level of debt recovery. Ambidji are actively seeking new means for the billing and recoupment of these charges.

### **4.3 Improve commerciality of property activities**

An independent valuation was completed in 1999 to assess the adequacy of existing hangar rentals. These were found to be well under market and the basis of charging (lineal metres fronting the apron) also distorted value.

A system was implemented to bring hangar rentals up to a market level over three years and the basis of charging was changed to a square metre basis. All rents and leases are now managed by Ambidji. A further valuation will be undertaken in the new plan to assess any movement in the market that should be reflected in lease fees.

An Expressions of Interest document was issued to the fuel companies to locate a further fuel facility at Lismore. Two oil companies Mobil and BP responded favourably however the industry changes have seen this process stall. This will be carried through to the new business plan.

A review of all airport leases was undertaken by Ambidji as part of their process for taking responsibility for these contracts.

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#### **4.4 Property development activities**

As referred to in 2.2 above, a further subdivision plan was prepared, lodged and approved for a further three hangar sites. Two of these three sites are under lease. The further site will be marketed following issue of the titles by the Land Titles Office.

### **Goal 5: Management and Development Objectives**

#### **5.1 Revision of the membership of the Airport Advisory Panel**

The membership of the Airport Advisory Panel was revised to include representatives of the business community, the public transport community and key users such as the State Government and Southern Cross University. This was reported to and resolved by Council.

The Airport Advisory Panel is an advisory body to Council. Ambidji Frontec are the contract managers of the facility. The management of the airport refer matters of significance to the Panel for their review and informs the Panel of operational performance on a twice-monthly basis. This will be carried forward to the new plan.

#### **5.2 Appointment for 3 years of full time airport manager**

This objective was addressed through the appointment of Ambidji Frontec.

#### **5.3 The routes of Lismore/Brisbane and Lismore/Coolangatta be discussed with potential operators**

This objective is referred to above and discussions have been held with operators including Hazelton, Ansett, Sunstate and Eastern to encourage them to link Lismore to Brisbane. Discussions have also been held with minor airlines to assess this route. Council has used market research and provided a range of historical data toward this objective. This will continue to be a key development objective for the airport.

Although not included in the plan, the airport saw increased services with the addition of ten extra services per week in July 2001. Unfortunately these services were withdrawn following the collapse of Ansett. Council has retained close dialogue with Hazelton in an attempt to see these services reinstated. The other positive benefits of the changes delivered in July 2000 was the connection of Lismore to Port Macquarie. This provides the opportunity of developing traffic between these ports.

### **Manager - Finance & Administration Comments**

It is important that we continue to implement and modify the adopted goals of the Airport Business Plan to ensure that we get the facility and service required by our customers, at an affordable price to both the customers and ratepayers. From the report, it is obvious that we have commenced or achieved a significant number of these goals. Unfortunately, the demise of Ansett and September 11, 2001 will result in the Airport's financial position being unfavourable for 2001/02 and beyond.

From a financial perspective, it is important that we strive to maintain the facility's financial viability and minimise the Council's contribution. As such, we need to continue to look for opportunities to either reduce costs, or increase income such as land development potential or increasing the passenger levy.

**Public Consultations**

A workshop of Council and the Airport Advisory Panel was held to review this report and to provide input to the future planning process.

**Other Group Comments**

Not required.

**Author's Response to Comments from Other Staff**

Not required.

**Conclusion**

The majority of all goals set in the original business plan for the airport are now complete. Additional outcomes such as the branding of the airport and the resealing works on the runway have been completed although they were not specifically identified. Key objectives such as the link to Brisbane and the self-funding nature of the airport are either incomplete or under threat. These must be carried forward as objectives in the new plan.

The planning process undertaken up-front and the research undertaken as part of the airport redevelopment strategy have assisted in the high level of compliance with the plan. This augurs well for the ongoing development of the process.

**Recommendations (ENT03)**

1. That the report be received and noted.
2. A further report on the revised business plan for the Lismore Regional Airport be presented to Council in June 2002.

**Subject/File No:** ANNUAL POLICY REVIEW  
(GW/LM: S9)

**Prepared By:** Administrative Services Manager – Graeme Wilson

**Reason:** Council policy

**Objective:** To ensure all Council policies are relevant.

**Management Plan Activity:** Administration

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### **Background:**

Council's policy on Policy Making requires that all Council policies be reviewed at least once per year with all changes being reported to Council.

As a result of this annual review and changes which occur at other times of the year the number submitted for review is not large. However, due to other priorities not all of the annual reviews have been completed and thus a further report will be presented to the next meeting to complete the review.

The report should be read in conjunction with the Policy Register.

### **Changes**

#### **5.6.1 Tip Fees – Section 356 Donations**

**Comment:** The new policy is included in the attachments. The change to Policy 5.6.1 was instigated because of the lack of control over the volume and associated costs of waste disposed of by charities at the waste facility. Council has 10 approved charities that access the waste facility free of charge and the potential exists for others to be given consideration at a later date. The General Fund finances this donation and indications are that this budget allocation will be over expended this financial year. Imposing a one tonne per month per charity maximum weight limit will ensure that Council's maximum donation is limited to \$5,760.

#### **8.4.2 City Hall Reductions in Rentals**

##### ***Background***

Council provided in the 2000/01 Budget an additional \$1,500 as a Section 356 Donation to the Lismore Musical Festival Society annual eisteddfod. The intention was to bring the contribution to at least 50% of the rental charges. The 2000 contribution was \$3,672.

On the basis that Council intends to maintain its sponsorship of this event, it would be appropriate to review Policy 8.4.2 to incorporate the following:

*5 An annual contribution of at least 50% of the rental charges of the City Hall be provided to the Lismore Musical Festival Society for the annual eisteddfod to a maximum of \$3,500.*

**Comment:** The reason a maximum has been suggested is the fact that the Section 356 Donation budget for City Hall hire was over expended in 2000/01 (Budget \$7,300, Actual \$8,895). Also, there is inconsistency with this support and the maximum donation to any other user of the facility being 30% under special circumstances.

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**Policies to be Deleted**

**5.2.5 Prepayment of Section 94 Contributions**

**Reason:** Superseded by Section 94 Plan.

**5.2.6 Section 94 Levies – Commercial Development**

**Reason:** Superseded by Section 94 Plan.

**5.2.8 Worker Dwellings in Rural Zones**

**Reason:** Superseded by Rural Housing Strategy

**5.3.2 ET Rates for Specific Developments**

**Reason:** Superseded by Section 94 Plan.

**1.8.20 Plant Hire for Sporting Clubs and Charities**

**Reason:** This policy provides for a level of support for plant hire to sporting clubs and charities which has been superseded by the need to better manage and utilise Council's plant. It is no longer desirable to subsidise costs as plant performance is critical to operational success and it is recommended that the policy be deleted.

To accommodate sporting clubs and charities, a reduced charging regime has been introduced in the 2001/02 Fees and Charges. The result is that they have access to charges which are less than that offered to the public at large which recognises their contribution to the community.

***Comments by Manager-Parks & Recreation:***

- 1 Implications of GST necessitate a review of this policy.
- 2 Council has a history of underperforming plant (i.e. lack of income). This needs careful addressing.
- 3 Implications of the Local Government Act 1993 require councils to be financially accountable for their activities – this contradicts such requirements unless Council wishes to provide a Section 356 Donation.
- 4 As a result of (3) above, Council departments now act as separate "business units" and need to stay within budgetary constraints to ensure an overall balanced budget.
- 5 Changes to systems of financial accounting have introduced "on costs" in project/service activity costings. On costs have risen significantly over recent years and eroded Council's ability to:
  - i) deliver basic services;
  - ii) justify discounts of any magnitude.

The deletion of this policy and its replacement with a scale of charges in the Fees & Charges, which is less than a commercial charge, is supported.

**Manager - Finance & Administration Comments**

Not required



**Public Consultations**

Not required.

**Other Group Comments**

The relevant sections of Council have been consulted in the compilation of this report.

**Author's Response to Comments from Other Staff**

Not applicable.

**Recommendation (COR10)**

- 1 That policies 5.2.5, 5.2.6, 5.2.8, 5.3.2 and 1.8.20 be deleted.
- 2 That policy 5.6.1 be amended according to the copy attached.
- 3 That Clause 5 be added to policy 8.4.2 to read:
  - 5 *An annual contribution of at least 50% of the rental charges of the City Hall be provided to the Lismore Musical Festival Society for the annual eisteddfod to a maximum of \$3,500.*

## LISMORE CITY COUNCIL - Meeting held April 9, 2002

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**Subject/File No:** ALTERNATE DELEGATE TO RICHMOND-TWEED REGIONAL LIBRARY  
(02-3338: S120)

**Prepared By:** Group Manager-Corporate & Community Services

**Reason:** Request by Regional Library

**Objective:** Appoint an alternate delegate

**Management Plan Activity:** Library

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### **Background:**

The Richmond-Tweed Regional Library (RTRL) meets on a quarterly basis at venues within the four constituent council boundaries.

Each of the constituent councils is entitled to two voting delegates and on occasions there have been difficulties in obtaining a quorum due to the non-attendance of some delegates.

Although the attendance of the Lismore delegates (Councillors King and Baxter) has not been a problem in the past, the RTRL has requested each constituent council to nominate an approved alternate councillor delegate who may attend the quarterly meetings of the committee when Council's nominated delegate is unable to attend.

Meetings are generally held on the 3<sup>rd</sup> Thursday of February, May, August and November each year commencing at 10am and generally last for some 2 – 3 hours.

### **Manager - Finance & Administration Comments**

Not required.

### **Public Consultations**

Not required.

### **Other Group Comments**

Not required.

### **Author's Response to Comments from Other Staff**

Not applicable.

### **Conclusion**

Although attendance by our delegates has not been a problem in the past, appointment of an alternate delegate as requested by RTRL is supported.

### **Recommendation**

That Council appoint Councillor \_\_\_\_\_ as alternate delegate to the Richmond-Tweed Regional Library Committee.

# LISMORE CITY COUNCIL - Meeting held April 9, 2002

## MINUTES OF THE TRAFFIC ADVISORY COMMITTEE MEETING HELD MARCH 20, 2002

AT 10.00 AM.

(WMacD:VLC:S352)

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**Present:** Mr Bill Moorhouse (*Chairperson*), Councillors John Hampton and Mervyn King, Messrs Mike Baldwin (*Roads and Traffic Authority*), Snr Const Brian Buckley (*Lismore Police*) and Mr Bill MacDonald (*Traffic and Law Enforcement Co-Ordinator*).

**Apologies:** Apologies for non-attendance on behalf of Councillors John Chant and Ken Gallen, Messrs Thomas George, MP and John Daley and Mrs Wendy Johnson (*Road Safety Officer*) were received and accepted and leave of absence granted.

### **Minutes of Traffic Advisory Committee Meeting – February 20, 2002**

Members were advised that the Minutes of the meeting held on February 20, 2002 were adopted by Council at its meeting of March 12, 2002, excluding Item No. 6 (*CBD Resident Parking*) and No. 8 (*Lombardo's Roundabout*).

#### 1. **Item No. 6 (TAC6/02) – CBD Resident Parking**

This matter was again debated and it was acknowledged that some type of resident parking scheme could be introduced. However, such a scheme could possibly involve dozens of permits being issued which would certainly be to the detriment of parking supply within the CBD in general, and would almost certainly not gain the support of shop owners who already believed parking should be increased not depleted. It was suggested that Council may wish to subsidise the provision of off-street parking that was currently available at several locations, including off Eggins Lane, near the Potter's Church or beside the Centrepoint Motel. However, it may be unlikely that these locations would be used if they were not in close proximity to the residences. There is the opportunity for residents to seek such locations if they wished in any case or negotiate arrangements with their landlord/real estate agent prior to accepting any accommodation offers within the CBD.

**TAC32/02** In light of the above, it was **RECOMMENDED** that permit parking not be introduced. (02-284:S353)

#### 2. **Item No. 8 (TAC8/02) – Lombardo's Roundabout**

The Committee noted Council's resolution and that this matter had been referred to Council's Manager - Roads & Infrastructure for attention. (02-599:P451,R6408)

**Disclosure of Interest:** Nil

### **Correspondence:**

3. **D Lee & Ms D Kent;** expressing concern for the location of their property access at No. 142 Doroughby Road, Corndale, and requesting the installation of a safety mirror to afford greater visibility.

Mr MacDonald advised that he and Snr Const Buckley had met with the residents on-site to discuss their current problems. It was suggested that whilst a convex mirror may be an option for the residents to consider, it was not recommended due to the faster vehicle speeds in rural areas and the distortion factor provided of oncoming vehicles. It was agreed that there was an option for the relocation of the driveway to a point further around the bend to afford better visibility of oncoming traffic and it was pointed out that any such cost would be at the property owners' expense. This option would be further investigated by the residents.

**TAC33/02** **RECOMMENDED** that the above be noted. (02-2046:R3501,P12974)

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4. **Rev M Rowe**; drawing attention to the restricted vision of oncoming vehicles for motorists caused by the pedestrian refuge signage at the intersection of Dawson and Magellan Streets; also requesting a double white centre line be painted at the junction of Cusack and Woodlawn Roads as well as appropriate signage to highlight that cyclists use the roads in the Woodlawn / Numulgi area.  
The Chairperson pointed out that the section of Woodlawn Road between the Race Course and Cusack Road was due for upgrading in the near future. The area around Cusack Road would be addressed as part of those works and would include a double white centre line. It was also suggested that a double white centre line should be painted on Woodlawn Road up to and including the bend on the approach to the railway overbridge at the start of Numulgi Road. "Cyclist Ahead" signs were not considered warranted due to the low possibility of motorists comprehending such warnings and adjusting their driving habits accordingly. An inspection of the intersection of Dawson and Magellan Streets was carried out and it was felt that sufficient sight distance of oncoming traffic was available provided due care was taken. It was noted that the intersection carried a low accident rate since the signs and medians were installed several years ago. However, as these facilities were located on a State Road and were only installed as a temporary means of resolving significant problems, it was suggested that the RTA be approached to provide funding for the installation of more permanent facilities. Mr Baldwin undertook to investigate this proposal and report back.
- TAC34/02** **RECOMMENDED** that the above line-marking works be carried out at the earliest opportunity. (02-2463:R6017,R4251,R4210)
5. **Northern Rivers Conservatorium Arts Centre Inc**; drawing attention to the need for a Loading Zone on Keen Street adjacent to its main entrance, and also highlighting the need for adequate rear access from Magellan Street and the Fredericks Carpark.  
Mr MacDonald advised that he and Snr Const Buckley had met with Ms O'Shannessy on-site to discuss the Centre's concerns. Ms O'Shannessy advised that clarification had been received since writing the letter that access from Magellan Street to the rear of the buildings fronting Keen Street was available and it was agreed that any unloading of goods would be best done on-site rather than providing a Loading Zone on Keen Street. There was a significant amount of paved area within the site to cater for parking/unloading needs.
- TAC35/02** **RECOMMENDED** that the above be noted. (02-2588:P26243)
6. **Richmond River County Council**; seeking the temporary closure of affected streets during construction of the Lismore Flood Levee Scheme programmed from June to December 2002.  
As the roads in question were only minor local roads, the Committee raised no objection to the proposal to close Shannon Street, Barrie Street, and sections of Victoria Street during the levee construction provided same were advertised well in advance and a traffic control plan was developed showing signposting to cater for modifications to traffic movements. It was noted that temporary access would always be provided to the boat ramp; access would always be available to North Side Motors, and that access would be available along Victoria Street to the boat ramp for the last two weeks of June for the Lantern Parade.
- TAC36/02** **RECOMMENDED** that Council consent to the road closures provided that the above conditions were met. (02-2633:S106)

# LISMORE CITY COUNCIL - Meeting held April 9, 2002

## MINUTES OF TRAFFIC ADVISORY COMMITTEE MEETING HELD MARCH 20, 2002 (Cont'd)

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7. **TB O'Connor**; suggesting that the eastern junction of Bruxner Crescent and Ballina Road, Goonellabah, be made more visible to motorists. Members were advised that the RTA was aware that the intersection was starting to attract a significant accident history and was examining options for a solution. Short-term, however, it was suggested that two (2) black and yellow chevron markers be placed on the road shoulder, on the north/western corner of Bruxner Crescent and a larger black on white "Bruxner Crescent" sign be installed on the same corner in order to better highlight the intersection.
- TAC37/02** **RECOMMENDED** in accordance with the above. (02-2658:S352,R6414)

8. **Nimbin Mardi Grass**; advising that the 2002 event is proposed to be held on May 3-5 and detailing the traffic and car parking arrangements. Mr MacDonald advised that this facsimile message had only just been received prior to the meeting. The Organisers proposed to close Sibley Street, between Cullen and Thorburn Streets, from 4.00 pm on Friday, May 3, to 7.00 pm on Sunday, May 5, 2002. Access for emergency vehicles would be maintained at all times.
- A 'Combi Convoy' was proposed from Lismore to arrive at Nimbin at 6.30 pm on May 3, and on May 5 it was proposed to hold the Mardi Grass Parade along Cullen Street between approximately 1.15 pm-1.45 pm. Snr Const Buckley advised that a public assembly's application form from the Police Service would need to be completed. Three (3) parcels of land had been identified for off-street parking and these would be shown in more detail as part of the Development Application. All other event activities would be held at Peace Park.
- The Committee raised no objection to the above provided relevant Police consent was also obtained; any road closures were advertised, and appropriate signposting was in place.
- TAC38/02** **RECOMMENDED** that Council support the application for the road closures and parade routes provided that the above conditions were met. (R1703,S704)

### **General Business**

9. **'No Standing' Zone – North Woodburn Boat Ramp, Bank Street**
- Concerns had been raised by a motorist that cars with boat trailers attached were parking too far onto the road on the southern side of Bank Street, each side of the boat ramp. An inspection revealed that there was sufficient space for parking and through traffic provided vehicles were parked correctly. In order to provide some guidance, it was suggested that a full white edge line be painted along the area in question, 4.0m out from the wall on the centre of Bank Street that separated the through traffic lanes.
- TAC39/02** **RECOMMENDED** in accordance with the above. (R5725)

10. **Proposed Eastpoint Shopping Centre, Cnr Holland Street & Ballina Road, Goonellabah**
- Mr Chris Soulsby was present for this item.
- A plan was tabled at the meeting showing a proposed shopping centre to be constructed on the south-eastern corner of Ballina Road and Holland Street. Much discussion followed regarding concerns regarding access to and from the site via Ballina Road and Holland Street. It was acknowledged that medians on both streets were inadequate as shown in their current form. No detail had been shown describing lane widths; acceleration and deceleration lanes, and areas on-street where parking should be prohibited. Mr Baldwin tabled a list of concerns that were discussed and it was agreed that a new plan should be submitted to the next meeting addressing all of these concerns.
-

10. **Proposed Eastpoint Shopping Centre, Cnr Holland Street & Ballina Road, Goonellabah** (Cont'd)  
The list of concerns is attached to these Minutes as 'Appendix A'.  
Other conditions such as those incorporated in the Draft Policy for "Shopping Centre Carparks" should also be addressed.  
TAC40/02 **RECOMMENDED** that a plan be resubmitted to the next meeting addressing all concerns raised for further consideration. (D010772)
11. **Draft Policy – Shopping Centre Carparks**  
The contents of the Draft Policy were noted and it was agreed that such conditions were not onerous and should generally be part of any proposed shopping centre development. It was noted, however, that the inclusion of Taxi and Bus provisions would need to be assessed individually and may be dependant upon the size of the development.  
TAC41/02 **RECOMMENDED** that Council note that the Committee supports the proposed Policy in accordance with the above. (S135)
12. **Proposed Taxi Shelter – Carrington Street, Lismore**  
Mr MacDonald tabled a plan showing a proposal to construct a shelter over the existing five (5) car taxi rank on Carrington Street adjacent to Lismore Central. A funding submission had been made to the NSW Department of Transport. The plan showed that there was sufficient road width to still allow two lanes of through traffic and a parking lane on the western side of Carrington Street. Discussions had been held with Shopping Centre Management and more detailed on-site discussions would ensue in order to address any concerns that may arise from businesses with Carrington Street shop frontage.  
It was noted that the proposal had received the full support of the Taxi Co-Operative and the Public Transport Panel. The Committee raised no objection to the proposed shelter.  
TAC42/02 **RECOMMENDED** that the above be noted. (R7303)
13. **Access from St Vincent's Hospital – Dalley Street, East Lismore**  
Mr Trevor Sanders had requested the Committee give consideration to prohibiting right-turn movements from the delivery/office driveway onto Dalley Street. The driveway had been inspected and it was noted that parking was already prohibited along Dalley Street below the driveway. This allowed motorists exiting the driveway sufficient space to move out onto Dalley Street to gain adequate sight distance of vehicles travelling west. Consequently, prohibiting right-turns was not considered warranted.  
TAC43/02 **RECOMMENDED** in accordance with the above. (R7426)
14. **Intersection of Molesworth and Woodlark Streets (western side at bridge)**  
The Road Safety Officer had raised this item for the Committee's consideration to ensure pedestrian safety at this location. Pedestrians walking east across Fawcett's Bridge were protected by railings until they reached the intersection with Molesworth Street. The pathway leads them directly into the path of vehicles on the roundabout. On each side of the bridge narrow lanes lead to and from a carpark located under the bridge on the riverbank.  
It was noted that railings did exist some years ago at the end of the footpaths coming off each side of Fawcett's Bridge. These railings had been removed possibly to allow sufficient room for larger vehicles to turn at the roundabout.  
TAC44/02 **RECOMMENDED** that a standard pedestrian hoop be placed near the end of each footpath provided there was sufficient space. (R7329,R7322)
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**15. Turning Lane on Ballina Road at Invercauld Road, Goonellabah**

Mr MacDonald advised that concerns had been raised regarding a hazard being created by motorists turning into the two driveways on Ballina Road immediately below Invercauld Road. It would appear that the motorists are only just into the new right-turn lane when they prop to turn into the driveways. Motorists following are not expecting this manoeuvre but rather that the turn will be made into Invercauld Road. Restricting turns into the driveways would mean that those residents would need to travel to the Rous Road roundabout to turn around.

In view of the fact that the facility was only relatively new and no accidents had actually occurred, it was suggested that the area be monitored to assess if further action is required.

**TAC45/02**      **RECOMMENDED** in accordance with the above.      (R6408)

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

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**CHAIRPERSON**

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**TRAFFIC & LAW  
ENFORCEMENT CO-ORDINATOR**

**DOCUMENTS FOR SIGNING AND SEALING**

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

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

**Recommendation:**

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

**Council to Cornell – 45 Wilson Street, South Lismore**  
Sale of RSL Hall – Contract of Sale and Transfer.  
(02-3423: P18746)



MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE CITY OF LISMORE  
HELD IN THE COUNCIL CHAMBER, GOONELLABAH ON TUESDAY, MARCH 12, 2002 AT  
6.00PM.

**Present:** His Worship the Mayor, Councillor Gates; Councillors Baxter, Chant (from 6.03pm), Crowther, Gallen, Hampton, Irwin, King, Roberts, Suffolk, Swientek and Tomlinson, together with the Acting General Manager (Craig Kelly); Acting Group Managers-Corporate & Community Services (Rino Santin), Group Manager-City Works, Group Manager-Planning & Development, Manager-Community Services, Manager-Information Services, Manager-Planning Services, Acting Manager-Water & Wastewater (Janaka Weeraratne), Manager-Economic Development & Tourism, Contracts Officer, Manager-Human Resources, Manager-Communications & Community Relations, Recreation Planner, Manager-Information Services, Environmental Health Officer (Andrew Hanna), Administrative Services Manager and Team Leader-Administrative Support.

**Apologies/  
Leave of  
Absence:** Nil

31/02 **Minutes:** The Minutes of the Ordinary Meeting held on February 12, 2002, were confirmed, subject to the words "*and release to the community and other interested stakeholders an agreed position on the outcomes of the two projects as they interrelate*" being added to resolution 5/02.  
Also noting that Councillor Tomlinson rather than Councillor Irwin signed the rescission motion in respect to Minute No. 26/02.  
(Councillors Gallen/Swientek)

**PUBLIC ACCESS SESSION:**

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

**Paul Recher re Notice of Motion - Meeting – Rous and Constituent Councils**

(See Minute No. 32/02)

Mr Recher questioned the transparency of Rous County Council, with particular reference to its business operations. He referred to the advice from the Department of Local Government and urged Council to adopt the Notice of Motion.

(02-2513: S306)

**Mr Rick Bzowy re Report – Memorial Baths Redevelopment**

(See Minute No. 36/02)

Mr Bzowy presented the design concept for the new Memorial Baths and spoke briefly of the process leading to the design, its various elements and possible staging options.  
(P6768)

**Ms Molly Crawford re Report – Lismore Lake**

(See Minute No. 37/02)

Ms Crawford spoke in support of retaining the Lismore Lake for aquatic birdlife.  
(P27012)

**Mr Geoff Smith re Report – Byron-Lismore Tourism Organisation**

(See Minute No. 38/02)

Mr Smith spoke in support of a joint Byron/Lismore tourism initiative, stressing the benefits of “feeding” off the success that Byron has in attracting tourists. The benefit of tourism to the local economy was also addressed.

(S362)

**RESCISSION MOTION:**

**Referendum – Reduction in Number of Councillors**

Formal notice having been given by Councillors Roberts, Tomlinson and Swientek, it was MOVED that Council rescind its decision made on February 12, 2002 regarding the referendum to be held at the next Council elections concerning a reduction in the number of Councillors.

(Councillors Roberts/Tomlinson)

On submission to the meeting the MOTION was DEFEATED

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

(02-1770:S44)

**NOTICE OF MOTIONS:**

**Poll – Reduction in Number of Councillors**

Formal notice was given by Councillor Swientek that Council conduct a poll at the next election (or by-election) with a view to reducing to 9 Councillors.

The Mayor ruled the motion out of order.

(02-1771:S44)

**Deliberative Poll – Reduction in Number of Councillors**

Formal notice was given by Councillor Irwin that prior to making a decision on the number of Councillors, Council conduct a deliberative poll of a statistically representative sample of 200 residents to determine whether there is informed support for either retention of 12 Councillors or for a reduced number, and if the latter, what that number should be.

The Mayor ruled the motion out of order.

(02-2417:S44)

**Meeting – Rous and Constituent Councils**

Formal notice having been given by Councillor Tomlinson it was MOVED that in light of the response by the Department of Local Government to our enquiries regarding the activities of Rous County Council, the Council convene a meeting between Rous County Council, Lismore City Council and the other constituent Councils of Rous to discuss the issues raised in the letter.

(Councillors Tomlinson/Roberts)

**MOTION BE PUT:**

**RESOLVED** that the motion be put.

(Councillor Baxter)

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

32/02

On submission to the meeting the MOTION was DEFEATED

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

(02-2513:S306)

**Internet Access for Richmond-Tweed Regional Library**

33/02 Formal notice having been given by Councillor Tomlinson it was **RESOLVED** that the Richmond-Tweed Regional Library be congratulated on moving to place its catalogue on the internet.

(Councillors Tomlinson/Irwin)

(02-2512:S120)

**Policy 1.2.6 – Councillors’ Access to Council Files**

34/02 Formal notice having been given by Councillor Irwin it was **RESOLVED** that Council’s Policy 1.2.6 on Councillors’ Access to Council Documents be changed to reflect more closely the provisions of the Local Government Act 1993. That the wording of this policy read as follows:

- 1 Councillors will as a general policy be given access to all Council documents to enable them to obtain information to assist them in their role/duties as Councillors.
- 2 All applications will be made in writing to the General Manager and the documents made available to the applicant within 2 working days of the application being received.
- 3 The General Manager may refuse such applications only when the request relates to:
  - the personal files of staff members and/or ex-staff members;
  - *matters where the applicant can reasonably be determined to have pecuniary/conflict of interest;*
  - *legal advice or related correspondence in connection with:*
    - *matters presently being litigated by the Council;*
    - *staff/industrial relations issues;*
    - *sale or purchase of property, or*
  - *does not come within the provisions of Section 12 of the Local Government Act.*
- 4 Where the General Manager refuses Councillor requests s/he will advise the Councillor in writing within 2 days of the reason for refusal.

(Councillors Irwin/Gallen)

(02-2285:S44)

**SUSPENSION OF STANDING ORDERS:**

35/02 **RESOLVED** that standing orders be suspended and Council now deal with the undermentioned matters:-

- Memorial Baths Redevelopment
- Lismore Lake
- Byron-Lismore Tourism Organisation

(Councillors Irwin/King)

**Memorial Baths Redevelopment**

36/02 **RESOLVED** that the report be received and that Council approve “in principle” the design for the redevelopment of the Memorial Baths swimming complex.

(Councillors Irwin/King)

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

(P6768)

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**Lismore Lake**

A MOTION WAS MOVED that the report be received and -

- 1 That Council await the outcome of the DLWC licence application before undertaking any further environmental assessment that may be required.
- 2 That Council undertake any further environmental assessment that may be required and that assessment be completed (within 4 months of the approval of the licence) using funds set aside for lake remediation in this years budget.
- 3 That the results of environmental assessment serve as the basis for establishing an appropriate management regime for pumping at the lake.
- 4 If the DLWC licence application is successful, prepare a development application for the installation of a new pumping system.
- 5 That Council consider funding for the new pumping system as part of the budget process for 2002/2003 management plan.
- 6 If the DLWC licence application is refused a Council report be prepared to consider future actions.
- 7 Council explore the feasibility of using the stormwater from the industrial sites to top up the Lake on a sustainable basis.

(Councillors Crowther/Hampton)

AN AMENDMENT WAS MOVED that the report be received and –

- 1 That Council await the outcome of the DLWC licence application before undertaking any further environmental assessment that may be required.
- 2 That Council undertake any further environmental assessment that may be required using funds set aside for lake remediation in this years budget.
- 3 That the results of environmental assessment serve as the basis for establishing an appropriate management regime for pumping at the lake.
- 4 If the DLWC licence application is successful, prepare a development application for the installation of a new pumping system.
- 5 That Council consider funding for the new pumping system as part of the budget process for 2002/2003 management plan.
- 6 If the DLWC licence application is refused a Council report be prepared to consider future actions.
- 7 Council explore the feasibility of using the stormwater from the industrial sites to top up the Lake on a sustainable basis.

(Councillors Irwin/Tomlinson)

On submission to the meeting the AMENDMENT was DEFEATED.

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

37/02

**RESOLVED** that the report be received and -

- 1 That Council await the outcome of the DLWC licence application before undertaking any further environmental assessment that may be required.
- 2 That Council undertake any further environmental assessment that may be required and that assessment be completed (within 4 months of the approval of the licence) using funds set aside for lake remediation in this years budget.
- 3 That the results of environmental assessment serve as the basis for establishing an appropriate management regime for pumping at the lake.
- 4 If the DLWC licence application is successful, prepare a development application for the installation of a new pumping system.
- 5 That Council consider funding for the new pumping system as part of the budget process for 2002/2003 management plan.
- 6 If the DLWC licence application is refused a Council report be prepared to consider future actions.

- 7 Council explore the feasibility of using the stormwater from the industrial sites to top up the Lake on a sustainable basis.  
(Councillors Crowther/Hampton)  
**Voting Against:** Councillors Irwin and Tomlinson.  
(P27012)

**Byron/Lismore Tourism Organisation**

- 38/02 **RESOLVED** that the report be received and that Byron Shire Council and Lismore City Council continue discussions and planning for the creation of the Byron – Lismore Tourism Organisation, in line with the process and information as set out in the report.  
(Councillors Tomlinson/King)

**RESUMPTION OF STANDING ORDERS:**

- 39/02 **RESOLVED** that standing orders be resumed.  
(Councillors Hampton/Irwin)

**REPORTS**

**Memorial Baths Redevelopment**

(See Minute No. 36/02)

**Lismore Lake**

(See Minute No. 37/02)

**DA99/925 - S96 Amendment to alter Buffer Conditions – Waratah Way Subdivision**

- 40/02 **RESOLVED** that the report be received and –
- 1 Approve the following amendments to Development Consent 99/925;
    - a) Insert new condition 45A;  
45A Conditions 45 to 52 and 60 shall have effect whilst ever there is intensive horticulture being practised upon the adjoining allotment (Lot 2 DP 252826). Upon cessation of the use for intensive horticulture on the adjoining allotment, the subdivision certificate for lots 17, 18, 19, 20, 21, 70, 71, 72, 73, 74, 75, 77 and 78 may be released. These lots may be further developed subject to the provisions of the Lismore City Local Environmental Plan 2000 and any other relevant environmental planning instrument or statute.  
*Reason: To prevent adverse impacts due to incompatible land uses whilst maintaining flexibility for development.*
    - b) Delete condition 3
  - 2 Grant the General Manager delegated authority to approve amendments to the consent involving alterations to the staging of the subdivision.  
(Councillors Hampton/Swientek)  
(D95/925)

**General Manager Recruitment Process and Supplementary Report**

- 41/02 **RESOLVED** that the report be received and Council consider the supplementary report on the selection of a consultant to assist in the recruitment of a replacement General Manager.  
(Councillors Roberts/Irwin)

- 42/02 **RESOLVED** that the supplementary report be received and that Council endorse the processes outlined in the report, subject to the interviews being held on Friday, May 10 at 9.00am and approve the engagement of McArthur Management Services as the consultant to work with the Selection Panel and Manager – Human Resources on the recruitment of Council's General Manager.  
(Councillors Roberts/Irwin)  
(J2002/01)

**Councillors' Home Computer Facilities**

A MOTION WAS MOVED that the report be received and –

- 1 Council adopt the approach outlined in the attached Business Case for providing computers to Councillors.
- 2 Funding be allocated in the 2003/2004 Management Plan for the set-up costs associated with the provision of computers for Councillors elected in September 2003.
- 3 Funding be allocated in the 2003/2004 and subsequent Management Plans for recurrent costs associated with providing computers for Councillors.

(Councillors Irwin/Roberts)

AN AMENDMENT WAS MOVED that the report be received and –

- 1 Council adopt the approach outlined in the attached business case for providing computers to Councillors, if required.
- 2 Funding be allocated in the 2003/2004 Management Plan for the set-up costs and recurrent costs associated with the provision of computers for Councillors elected in September 2003.
- 3 This matter to be then submitted to the inaugural meeting of the new Council in 2003 for their consideration and either adoption or rejection.

(Councillors King/Baxter)

On submission to the meeting the AMENDMENT was DEFEATED

**Voting Against:** Councillors Irwin, Roberts, Tomlinson, Gallen, Swientek, Chant, Suffolk.

- 43/02 **RESOLVED** that the report be received and -
- 1 Adopt the approach outlined in the attached Business Case for providing computers to Councillors.
  - 2 Funding be allocated in the 2003/2004 Management Plan for the set-up costs associated with the provision of computers for Councillors elected in September 2003.
  - 3 Funding be allocated in the 2003/2004 and subsequent Management Plans for recurrent costs associated with providing computers for Councillors.
- (Councillors Irwin/Roberts) (S44)

**General Amendment to Lismore LEP 2000**

- 44/02 **RESOLVED** that this matter be deferred to a workshop and the DLWC be invited to attend to discuss vegetation issues and Rous County Council be invited to attend the workshop.  
(Councillors Roberts/Irwin) (S800)

**Draft DCP 42 – Guidelines for Urban Design and Weather Protection in the CBD**

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

- 1 Adopt the draft DCP as publicly exhibited.
- 2 Notify its decision in accordance with clause 21(2) of the Environmental Planning and Assessment Regulation 2000.

(Councillors Irwin/Hampton)

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AN AMENDMENT WAS MOVED that the report be received and -

- 1 Adopt the draft DCP as publicly exhibited.
- 2 Notify its decision in accordance with clause 21(2) of the Environmental Planning and Assessment Regulation 2000.
- 3 That Council ensure that its street and bridge furnishings and colourings be heritage based to create a heritage character to the city.

(Councillors Swientek/Tomlinson)

On submission to the meeting the AMENDMENT was DEFEATED

**Voting Against:** Councillors Irwin, Roberts, King, Chant, Baxter, Hampton, Suffolk, Gates and Crowther.

45/02 **RESOLVED** that the report be received and Council -

- 1 Adopt the draft DCP as publicly exhibited.
- 2 Notify its decision in accordance with clause 21(2) of the Environmental Planning and Assessment Regulation 2000.

(Councillors Irwin/Hampton)

(S635)

### **Environment/Catchment Management**

46/02 **RESOLVED** that the report be received and –

- 1 That Council support the development of an Estuary Management Plan for the Richmond River.
- 2 That Council commit to providing \$30,000 in the 2002/03 financial year budget towards development of the Plan.
- 3 The Richmond Flood Plain Committee invite Rous County Council to participate in the discussions and contribute financially towards the development of the plan.

(Councillors Crowther/Roberts) (S227)

### **Water & Wastewater Developer Contributions**

A MOTION WAS MOVED that the report be received and –

- 1 The legal advice and the report of February 12, 2002 be noted (Attachment 1).
- 2 That Council exhibit the policy on S64 charges detailed in Attachment 2, with a view to adopting it after seeking public comments.
- 3 Given the lack of funds in the Working Fund, the developers be advised that at this stage no subsidy applications can be entertained.
- 4 Given the legal difficulties associated with waiving S64 charges, if it is Council's desire to exempt sporting organisations located on Council land from such charges, staff be requested to formulate a policy authorising the General Fund to subsidise these charges to a maximum of \$40,000 annually.

(Councillors Irwin/Tomlinson)

AN AMENDMENT WAS MOVED that the report be received and –

- 1 The legal advice and the report of February 12, 2002 be noted (Attachment 1).
- 2 That Council exhibit the policy on S64 charges detailed in Attachment 2, with a view to adopting it after seeking public comments.
- 3 The Section 64 charges for Crozier Field be assessed as one third of the amount indicated in the report. Also, the water consumption at Crozier Field and Oakes Oval be monitored over a period of a year and if there is evidence that the water consumption is higher than that assessed, then the Section 64 charges be reviewed. This contribution is to be funded from the General Fund over a period of three years.
- 4 No further discounts be given for the Table Tennis facility and a Section 64 credit to be provided to the Hockey Club if the club decides to disconnect the water and sewer to the existing showers and toilets within two years.

(Councillors Gates/Hampton)

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

**Voting Against:** Councillors Irwin, Roberts and Tomlinson.

47/02

**RESOLVED** that the report be received and –

- 1 The legal advice and the report of February 12, 2002 be noted (Attachment 1).
- 2 That Council exhibit the policy on S64 charges detailed in Attachment 2, with a view to adopting it after seeking public comments.
- 3 The Section 64 charges for Crozier Field be assessed as one third of the amount indicated in the report. Also, the water consumption at Crozier Field and Oakes Oval be monitored over a period of a year and if there is evidence that the water consumption is higher than that assessed, then the Section 64 charges be reviewed. This contribution is to be funded from the General Fund over a period of three years.
- 4 No further discounts be given for the Table Tennis facility and a Section 64 credit to be provided to the Hockey Club if the club decides to disconnect the water and sewer to the existing showers and toilets within two years.

(Councillors Gates/Hampton)

**Voting Against:** Councillors Irwin, Roberts and Tomlinson.

(S744)

**Byron-Lismore Tourism Organisation**

(See Minute No. 38/02)

**COMMITTEE RECOMMENDATIONS:**

**Traffic Advisory Committee 20/2/02**

48/02

**RESOLVED** that the minutes be received and the recommendations contained therein be adopted, excluding Items 6, 8, 25, 28, 30.

(Councillors Roberts/Irwin)

**Item 6 (TAC6/02) – Ms T Castley**

49/02

**RESOLVED** that given Council's interest in revitalising the CBD and encouraging residents back into the CBD, Council look at options for providing resident parking in the CBD and report back to Council.

(Councillors Roberts/Irwin) (02-284: S353)

**Voting Against:** Councillor Crowther.

**Item 8 (TAC8/02) – O Miller**

50/02

**RESOLVED** that the engineering staff consult with the writer and local residents on the most appropriate safety barrier option.

(Councillors Gallen/Baxter) (02-599: P451,R6408)

**Item 25 (TAC9/02) – Arrow Line-Marking – Intersection of Ballina/Dawson Streets**

51/02

**RESOLVED** that the status quo remain.

(Councillors Irwin/Chant) (R6002,R6017)

**Item 28 (TAC28/02) – Wyrallah Road Speed Limit**

A MOTION WAS MOVED that this matter be referred back to the Traffic Advisory Committee to review the speed limit.

(Councillors Suffolk/Hampton)

On submission to the meeting the MOTION was DEFEATED.

**Voting Against:** Councillors Swientek and Hampton.





52/02      **RESOLVED** that this issue be re-assessed after the entire length of Wyrallah Road, between Lismore and the Wyrallah Village, is brought up to a suitable standard.  
(Councillors Roberts/Irwin) (R5201)  
**Voting Against:** Councillors Hampton, Suffolk,

53/02      **Item 30 (TAC31/02) – Proposed Blister on Cullen Street, Nimbin**  
**RESOLVED** that the matter be noted.  
(Councillors Roberts/Irwin) (R1701)  
(S352)

This concluded the business and the meeting terminated at 10.35 pm.

**CONFIRMED** this 9TH day of APRIL 2002 at which meeting the signature herein was subscribed.

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**MAYOR**



