



## **NOTICE OF COUNCIL MEETING**

**An ORDINARY MEETING of LISMORE CITY COUNCIL will be held at the COUNCIL CHAMBERS, Oliver Avenue, GOONELLABAH on TUESDAY, MAY 14, 2002, at 6.00pm and members of Council are requested to attend.**

(Ken Gainger)  
**GENERAL MANAGER**

May 7, 2002

# **COUNCIL BUSINESS AGENDA**

**May 7, 2002**

## **PUBLIC ACCESS SESSION:**

## **PAGE NO.**

Dave Arthur re Report – Lismore Masters Games 2003 11

Bill Ryder re Report – S96 Amendment DA98/123 – 116 Fischer Street 16

## **PUBLIC QUESTION TIME:**

## **OPENING OF MEETING AND PRAYER (MAYOR):**

## **APOLOGIES AND LEAVE OF ABSENCE – Councillor Chant**

**CONFIRMATION OF MINUTES** - Ordinary Meeting 9/4/02  
- Special Meeting 16/4/02

## **CONDOLENCES**

## **DISCLOSURE OF INTEREST**

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

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**MAYORAL MINUTE**

**Subject/File No:** CONTINUATION OF PUMPING INTO LISMORE LAKE  
(P27012)

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**Background:**

I have requested council's recreation officer Mr Alex Wilford to contact the National Parks and Wildlife Service to establish the proper procedures to pump more water into Lismore Lake to avoid a fish kill and reduction of bird habitat.

Mr Wilford has established we can obtain a licence and he has requested the necessary forms. At this stage it does not appear we would have to carry out a study of endangered species of bird life. The pumping would be carried out using council's temporary licence.

**Comment by Group Manager – City Works:**

City Works staff were very pleased to learn that a licence to pump will be made available. Without the ability to pump water, the lake will eventually go dry which will be of no benefit to anyone and a disaster to most of the species that make the lake their home.

What now needs to be done is for a pumping regime to be organised that best suits the majority of the species using the lake. This will almost certainly mean the water levels should be adjusted to suit breeding seasons and food supplies of the species that use the lake.

A small group of interested and suitably qualified people should be commissioned to come forward with a pumping regime that will guide staff as to the levels for pumping to be started and stopped, and at what times of the year such works should be carried out. Clearly the NSW National Parks & Wildlife Service will also need to be included as an active member in formulating the regime.

**Comments by Recreation Planner:**

Council's application for a permanent pumping licence is still being assessed by the Department of Land and Water Conservation (DLWC). Their assessment will consider the impact of the proposal on the environment, including the threatened species that have been identified at the lake. DLWC previously issued Council with a temporary (12 month) permit to allow pumping to occur while the permanent license application is being determined.

The National Parks and Wildlife Service have indicated that a separate license should be obtained from them to carry out any pumping in the interim, as the temporary permit was issued by DLWC prior to threatened species being identified at the lake.

**Recommendation (MM02)**

Council authorise staff at the appropriate time to pump water into Lismore Lake providing all the necessary approvals are granted to council.

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**MAYORAL MINUTE**

**Subject/File No:** FINANCIAL PLAN FOR LEVEE BANK & MEMORIAL BATHS  
(S106,P6768)

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**Background:**

I am of the opinion council should ask the general manager to put together a financial plan investigating the following options for construction of the flood levee and the memorial pool. These two projects are long overdue and should take priority over other projects:-

**(1)**

- Closing of the Lakeside pool, which I understand will free up about 80,000 plus annually.
- Using the \$100,000 approximately council currently spends on flood studies.
- Assume the \$4 million promised by the federal government will be provided for the flood levee.
- Savings in staff reductions that have already occurred.
- Use of section 94 funds for Lismore west collected for community facilities
- Construction period for levee to be 3 years in total.
- Use of some road funding in recognition that roads will not suffer same damage when levee is completed.

**(2)**

- All items in (1) above
- Any shortfall be made up by using reserve funds but paying the normal interest such funds may receive.
- As loan funds become available then use of reserve funds be reduced.

The above obviously will have to be checked with the department of local government to ascertain if above is legal.

**Manager - Finance & Administration Comments**

A financial plan based on this criteria can be prepared. While the financial information on the Lismore Levee is much clearer, some uncertainty exists in regards to the Memorial Baths as to the scope and timing of the works. Clarification of these items would allow for a more accurate evaluation.

The forum for presenting this information is best when it is interactive. As such, I support a workshop discussion in the first instance.

**Recommendation (MM03)**

A financial plan or plans be presented to a council workshop using at least the above criteria.

**MAYORAL MINUTE**

**Subject/File No:** REFUND OF SECTION 64 FEES FOR PROPERTIES PURCHASED  
UNDER THE FLOOD ACQUISITION SCHEME  
(S744,S106)

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**Background:**

Council never misses an opportunity to charge for water and sewerage infrastructure and headworks for new buildings. This begs the question when properties are purchased under the flood acquisition scheme “should there be some refund to flood funding”?

I acknowledge this is not a simple issue as some infrastructure is in place however there is the matter of headworks, which could be refunded perhaps in part or from a certain time.

It is because of this I make the recommendation that a report be called for.

**Comment by Group Manager-Business & Enterprise**

This matter has been already raised internally and a report has been compiled by the Manager-Water & Wastewater for consideration at the next management meeting.

**Recommendation (MM04)**

The Group Manager-Business & Enterprise be requested to submit a report on the issues raised in the mayoral minute

**NOTICE OF RESCISSION MOTION**

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

**That the Council rescind its decisions at the special meeting of Council on April 16 re funding for the North Coast National and the Herb Festival.**

84/02      **RESOLVED** that Council allocate \$15,000 in the budget towards the next show in 2002. This amount to be inclusive of the services Council usually provides such as grass cutting and grading of roads, etc. Funding be for one year only. The item be further considered for an increase after the budget is considered.

85/02      **RESOLVED** that Council allocate \$20,000 in the budget towards the Herb Festival in 2002. This amount to be inclusive of the services Council usually provides such as water usage, banner fee, barricades, waste removal and other items listed on page 13 of the report. The item be further considered for an increase after the budget is considered. Funding be for one year only.

**COUNCILLOR**      R M Irwin

**COUNCILLOR**      D J Roberts

**COUNCILLOR**      D R Tomlinson

**DATE**              April 22, 2002

(02-4783: S704)

**NOTICE OF MOTION**

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

**That both organisations receive funding for the requested amounts i.e. \$10,000 for the North Coast National and \$28,000 for the Herb Festival.**

(Refer to Events Co-ordinator's report to Council on April 9, 2002)

**COUNCILLOR** R M Irwin

**DATE** April 22, 2002

(02-4784: S704)

**NOTICE OF MOTION**

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

**That no decision be made about electronic phone-answering services for the Council until a report is provided to the Council outlining the benefits and costs of such a service.**

**COUNCILLOR** R M Irwin

**DATE** April 22, 2002

**STAFF COMMENT BY:**

**General Manager:**

An explanation of the telephone call diversion technology referred to in this motion was sent to all councillors with the latest edition of *Update* last week.

In addition to the foregoing, further information has been sent to Cr Irwin in response to a Councillor Request. This further information is summarised for the information of other councillors:

The intention of the telephone diversion system we wish to install is to respond to problems we are experiencing with callers regularly being placed in a queue on-hold because of peaks in the call load. The length of time that callers spend in the queue often exceeds the time it would take for their enquiry to be addressed and we are getting negative feedback about this. These issues were raised in the ABRAXA report where statistics on call numbers are reported and reference to the need to fix this problem is made. A copy of the complete ABRAXA report has been made available in the Councillors' Room for the perusal of councillors.

*A customer service problem has been identified and we are simply trying to address it in the most effective way possible. The diversion technology will still provide the opportunity for callers to choose to speak directly to the switch operator, and will simply provide the option of callers directing themselves to those staff who handle the bulk of the enquiries we receive, e.g. roads, rates, rubbish, dogs etc. Very simple, with only a limited number of button press options – say 4 or 5. It should not be considered as the same as automated call-centre type systems that are far more sophisticated, have a number of “layers”, and invariably place people in a queue. People will still have the ability to phone staff directly if they know the relevant extension number.*

*Safeguards have been built in to the system with staff and customers encouraged to give and receive feedback on the diversion system, on-going responsive review of such feedback, and a complete review after 6 months of operation.*

*Some staff are concerned as to how the proposed system might work, so we have placed key frontline customer service staff on a small working party to oversee implementation so as to ensure that the system is practical and effective.*

## **LISMORE CITY COUNCIL - Meeting held May 14, 2002**

### **Electronic Phone Answering Service**

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Following an evaluation of the ABRAXA report by management on 28<sup>th</sup> March, 2002, the diversion technology was ordered. The technology has since been acquired by the Council at a cost of \$6000 and will be installed shortly.

I have had the opportunity to discuss elements of the new technology with both Cr Irwin and the Mayor.

As an alternative to the motion proposed I would like to suggest the following alternative course of action:

1. That staff initiate formal opportunities for the community to provide feedback on the new diversion system.
2. That Council appoint three councillors, namely Crs ....., and ....., to work with staff in evaluating community feedback.
3. That a report be submitted to the Council outlining the findings of the evaluation proposed to be conducted after the initial 6-month operating period.

I encourage all councillors to avail themselves of the opportunity to read the ABRAXA report that makes some 43 recommendations for enhancement of Council's customer service delivery.

(02-4785: S64)

**NOTICE OF MOTION**

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

**That a report be brought to Council canvassing the merits or otherwise of encouraging residential occupation of the CBD. That such a report give consideration to parking issues, flood risk concerns and any other issues considered of importance.**

**COUNCILLOR** D J Roberts

**DATE** April 9, 2002

**STAFF COMMENT BY:**

**Manager-Planning Services**

This matter is to be addressed in a report on the review of the Urban Development Strategy in this business paper.

**Manager-Economic Development & Tourism**

There has certainly been a recent trend towards inner city living. That trend is well established in Sydney and in Brisbane.

One simply needs to read through the real estate supplements in the Sunday Mail for evidence of this phenomenon in Brisbane. I understand that inner city living is part of an overall strategy on the part of Brisbane City Council to encourage a lifestyle that is less dependent on cars. This strategy includes the creation of major bus interchanges in strategic locations adjacent to freeways. Also, for example, upgrades underway at Lang Park (the famous "Caldron" of State of Origin Rugby League football), which is located adjacent to Brisbane City, were approved without any parking with the aim of encouraging patrons to catch public transport to the matches. I understand that there is actually an oversupply of inner city apartments in Brisbane.

In Sydney's case, Planning NSW have made significant policies to encourage higher density development along transport corridors (near railways) and also the interest in inner city living has revitalised many areas (Paddington, Balmain, etc).

The key question is whether or not this interest, which is apparent in the capital cities, will translate to a regional centre like Lismore. Some points for councillors to consider:

- With the main residential areas on the Goonellabah plateau and most of the key facilities in the basin area, Lismore is a very car dependent city;
- The North Coast generally has a low income profile;
- The property market has gone through significant increases in turnover during the last 6 months;
- It is now becoming difficult to find rental accommodation in Lismore;

## **LISMORE CITY COUNCIL - Meeting held May 14, 2002**

### **Residential Occupation of the CBD**

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- Building Code of Australia ("BCA") requirements may add significant cost to the development of "shop-top" living;
- There is a well established, world-wide, trend towards one or two person households (away from the traditional nuclear family) and with this group there is a propensity towards this style of inner city living;
- Reducing the dependence on cars will bring about environmental benefits;
- The presence of major institutions such as Southern Cross University means that we have a diversity in our population which is not necessarily typical of country locations (eg students and academics, professionals);
- We have a number of existing and significant residential areas immediately adjacent to the CBD (eg Girard's Hill); and
- Developments will need to be demand driven - market research should be considered.

(02-4186: S137)

**NOTICE OF MOTION**

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

**That Council conduct a wide-ranging consultation process with the community on the options for the reconstruction of the memorial baths. The consultation to take place before any further decisions are made regarding the baths and to include the business community, pool user groups, urban and rural residents and other interested parties.**

**Reason:**

Now that we have some idea of the costs associated with the pool's construction it is time to seek community input into what facilities we need to include, how to stage the construction and what we should spend.

Based on preliminary costings it seems we will need to spend more than \$6 million just to complete stage 2.

Loan repayments and the expected loss on the pool means that Council will need to find an extra \$600,000 plus each year to subsidise the pool.

Such a large outlay means a major commitment by the Lismore community. It needs to be consulted before we proceed any further.

**COUNCILLOR** D R Tomlinson

**DATE** April 29, 2002

**STAFF COMMENT BY: Contracts Officer**

Over the past number of years, Council has undertaken extensive consultation with the majority interest groups in regard to the development of aquatic facilities for Lismore. Major work was undertaken by Michael King 1998 and in 1999 Council engaged A C Nielsen Research to conduct a further community survey. The results from these surveys was used in developing the tender brief prior to calling tenders for the design of the new aquatic centre.

Since the appointment of Bzowy Architecture, Council staff and Rick Bzowy have met with the major users groups to discuss their requirements in the new facility and these requirements were incorporated into the design prepared by Bzowy Architecture and presented to Council at the Council workshop April 16, 2002.

It is also noted that major funds have been expended in the past for the various consultations undertaken.

Given the level of consultation previously undertaken and the cost of these exercises, I am of the opinion that further consultation at this stage would not be warranted

(02-4923: P6768)

## LISMORE CITY COUNCIL - Meeting held May 14, 2002

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**Subject/File No:** LISMORE MASTERS GAMES 2003  
(JB:LC:S805)

**Prepared By:** Events Co-Ordinator – John Bancroft

**Reason:** Request by Games Interim Committee

**Objective:** Have Council sanction the event and endorse matters contained within the attached Games Strategic Review document.

**Management Plan Activity:** -

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### **Background:**

The Lismore Masters Games concept was founded in 1996 after discussion involving Lismore City Council, Lismore Unlimited (then Lismore City Wide) and Southern Cross University. After much research into feasibility etc two such events have been held with the following outcomes.

<b>Year</b>	<b>Sports</b>	<b>Attendance</b>
<b>1999</b>	<b>16</b>	<b>1596</b>
<b>2001</b>	<b>20</b>	<b>2393</b>

As is evident in the statistics the event has, in a short period of time, established a grand reputation amongst participants particularly from Northern NSW and South-Eastern Queensland. The event provides substantial economic input (approximately \$850,000 in 2001) into the community over an intense three-day period.

At the conclusion of the highly successful 2001 event Council received many recommendations from the Games Committee and resolved as follows:

1. Council receive and note all information and recommendations contained within the Lismore Rainbow Region Masters Games 2001 Final Report and the Chairpersons Report.
2. Council disband the 2001 Games Organising Committee and thank all for their efforts.
3. An interim Committee consisting of Messrs Therese Crollick, Peter Cordery, Dave Arthur, Jak Carroll, Chris Hayward, Ian Carrington, Maree Walo, Alison James, Dave Graham, Paul Deegan, Tony Clarke, Julie Fenwick, Leanne Clark and John Bancroft commence analysing material contained within the impending Strategic Review of Games matters with a view to reporting all future management issues to Council in May 2002.
4. Surplus funds/profit generated from the 2001 Games be utilised to seed fund the 2003 Games.
5. Individual appointments to the 2003 Games Committee and a Plan of Management for the 2003 Games be determined via report to Council scheduled for May 2002.

### **Strategic Review of the Lismore Rainbow Region Masters Games** (Document attached)

The 2001 Games Committee was of the opinion that the event was well managed and promoted though it was time to "have a good look at many matters" with a view to cementing future management and operational systems.

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# LISMORE CITY COUNCIL - Meeting held May 14, 2002

## Lismore Masters Games 2003

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The terms of reference of the review, which was undertaken by Southern Cross University School of Exercise Science and Sport Management, were:

1. *to clarify the Lismore City Council's objectives for the Lismore Rainbow Region Masters Games.*
2. *to conduct a SWOT analysis of the Lismore Rainbow Region Masters Games.*
3. *to identify key issues that may affect the Lismore Rainbow Region Masters Games in the next ten years: and*
4. *to recommend strategies to maximise the benefits of the Lismore Workers Club Masters Games.*

The interim Committee has discussed and dissected the review documents and, at its meeting on April 24, 2002, determined those items which require short term recommendations to Council (via this report), and those that could be further discussed and implemented by the incoming Committee (subject to Council approval).

Those items, which require immediate attention in order for those associated to commence planning – promoting the 2003 Event, are as follows:

### **Vision & Mission Statements and Games Goals**

The Committee felt the new Committee and Council needed to immediately forge a mission for the next event. The Committee resolved as follows, and anticipates Council concurrence with same:

#### ***Vision:***

*For the Lismore Rainbow Region Masters Games to be recognised as the best regional Masters Games event in Australia.*

#### ***Mission:***

*Lismore City Council, through the Masters Games Sub-Committee, aims to conduct a sporting event for the mature-aged that benefits Lismore socially and economically.*

#### ***Goals:***

- *To promote Lismore as a tourist destination*
- *To generate revenue for Lismore businesses*
- *To promote sport participation by the mature-aged*
- *To conduct an event that is financially responsible and make an operational profit*
- *To conduct an event in a professional manner that is enjoyable for the competitors*
- *To conduct an event that generates community pride among Lismore residents*
- *To conduct an event that benefits Lismore sporting groups.*

#### ***Note***

1. *Goals are not listed in order of importance.*
2. *For each Games, specific objectives (with measurable outcomes) should be developed in relation to each goal.*

### **Games Committee Structure & Composition**

The Games Committee discussed the review recommendations regarding management structures and slightly modified same in order to

- *Rectify a few minor factual discrepancies and to*
- *Add additional community members and business representatives.*

# LISMORE CITY COUNCIL - Meeting held May 14, 2002

## Lismore Masters Games 2003

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The Committee members present expressed a desire to

- extend their association in order to provide continuity to the events management AND
- bring in new people and ideas via membership or a more formal sub committees structure.

The recommended structure is as follows:

- Councillors x 2
- North Coast Academy of Sport x 1
- Lismore Economic Development Board x 1
- Southern Cross University x 3
- Lismore Unlimited x 2
- Tourism Industry x 1
- Department Sport & Recreation x 1
- Lismore District Sports Association x 2
- Community/Sport x 4

It is also proposed that the Games Committee meets less frequently (say quarterly) though giving distinct roles and responsibilities to an Executive Committee (consisting of Chair, Vice Chair and three others) and various Sub Committee i.e. Marketing & Sponsorship, Functions etc.

### **Games Sponsors**

An immediate task for the incoming Committee will be to generate sponsors and raise necessary funds.

It is the outgoing Committees opinion that

***“2001 Games Sponsors be given “first right of refusal” for the 2003 Games.”***

All sponsors provided great support and it is accepted practice to “reward” sponsors with first options should all be going well for both parties.

### **Games Dates**

The Event has traditionally been held on the third weekend in September with good results. Nonetheless it is a fact the numbers are impeded via clashes with nearby associations winter sports finals (particularly Baseball, Hockey and Soccer). Hence the Committee has recommended to “push the Event back to the fourth weekend in September” and hold it in 2003 on

**September 26, 27 and 28<sup>th</sup> (Friday to Sunday).**

Further this allows us to jointly market the event with the Lismore Cup Carnival (Thursday September 25<sup>th</sup>) with a view to extending peoples “stay” from three to four nights.

### **Other Recommendations contained within the Review**

The outgoing Committee has signalled its “in principle” approval of all other recommendations contained in the Strategic Review. The majority of the recommendations deal with operational management issues relating to planning and evaluation, risk management, and the marketing of the event.

## **LISMORE CITY COUNCIL - Meeting held May 14, 2002**

### **Lismore Masters Games 2003**

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Accordingly, the incoming Masters Games Organising Committee can deal with most of these in their planning and administration of the event.

#### **Management Timelines**

Should Council endorse the proposal, the short-term management timelines will be as follows:

May	Convene initial meetings.
June & July	Constitute all Sub-committees, Executives Roles etc
August	Pursue Sports and Sponsors
September	Commence Marketing the Event
October	Major Update Report to council re Games Budget, Sponsorship levels etc.
November	Official Games Launch (should adequate sponsorship levels be obtained).

#### **Budgetary Considerations for 2003 Event**

Specific budgetary details will be provided to Council in October 2002. The Committee will maintain its philosophy of budgeting for a "break even" scenario with further motivation to, once again, seed fund the next Games (probably 2005).

Overall Event costs will be similar to 2001 and income projections will be based on conservative attendance estimates (approximately 2000).

A difficulty for staff and finance will be the fact that most expenditure will be incurred this financial year (2002/03) and most income will be acquired in the next (2003/04) Council basically "underwrites" the event (hence there is a risk should attendance numbers not be reached) with a view to getting its many back (plus more) at the events conclusion. With respect to this fact I refer to the Finance Managers comments.

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

The 1999 & 2001 Masters Games both operated at a 'profit' and this has or will be reinvested back into the next event.

While there will always be financial risk associated with the event, given the conservative attendance estimate, the business approach to it's management and operations, and the large local supporter base, I believe the 2003 Masters Games will be financially successful.

From a cash flow perspective, experience suggests that there will be a 'timing' issue with expenses exceeding revenues in 2002/03 and revenues exceeding expenses in 2003/04. As such, Council may need to provide an overdraft facility for the event, but it is expected that it will not be significant. It is suggested that the Committee explore options to receive sponsorship and attendance fees earlier to offset this impact.

#### **Other Group Comments**

Not applicable.

#### **Manager Economic Development & Tourism Comments**

The Master's Games have been very successful and achieved growth in participation. They are well planned an organised and the economic budgets have been measured at approximately \$850,000. I strongly support the recommendations of this report.

# LISMORE CITY COUNCIL - Meeting held May 14, 2002

## Lismore Masters Games 2003

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

Not required.

### Conclusion

The outgoing Committee can freely state there is a substantial level of support for the 2003 Games from potential sponsors, participants and local sport groups.

The outcomes of the review processes have signalled that it is now time to further document management and financial systems with a view to cementing the events future and to assist incoming Games Committees and Managers.

### Recommendation (GM 47)

1. Council disband the Games Interim Committee and thank all for their efforts.
2. Council sanction the 2003 Masters Games subject to a comprehensive sponsorship/financial report being compiled for consideration in October/November 2002.
3. Council sanction formation of the 2003 Lismore Rainbow Region Masters Games Organising Committee with the following Committee Members:

Councillors x 2	To be nominated by Council
North Coast Academy of Sport x 1	Tony Clarke
Lismore Economic Development Board x 1	Vacant
Southern Cross University x 3	Peter Cordery, Jak Carroll & Dave Arthur
Lismore Unlimited x 2	Ian Carrington and vacant
Tourism Industry x 1	Maree Walo
Department Sport & Recreation x 1	Vacant
Lismore District Sports Association x 2	To be nominated by LDSA.
Community/Sport x 4	Paul Deegan, Dave Graham, Alison James and vacant.

4. Council appoint Councillor \_\_\_\_\_ and Councillor \_\_\_\_\_ to the 2003 Games Committee.
5. Vacant Committee positions be pursued and nominations be reported to Council in October 2002.
6. The dates for the 2003 Games be **September 26<sup>th</sup>, 27<sup>th</sup> and 28<sup>th</sup>** (Friday to Sunday)
7. 2001 Game Sponsors and Sports be given first option to be involved with the 2003 Event.
8. Council signal its "in principal" endorsement of recommendations contained within the Games Strategic Review and Lismore Rainbow Region Masters Games Vision, Mission and Goals documents.

**Subject/File No:** DEVELOPMENT APPLICATION NO. 98/123 – SECTION 96 AMENDMENT APPLICATION TO MODIFY A SUBDIVISION APPROVAL (CS: DA98/123)

**Prepared By:** Development Assessment Planner - Chris Soulsby

**Reason:** Councillors Gates and Hampton requested that this application be determined by Council.

**Objective:** The determination of a S96 application for the modification of a subdivision approval.

**Management Plan Activity:** Development Assessment

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**Précis of Application**

**Owner:** Starlight Crescent Pty Ltd

**Applicant:** Aspect North

**Site:** Lot 2 DP 858807, 116 Fischer Street, Goonellabah.

**Request:** To modify the development consent by deletion of condition 10(f) and correction of some minor typographical errors. Condition 10(f) is set out as follows:

10 *The applicant or developer shall provide the following roadworks with associated stormwater drainage structures that have been designed and constructed in accordance with Council's Development and Construction Manual (February 1993) as amended from time to time. The applicant or developer shall be responsible for any costs, including maintenance, for a period of twelve months from the date of approval of the work. Required roadworks include:*

- f) Construction of an urban bitumen sealed road shape with a width of 6m between kerbs in Elizabeth Avenue from SHEARMAN DRIVE TO CONNECT WITH THE PROPOSED ROAD TO FRONTING LOT 31 in accordance with Council's Development Manual". Construction of this road shall be completed prior to release of the Subdivision Certificate for Stage 5.

A copy of the application is attached.

**Background:**

Council approved a 33 lot subdivision on November 23, 1998. The works on the development had not been commenced and the development consent was due to lapse on November 23, 2000. On November 14, 2000 the applicant requested an extension of the consent by a period of 1 year. The extension was granted on November 22, 2000. The applicant had also requested that works done on a prior consent, DA94/532, be recognised as commencement of this development application. This was not legally possible and the request was declined. The owner requested a further 2 year extension to the consent on August 15, 2001, such an extension could not be granted as there is no provision in the Environmental Planning and Assessment Act 1979 for any more than one extension for a period of one year.

The owner had completed some minor preparatory roadworks and had requested that these be recognised as commencement of DA98/123 to prevent lapsing of the consent. The lack of engineering plans meant that the works were not lawful and could not be used to prevent the consent from lapsing. The applicant then wished to utilise part of the approved engineering plans for the roadworks from DA94/532. This was possible but required amendment of the DA98/123 by way of a S96 application such that the development would be staged and the first stage corresponded to the engineering plans and works already completed. A S96 application was lodged on October 10, 2001.

It was in the assessment of this modification application that the deletion of the requirement to construct the link road from Shearman Drive to proposed lot 31 (refer attached subdivision plan) was identified by staff. The Group Manager City Works required that this road be constructed as part of this development. The applicant agreed, under protest, to re-incorporate this road as part of the modification application to prevent the consent from lapsing. The modification for staging, to prevent the lapsing of the consent, inclusive of construction of the link road was approved by the Group Manager Planning and Development on November 22, 2001, one day prior to the lapsing of the consent.

The applicant has now lodged a further amendment to delete the requirement to construct the link road. This involves the deletion of condition 10(f) and correction of some minor typographical errors in other conditions.

**Manager - Finance & Administration Comments**

Not required.

**Public Consultations**

The application was publicly exhibited and no submissions were received.

**Other Group Comments**

***Building and Regulation***

No issues

***City Works***

The application before Council questions the validity of condition 10(f). The imposition of this condition was agreed to by the applicant as part of the previous application to modify the consent. Therefore it appears it is a valid condition of consent

The previous application was made to vary the original consent to prevent it from lapsing. Council at that time could have allowed the consent to lapse requiring the applicant to lodge a new development application that met today's standards and requirements.

The original consent contained road standards that, although at the time of issue of the consent were agreed to, are now considered to be inadequate. The position taken with regard to the proposal to prevent the consent from lapsing was that if Council was prepared to modify the consent to prevent it from lapsing it was required that the applicant agree to modify the road condition to be in accordance with current standards. Given these terms the applicant agreed to the variation and has now received the benefit of preserving the existing consent. The modification now before Council appears to renege on this agreement.

If the existing condition 10(f) is found to be a valid condition then it should be retained. The road required to be constructed by condition 10(f) of the development consent will eventually service 28 allotments. The amendment proposed by this application if approved would result in these 28 lots being serviced by a dead end cul-de-sac of 6m width. Council's current standards allow for a 6m wide road way to cater for up to 11 lots. The requirements currently contained within condition 10(f) is that this section of road still be 6m wide but be a loop road configuration, therefore splitting traffic each way resulting 14 lots being serviced in each direction. Whilst this is still below Council's adopted standard it was considered an acceptable compromise.

Given the above it does not appear justified to reduce this requirement further as proposed in this application.

**Environmental Health**

No issues.

***Water and Sewer***

No issues.

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

The validity of condition 10(f) is not in question as the applicant agreed to the change to prevent the lapsing of the consent.

If the link road is deleted the cul de sac will service 28 allotments on a 6m wide carriageway. This is significantly below an acceptable standard. It will result in congestion and a poor standard of development. Development Control Plan 28 (Subdivisions) specifies that the maximum number of allotments to be accessed from a cul de sac is less than 11 on a 6m carriageway.

If Council wishes to delete the requirement for the link road the internal road width should be increased to 9m formation to cater for the all the traffic entering an exiting the cul de sac. DCP 28 only requires a 7m formation, however a 9m formation is required in this circumstance as this will not be a through road where traffic will be split between two exits.

**Recommendation (PLA15)**

It is recommended that the Section 96 application to delete condition 10(f) be refused for the following reasons:

- 1 The link road is required to enable unimpeded traffic movements; and
- 2 Deletion will result in traffic congestion; and
- 3 The development will not comply with the standards in Development Control Plan 28 for road width.

## LISMORE CITY COUNCIL - Meeting held May 14, 2002

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**Subject/File No:** GOONELLABAH INDOOR SPORTS AND LEISURE CENTRE  
(P22522)

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

**Reason:** To satisfy previous recommendation to provide viable feasibility option for proposed facility.

**Objective:** To obtain Council resolution to advance Goonellabah Indoor Sports and Leisure Centre proposal

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### **Management Plan Activity:**

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#### **Background:**

In March 2000 a plan for a two stage Leisure Centre in Goonellabah was prepared and costed. This plan was adopted as the facility towards which applicable Section 94 funds would be collected and allocated within the Urban Catchment (East).

The cost of the proposal was estimated to be \$5.3M and the developer contribution would be 18.5%. This calculation led to the developer contribution being \$991,619.00.

This Section 94 fund has collected a little over \$1,000,000.00 in levies.

It should be recognised that;

- a. this money is currently available for expenditure on the Goonellabah Indoor Sports and Leisure Centre; and
- b. if it is spent on the first stage of the facility Council is signalling that it is commencing the building of a \$4,500,000.00 to \$5,000,000.00 facility.

It should also be recognised that the two abovementioned comments are based on the current Section 94 plan and that this plan is currently under review. It is likely that a new Section 94 plan will draw conclusions which are different from that on which the current plan is based and that additional levy money may be available.

In determining whether or not to accept the boundary adjustment proposal which has been offered by Consolidated Properties Council needs to carefully consider the various funding requirements and options which are available for this project. The following section in conformity with Council's resolution of February 2002 (this report forms part of current attachments) explores these options for Council's consideration.

Funding Options:

- **Building and Fit out**

Although the original two stage project was costed at \$5.36M a structure which will accommodate Stage 1, incorporating two basketball courts, change rooms, storage areas, entry foyer, kiosk managers office and multi purpose room can be constructed for \$1.4M.

\$1,400,000

Section 94 funds currently held

\$900,000

Community facilities reserve

\$200,000

**Shortfall**

\$300,000

- Car parking

Council would be required to provide car parking for the facility. Although it is difficult to determine the number of spaces which should be provided a preliminary estimate indicates that 23 car spaces would be appropriate.

\$80,000

**Shortfall**

\$80,000

- Roadworks

Gordon Blair Drive was originally costed in the Section 94 plan as being \$357,340 for construction between Bruxner Highway and Oliver Avenue. Part of this length is already constructed and City Works costed the remainder as being \$210,000 (in Council report 12/02/2002).

The Section 94 plan stated that the share of Gordon Blair Drive which was to be born by Council was to be 50%.

Roadworks Cost  
Section 94 Contribution

\$210,000

**Shortfall**

\$105,000

\$105,000

- Roundabout at intersection at Oliver Avenue and Gordon Blair Drive

This intersection has been costed in the Section 94 plan as being \$290,345 construction. Given however that Simeoni Drive has been constructed and takes some of the traffic that had originally been anticipated would use Gordon Blair Drive it is now likely that the intersection will not be as expensive. It is anticipated that the intersection will cost \$200,000 and this would be 50% funded from Section 94.

Intersection Cost  
Section 94 Contribution

\$200,000

**Shortfall**

\$100,000

\$100,000

Alternatively it is recognised that;

- The current proposal forms a first stage of the facility and,
- Dudley Drive is a "No Through Road" and does not encourage traffic to travel from the City Acres area to Oliver Avenue.

Given the current circumstances it is not considered that the construction of the roundabout is necessary at this time. An alternative proposal would be to construct a "protected right turn" intersection in lieu of the roundabout. This would effect a significant first stage cost saving.

Intersection Cost

**Shortfall**

\$15,000

\$15,000

- Footpath

There would be considerable merit in providing a footpath

between the facility and Simeoni Drive and the facility and Oliver Avenue

It is suggested that Council make an application for RTA funding for this work.

- Ongoing Operations  
The Manager of Community Services has had discussions with several groups and has indicated that it is likely that Council will find a partner with which to share the ongoing operational cost of the facility.

**TOTAL SHORTFALL**

Nil

**\$500,000**

**Manager - Finance & Administration Comments**

The proposal detailed in this report is clearly the best opportunity we have to commence this project. It includes the provision of Stage 1 of the facility and construction of Gordon Blair Drive and roundabout at it's intersection with Oliver Avenue. The unfunded cost to Council is estimated to be \$500,000

There are three related issues which I believe require comment from a financial perspective.

- a) The first is the unfunded cost of \$500,000. If we simply borrow these funds, the repayment costs would be \$87,500 per annum for 8 years. Unfortunately, these funds are simply not available and Council would need to consider cutting recurrent works and services or curtailing other capital works to undertake this project.

If this is not palatable and Council wants this project to proceed, then the following options should be considered :-

- i) Contractors Reserve:- This reserve is a contingency fund for potential overruns in RTA contracted works. The balance of this reserve at June 30, 2002 is estimated to be at least \$517,000 plus any profit from the 2001/02 contracts. As these funds represent a 'profit' on contract works, it is suggested that a 'dividend' be taken of \$200,000 to fund this project.

From my perspective, this would still leave a reasonable contingency fund available to manage an RTA overrun situation.

- ii) Urban Roads Construction:- The roadworks identified of \$120,000 could be sourced from existing road construction funds.
- iii) Loan Funds :- If options i) & ii) were adopted, this would leave a funding shortfall of \$180,000. Repayment costs would total \$31,500 per annum for 8 years. Given the construction time of this project, the impact on 2002/03 would be minimal.

The repayment costs will still need to be factored into future years.

- b) The second is that the use of Section 94 funds will require Council to complete the total project (Stage 2) within a reasonable timeframe. Included in the S94 Plan, which is subject to review, is an estimated total cost for this project of \$5.4 million.

As Stage 1 is anticipated to cost \$1.48 million, Council will need to find approximately \$4.0 million in say the next five years to complete the project. Given Council's commitment to other major projects such as the Lismore Levee, Memorial Baths, Wilson River, etc and pressure on our recurrent budget, these funds are not likely to be readily found.

- c) Ongoing Operating Costs - No provision has been made for the cost of operating this facility. It is expected that a partner will be found to ensure operations have no effect on Council's financial position. This is highly desirable and should be vigorously pursued.

### Summary

This situation again highlights the concern I have about the ability of Council to finance capital project, as well as our recurrent budget. Clearly, if Council wants to undertake major projects, rationalisation and prioritisation of the recurrent budget is required. I believe we are now faced with the situation of if you want to include something, you need to take something out.

### Public Consultations

Refer to Manager-Community Services' comments below.

### Other Group Comments

#### **General Manager**

Whilst I acknowledge the comments of the Manager-Finance and Administration, the Council will never have a better opportunity to provide a much needed and well-justified community facility in Goonellabah. The generous offer from Consolidated Properties will facilitate a Council commitment to commence stage one of the development of a viable sporting and leisure centre at a realistic cost of \$1.6M. A significant proportion of the funding for such a facility is available from s94 funds and the Community Facilities reserve, albeit with a \$500K shortfall.

In my view the Council must find a way of funding the shortfall for this facility through a mix of loan funding and funding from either the Contractors' Reserve (available balance of around \$400K) or direct from the roads budget.

The Goonellabah Sporting and Leisure Centre is urgently needed. Behavioural issues involving young people in the Goonellabah area are well documented and the availability of indoor recreation space for programmed activities for Goonellabah youth is essential. In addition, given the residential growth that has taken place in Goonellabah over the past 10 years, the availability of such a facility is long overdue.

This is a wonderful opportunity for the Council to demonstrate its support for this vital project.

#### **Manager – Community Services**

The current situation presents Council with perhaps the best opportunity to develop a recreational facility in Goonellabah. Previous studies have indicated the need for a recreational facility (Recreation Needs Study 1998, and Goonellabah Indoor Sports and Leisure Centre Feasibility Study (1999). However it should be noted that since the time of the studies, a number of factors within the Lismore environment have altered, ie the proposed redevelopment of the Memorial Baths, the development of Kadina Park, Masterstroke Multi Stroke is no longer operational, population growth has plateaued in Goonellabah. It is therefore recommended that Council staff conduct a small scale public consultation to ascertain the current validity of the previous studies.

**Group Manager – City Works**

This project requires approximately \$225,000 to be spent on roadworks. Therefore, funding for the project from funds derived from roadwork funds should be limited to \$225,000.

Council could reasonably fund approximately \$120,000 from funds that would normally be made available for roadworks. However, a large proportion of these funds have already been allocated to other projects (ie, SCU road, etc). Therefore it may be reasonable to use the Contractors Reserve to fund up to \$120,000.

The remaining \$105,000 is proposed to be funded from Section 94 funds. Current available funding for Section 94 projects is a little under \$700,000. I am aware that Council has already made some sort of commitment to carry out works which will substantially exceed the available funds. For example:

- Skyline Road
- Roundabout at intersection of Ballina Road/Holland Street, Goonellabah
- Roundabout at intersection of Ballina Street/Diadem Street, Lismore
- New Gordon Blair Drive.

Clearly there will be insufficient available funds within the Section 94 Vote to carry out all of the above projects. Council may need to carry the costs or raise a short-term loan to cover the Section 94 costs associated with these projects if they all proceed within a reasonably short time frame.

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

In regard to the principle espoused by the Group Manager-City Works that road funding should be limited to \$225,000 – this is consistent with recommendation 2(b), that road construction budget be \$120,000 and the balance of \$105,000 be from Section 94.

In regard to the Group Manager-City Works comments on the use of the contractors reserve, I would draw Council's attention to the Manager-Finance & Administration's comments , a i) where it clearly enunciates the principle that these funds represent a "profit" and that a "dividend" be taken to fund this project.

As to the availability of S94 funds it would be premature to draw conclusions as to the timing of these projects and many other associated funding issues will need to be resolved before they proceed.

**Conclusion**

As noted in each of the managers' comments, Council has never been closer to affording the first stage of the Goonellabah Indoor Sports and Leisure Centre. With this in mind staff has sought workable options for funding the project shortfall. The comments of the Manager-Finance & Administration clearly set out three separate areas from which staff believe funds could be sourced.

**Recommendation GM(44)**

1. That Council allocate Section 94 and Community Facility funds as set out in this report to facilitate the construction of the Goonellabah Indoor Sports and Leisure Centre and its adjoining infrastructure.

2. That Council allocate the following funds to the construction of both the facility and its associated infrastructure as set out in the report, being
  - a. Contractors reserve fund - \$200,000
  - b. Roads construction budget - \$120,000
  - c. Loan funding - \$180,000

from which to fund the \$500,000 shortfall as outlined in this report to provide the facilities and infrastructure as indicated.

3. That Vantage Project Management P/L be advised that Council will proceed with the construction of the Goonellabah Indoor Sports and Leisure Centre and that this is contingent on their previous offer being finalised.
4. That Council continue to seek partnerships with community groups to operate and manage the facility.
5. That Council apply for RTA funding to provide an appropriate footpath to the facility.

**Subject/File No:** KADINA PARK  
(P517)

**Prepared By:** Alex Wilford, Recreation Planner

**Reason:** To seek Council funding for the Kadina Park project.

**Objective:** Council to provide funding toward the staged development of Kadina Park

**Management Plan Activity:** Community Services

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**Background:**

In November 2000, Council adopted a Plan of Management for Kadina Park that proposed the staged development of the park as a multi-purpose recreation area catering for people of all ages, particularly youth.

Development Approval for the park was obtained in August 2001 and since then only preliminary work has been undertaken including earthworks, landscaping and environmental activities undertaken by an EnviTE work for the dole team.

In February 2001, a funding application was lodged with the Commonwealth Department of Transport and Regional Services under their Regional Solutions Programme seeking assistance to develop Kadina Park. The application was prepared in conjunction with the Rotary Club of Goonellabah and submitted under their name.

The application sought a total of \$209,000 over two years and proposed that Council would contribute \$167,000 (cash) toward the project over the same period. The application also identified other cash and/or in kind contributions towards the project from the Goonellabah Rotary Club (\$10,000 cash), the NSW Department of Sport and Recreation (\$10,000 cash) and the Commonwealth Work for the Dole program (\$104,000 labour)

A previous report regarding Kadina Park funding was considered by Council at its September 2001 meeting. The report sought an undertaking from Council to allocate funds for the project if the Regional Solutions Grant was successful. Council resolved:

*That the report be received and this matter be referred to the Financial Plan Workshop on October 14, 2001 and a report be submitted to that meeting indicating if Council's costs for preparation of the Management plan can be claimed as part of Council's contribution, together with the in kind contribution by the Goonellabah Rotary Club. The report should identify and detail what options are available including developer contributions to make up any shortfall of Council's contribution.*

With respect to the above resolution, Councillors were advised in December 2001, that the report that was to be submitted to the Financial Plan Workshop was excluded from the agenda due to the strategic focus of that Workshop. With respect to the matters raised in the resolution, Council's costs for preparation of the Plan of Management and the contributions (in-kind and cash) of the Goonellabah Rotary Club and the EnviTE Work for the Dole Project were included as part the grant application. A maximum of \$17,500 is available from Section 94 developer contributions for the project and \$86,000 is currently available in the Section 94 Open Space Matching Contributions Reserve (Goonellabah).

In February 2002, the Honourable Ian Causley announced that the Regional Solutions funding submission was successful and that a reduced amount of \$123,000 would be made available for the project.

## LISMORE CITY COUNCIL - Meeting held on May 14, 2002

### Kadina Park

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Following discussions with the Kadina Park Project Team and Council's Finance Department, it is suggested that Council's proposed contribution be spread over three years rather than two years to reduce the impact on Council's current financial position. The Regional Solutions Office has indicated that this approach would be acceptable to them.

The proposed funding for the project over the next three financial years is outlined in the following table.

Year	LCC	Regional Solutions	Other Sources (Cash & In-kind)	Total
2002/2003	\$72,000	\$90,000	\$80,000	<b>\$242,000</b>
2003/2004	\$57,000	\$33,000	\$60,000	<b>\$150,000</b>
2004/2005	\$38,000	-	\$60,000	<b>\$98,000</b>
<b>Total</b>	<b>\$167,000</b>	<b>\$123,000</b>	<b>\$200,000</b>	<b>\$490,000</b>

Council's proposed 2002/2003 contribution of \$72,000 is suggested to be funded via the following sources:

Section 94 Open Space Contributions	\$17,000
Lismore Urban Sportsground Fund	\$7,000
Section 94 Open Space Matching Contribution Reserve	\$48,000

Council's Matching Grants Fund may be allocated toward the project in the following year/s. Other funding opportunities will also continue to be actively pursued to offset Council's financial contribution to the project.

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

The provision of this facility in Goonellabah has met with considerable community support and it is pleasing to see that significant grant funding has been received which will enable the project to proceed.

In 2002/03, Council will be required to match the grant funds to \$72,000. This has been sourced from reserves, Section 94's and existing budgets. The staging of this project over three years will allow for the balance of our matching contribution to be provided in smaller amounts (\$57,000 & \$38,000). This is more achievable and it is suggested that the "Matching Grants" allocation could be used for this purpose in the following two years.

#### **Public Consultations**

The Plan of Management for Kadina Park reflects the results of extensive community consultation undertaken in recent years. There is widespread community support for development of the park.

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

Not required.

**Kadina Park**

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**Conclusion**

Kadina Park has been planned in response to the well-recognised shortage of recreation opportunities in Goonellabah and the community's continued concern about crime and anti-social behaviour in the area. The park's design reflects the results of extensive community consultation conducted over several years to provide a mix of passive and active recreational opportunities for people of all ages, particularly youth. The park will provide young people and their families with facilities that will be attractive and welcoming and will encourage their sense of belonging in our community.

The \$123,000 Regional Solutions grant, together with Council's proposed contribution and support from other sources (cash and in-kind), will enable much of the Kadina Park project to be completed within three years, rather than being spread out over a much longer period.

Council's proposed contribution to the project represents a very sound investment in the future of Goonellabah in recreation, community development and crime prevention terms.

**Recommendation**

- 1 That Council approve funding for the staged development of Kadina Park, as proposed within this report.
- 2 That other sources of funding continue to be actively pursued to offset Council's financial contribution to the project.

**Subject/File No:** FAR NORTH COAST HOCKEY INC. – FINANCIAL ASSISTANCE  
(RS:P25886)

**Prepared By:** Manager – Finance & Administration, Rino Santin

**Reason:** Council resolution

**Objective:** For Council to determine the scope of financial assistance to be provided.

**Management Plan Activity:** Financial Services

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**Background:**

When determining what assistance could be provided to the Far North Coast Hockey Incorporated (FNCH), Council resolved, in part, at the December 11, 2001 that,

*260/01 2 Council explore ways that it can support funding of the replacement of the artificial surface in next years budget.*

To facilitate this, I met with representatives of FNCH to gain an overall picture of what was proposed. FNCH propose to upgrade the playing surface from 'sand-based' to 'water-based' at an estimated cost of \$450,000. This will result in a quality facility, which meets the standard required to host State Championships, but more importantly, the opportunity for local players to play on a 'premier' surface on a regular basis.

Discussion on the type and level of financial assistance indicated a broad range of options from a grant, section 94's, a loan or loan guarantee, or any combination, and any amount up to \$450,000.

It is clear that FNCH are focused and have approached the development of their sport with a prudent business approach. In recent times, they have constructed the new clubhouse at Hepburn Park at a cost of approximately \$380,000 using accumulated funds and government grants, gained approval from all local hockey associations to amalgamate so as to provide a unified administration of the sport, and have adopted a business plan strategy to enhance facilities and income generation.

To supplement this information, copies of the most recent financial statements have been provided and a copy of their Five Year Budget have been provided to assist me in assessing their situation. The Budget has been prepared on a worst-case scenario with FNCH repaying a loan of \$450,000.

As to capacity to repay, this is achievable within the details provided and I think important to add that FNCH previously had a loan with Council of \$200,000 for the development of the sand-based surface. This was repaid in full and ahead of schedule.

**Options**

From the outset, it is clear that Council is not in a financial position to offer the full \$450,000 required to redevelop the playing surface. Consequently, the view taken when preparing the listed options is that if support is given, it will be in the form of a combination of the listed options.

- Grant

Given Council's tight financial situation, it is not likely that there will be discretionary funds available to allocate towards this proposal. As such, if Council wants to financially contribute towards this, then it is suggested that it come from an existing budget. The logical choice would be the budget for Urban Sports Field Development. Included in the 2002/03 Budget is an amount of \$82,400 for this purpose. The LDSA have already recommended a list of projects for these funds. This is not among those projects.

- Section 94

Included in Council's Open Space Section 94 Plan (Plan) in both the City Wide and Urban Catchment (East) works program is an item for Hepburn Park for \$250,000 with developer contributions totalling \$225,000. In regards to the initial development of the sand-based surface, Council contributed \$22,500 from these funds.

Given that the Plan relates to the total development of Hepburn Park and not just the hockey facility, Council could allocate some of the residual funding to this development.

There is a residual allowance of \$22,500 in Urban Catchment (East), which is held in cash and therefore can be used. As for City Wide, the residual allowance is \$180,000 of which approximately \$50,000 is held in cash and therefore can be used.

The requirement to offset any contribution from Plan funds with Council's contribution would be satisfied by the total works being completed by FNCH.

- Loan

To facilitate the provision of a loan to FNCH, we would need to fund it from existing cash resources, namely reserves. As the demand for reserves will vary over time, it is suggested that the specific reserve utilised, ie employee leave entitlements, quarry, information services, infrastructure, etc, will float from time to time depending on the balance of the specific reserve. This commitment would be on sliding scale over a ten-year period. This is achievable, but it is a long-term commitment.

There is significant risk for Council in offering this arrangement, regardless of credentials, in that the organisation could default in repaying the loan. The facilities to be developed are valuable to the hockey fraternity, but may not have sufficient recoverable value to repay any outstanding loan should default occur. This is an issue not readily accepted from a security perspective, but accepting personal guarantees can mitigate it, but I understand this is not absolutely guaranteed.

I might add that we have similar loan arrangements with other community-based organisation, but not to the amount of \$450,000, and we have not encountered repayment difficulties with any of these to date.

To mitigate the concerns, it is suggested that the terms of any loan be :-

- a) interest rate to be set above the benchmark for investments (this will result in a rate of return better than normal, but still less than the interest rate charged by a lending institution under normal circumstances),
- b) the amount of the loan to be supported by personal guarantees (this provides some security for Council should FNCH not be able to meet its repayments),
- c) the term of the loan be ten (10) years
- d) all legal costs associated with this agreement to be borne by FNCH

- Loan Guarantor

This is where we sign as 'guarantor' of the loan with the lending institution. As with providing a loan, there is an increased risk for Council in offering this arrangement should the organisation default in repaying the loan. The difference with this situation is that there are no personal guarantees and Council is exposed to the full amount of the loan and default provisions.

We currently have one such arrangement, but the amount guaranteed is considerably less than \$450,000.

**Public Consultations**

Nil

**Other Group Comments**

**General Manager**

Whilst I acknowledge that Council has established precedents for financially supporting sporting clubs, I do not support the proposal outlined in this report for the following reasons:

- Council finances are very tight with a number of significant, well justified projects to be funded in the coming financial years, including an aquatic centre, flood levee, Goonellabah Sports and Leisure Centre, Kadina Park, the Wilsons riverbank project, and the Old Lismore High School Site re-development;
- All of these projects will provide direct value to a broad number of Lismore Council residents and ratepayers, i.e. they are targeted at meeting broad community needs, not those of a specific sporting/interest group;
- Loan funding the FNCH Association project from Council reserve funds could impact on Council's ability to fund other significant community projects, e.g. this could also be a means of partially funding the funding shortfall for stage one of the Goonellabah Sporting and Leisure Centre facility (albeit with a very limited means of repaying any loan);
- Each of the foregoing capital works projects have been the subject of extensive community consultation and are broadly supported by the community;
- Council has neither called for or seen any justification for the FNCH Association project other than advice that the new "water-based" hockey field will result "*in a quality facility which meets the standard required to host State Championships*" and "*the opportunity for local players to play on a 'premier' surface on a regular basis*". Surely Council should call for evidence of the need/justification for such a facility before making such a significant decision.

Whilst I appreciate the Council's desire to support a well-managed and motivated sporting organisation to upgrade facilities such as those proposed by the FNCH Association, now is not the time to be creating community expectation that Council is both able and prepared to financially support such proposals, particularly when the Council is having to confront difficult decisions about its ability to fund its own well researched and supported community infrastructure projects.

**Recreation Planner**

Far North Coast Hockey's professional approach to the management and development of their sport serves as a positive example to many other sporting organisations in Lismore. Their new clubhouse facility, coupled with the proposed upgrade of the playing surface, will provide a very high quality facility, which will help to ensure the continued success of hockey in our region.

While I support the recommendation for Council to financially assist FNCH in the upgrading of its playing surface, I am concerned that this may raise unrealistic expectations among other sporting and community organisations for similar financial assistance from Council. Perhaps the development of a policy that establishes the criteria by which proposals of this nature are considered is required.

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

In regards to the Recreation Planner comments, I agree that Council financially assisting FNCH may raise expectations of other sporting and community organisations. Fortunately, Council's support is not a precedent as we already have a number of arrangements with like organisations.

As to the need for a policy, one can be drafted, but each case would still need to be considered on its merits and Council's financial position. Consequently, I don't agree that a policy is required.

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**FNC Hockey Inc. – Financial Assistance**

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The General Manager raises some valid points in relation to Council's finances and community expectations.

It is agreed that there are significant demands on Council's finances. Our inability to fund the capital works program has been and will continue to be frustrated unless we review the recurrent budget with the objective to 'free up' funds for capital works. This will mean some existing works and services will need to be reduced or deleted.

As to the potential impact of this loan on capital works, it is possible that a default of the loan by FNCH may result in Council's future capital works program being reduced. This is a risk for Council, but this has been mitigated by requiring personal guarantees.

The main difference between this proposal and an internal loan for capital works is that FNCH will repay the loan and this will not impact on General Fund. If we internally loan fund capital works, the repayments will impact on General Fund as we don't have the funds readily available.

Also, it is important to note that the loan to FNCH is based on their ability to repay, not the justification for the project. This has not been considered by myself.

**Conclusion**

There are options for Council to financially assist Far North Coast Hockey Incorporated in upgrading the playing surface from 'sand-based' to 'water-based' at an estimated cost of \$450,000. Council has clearly indicated that it wishes to support this project.

With this in mind, and based on their prudent business approach and previous loan repayment experience, I believe they are a good risk, but the amount of the loan, being potentially \$450,000, creates an element of doubt in my mind as the funds need to be secure and not unnecessarily placed at risk.

As such, I support the allocation of funds from Section 94 funds. In addition to that, a loan for the balance of funds up to \$450,000 from reserves on the basis that Council receives personal guarantees for that amount as security.

**Recommendation (COR12)**

That Council financially assist the Far North Coast Hockey Incorporated in the upgrading of the playing surface by providing :-

- 1 A grant of \$30,000 from S94 (\$20,000 City Wide & \$10,000 Urban Catchment East)
- 2 A loan of \$420,000 from reserves, with the terms being primarily:
  - a) interest rate equivalent to the local government investment 'benchmark' rate plus .5%;
  - b) the term of the loan being 10 years;
  - c) the amount of the loan to be supported by personal guarantees;
  - d) all legal costs associated with this agreement to be borne by FNCH;
  - e) the General Manager be delegated authority to negotiate with FNCH on any other issue surrounding the loan.

**Subject/File No:** RECYCLING SERVICE REVIEW – SERVICE FUNDING  
S763

**Prepared By:** Lesley Trott – Waste Minimisation Officer (WMO)

**Reason:** Tenders received to operate a recycling service (by the tender closing date), were significantly in excess of estimated service costs, presented to the community in the community survey during September 2001.

**Objective:** To identify Council's preferred option for additional recycling service funding requirements.

**Management Plan Activity:** Waste Minimisation

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**Background:**

Councillors considered revised options for recycling service delivery, during a workshop on 5 June 2001. Following the workshop, revised recommendations were presented to the Council meeting on 12 June 2001. Council resolved to receive the revised report, and adopt 4 unsupervised drop off centres (DOC's), as the preferred option for Lismore.

The environment levy contribution was increased from \$13.25 to \$19.45 for 2001/2 in order to maintain the existing level of service during that financial year, to meet significant increases in Ballina Shire Council's (BSC) processing charges. It was considered that the 'ball park' figure would give Council the flexibility to reallocate resources to fund alternative service delivery models.

In a report presented to the Special meeting of Council on 26 June 2001, it was acknowledged that the increase to **\$19.45 would not fund some of the service delivery options** (a previous report to Council on 12 June 2001, indicated that it would have been **necessary to increase the environment levy to \$26.35 for 2001/2002**, to meet **all** anticipated DOC option costs).

However, at the time it wasn't considered appropriate to increase the environment levy to **\$26.35**, before conducting a community survey with 3 options entailing environment levy increases ranging from **\$14.55 to \$26.65**, as this might have been interpreted as pre-empting the results of the survey.

At the meeting held 11 September 2001, Council resolved to carry out a community consultation process, to seek community feedback on the three options of:

- 4 unsupervised DOC's
- 1 unsupervised DOC (at Wyrallah Road Waste Facility); and
- a no recycling option

The results of the survey revealed that **66.7% of respondents preferred Option A (4 DOC's)**, 19% preferred Option B (1 DOC) and 14.3% preferred Option C (no service). Comments made by respondents were also coded, and support for Option A was evident, with 50 respondents either liking the current operation of the DOC's, or mentioning that Option A was the only option that could be considered.

Council resolved to adopt the four DOC option, and pursue contract negotiations with service providers at the 13 November 2001 meeting of Council. At the meeting held 12 February 2002, Council resolved to call for tenders for recycling service delivery.

## LISMORE CITY COUNCIL - Meeting held May 14, 2002

### Recycling Service Review – Service Funding

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The option to keep 4 DOC was costed during 2001 at **\$104 936** set up costs and **\$242 235** annual operation costs. The community survey proposed environment levy contributions increasing to **\$26.65** to cover these costs.

Anticipated costs during the review process were based on a model to bulk up material and transport it to Solo Waste's MRF at Stott's Island, resulting from information supplied by Richmond Waste (24 May 2001). At that time it was considered no longer feasible to send material to BSC's MRF, due to difficulty in meeting an unachievable acceptance criteria (BSC's letter dated 8 May 2001).

It is almost one year since recycling costs were identified in the community survey. Due partly to the fluctuating nature of the recycling industry, and strict performance standards in the draft contract, the costing structure proposed by the contractor in May 2001 has changed. Hence **costs have exceeded the anticipated costs identified at an environmental levy contribution of \$26.65 per annum.**

The schedule of rates for service delivery, received by the tender closing date (12 March 2002), was significantly higher than May 2001 figures, **in the areas of transport, processing charges for recyclables and cleaning.** The reason for this is that costs proposed in writing to Council in May 2001, were based on set fee for the transport and processing of each bulk container load of recyclables, however, the schedule of rates submitted with the tender submission on 12 March 2002, were based on separated tonnage rates for transport and processing of material. This change in cost structure has resulted in substantially increased charges, over original estimates. Also cleaning costs are substantially higher than those quoted in May 2001, in order to meet the minimum services standard defined in the contract.

Following a comprehensive tender review period, the recommended service model for the four drop off centre option will cost ratepayers approximately **\$140 000** in set up costs, with an annual operational cost of approximately **\$308 000**. This is approximately **\$40 000** more in set up costs and **\$65 000** more in annual operational costs, than was anticipated in May 2001 and quoted in the community survey.

In addition to the above, a combination of circumstances has resulted in an **operational deficit of around \$104 000 in waste minimisations budget** during the current financial year, for the following reasons:

- the environment levy increase to **\$19.45** for 2001/2 was not expected to fund some of the service delivery options, (anticipated to commence from January 2002) and in fact **did not cover the existing service charges during the year;**
- anticipated new service delivery start date of January 2002, was not achieved and costs to meet existing service delivery up to January 2002 were insufficient; and
- revised contractor recycling charges introduced from January 2002, **increased service costs** from an anticipated **\$217 000** annual cost, to approximately **\$245 000**.

This has resulted in a **revised environment levy rate of \$35.80**, to meet anticipated waste minimisation and education service, administration costs and DOC (new service delivery) operational costs and an increase in North East Waste Forum (NEWF) contributions, from 50 cents per capita (p.c.) to \$1 p.c., equating to an increase in NEWF contributions from **\$22 000** to **\$44 000**, for 2002/3.

**Recycling Service Review – Service Funding**

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The community voted to implement 'option A', on the basis of an increase in environment levy contributions from **\$19.45 to \$26.65**. Should Council approve the recommended service provider, an increase in the environment levy from **\$19.45** to approximately **\$35.80** will be required.

An environmental levy rate of **\$35.80** would **not fund the implementation of surveillance cameras** at the DOC's, as was originally planned for Option A. **Should Council wish to implement surveillance cameras with the introduction of the new service, the environment levy rate is \$41.95**. However, given the revised minimum service standards and monitoring and reporting arrangements within the contract, mechanisms built in to the contract should ameliorate current aesthetic issues with the DOC's. Council has the option to implement cameras at a future date, should they be considered desirable.

It is important to note that, **should Council wish to continue to maintain the current service under existing arrangements, the environment levy will need to be increased from \$19.45 to approximately \$32.50**, as the cost of maintaining the current level of service, under existing arrangements is approximately **\$272 955** per annum.

There are potentially important economic, as well as environmental issues that Council should consider, when weighing up the benefits to the community of maintaining a recycling service. These have been presented in previous reports to Council, however it is worth reiterating the following:

Council conducted a major survey at the recycling DOC's during April 2001. The aim of this survey was to provide statistical data and information, to assist Lismore City Council and the Lismore community to make the most appropriate decision about the future of recycling services in Lismore. The following findings may have a significant bearing on the importance of the recycling service, as part of a 'waste disposal package':

- Residents with a garbage service and with a full garbage bin generally recycle larger quantities per trip to the DOC's than those with bins less than full.
- It was found that the majority of respondents receiving an organics service utilise this service and place a full organics bin out for weekly collection. The large majority of Lismore City respondents with an organics service, had both a full garbage and an organics bin greater than 50% full.

The Integrated Waste Strategy (IWS) package consists of the waste, organics and recycling services working collectively to manage Lismore's waste.

The above findings suggest that, if we remove one element of the IWS package, i.e. the recycling service, our current arrangement regarding a weekly organics service and a fortnightly garbage service, may not have the capacity to absorb this material. Survey findings suggest that Council may have to **revert back to a weekly waste service to manage volumes**. In which case, the additional cost burden of operating a weekly garbage collection service, is likely to **exceed the cost of the recycling service**.

It is unfortunate that Council and the community faces (and has faced) significant increases in the cost of operating a recycling service. This may be due, in part, to our service having operated at **'below true cost' in the past**, in relation to processing charges experienced across the industry. We may also have operated the service **'on a shoe-string'**, regarding contractor arrangements in the past, and have experienced an **unacceptable standard of housekeeping and maintenance** at these centres as a result.

## LISMORE CITY COUNCIL - Meeting held May 14, 2002

### Recycling Service Review – Service Funding

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The National Packaging Covenant Council's summary sheet of key findings, from the 'Independent Assessment of Kerbside Recycling' (including DOC figures), stated that:

'For **regional systems**, the collecting, sorting and delivery costs of recycling, **ranges between \$36 and \$53 per hhld per year**, or 70 cents and \$1.02 per hhld per week.'

Increasing the environment levy to **\$35.80** per hhld, per year, will not only provide Lismore environment levy payers with an improved recycling service, at a **cost below the lower range for regional systems, but also includes all waste minimisation services and operational costs and North East Waste Forum contributions.**

A complete summary of the recycling review process and Council's consideration of the matter, is attached for your information.

#### Manager - Finance & Administration Comments

Council currently charges its 16,300 rateable properties an Environmental Levy. This levy is used to implement Council's Waste Minimisation strategy which for financial reporting purposes are summarised into 'administration' and 'drop off centre' cost centres.

For the 2002/03 budget, it is proposed that these cost centres will have net costs of **\$211,000** and **\$350,000** respectively. As these cost centres are fully funded by the Environmental Levy, the levy will need to be increased from **\$19.45** to recover these costs.

The 2001/02 charge of **\$19.45** was adopted as an 'interim' charge and it was expected to increase to at least **\$26.45** to meet the full tender cost of the drop off centres and administration.

The full cost for the implementation of Council's waste strategy based on the preferred option are now available. If Council wishes to continue to implement the strategy, the Environmental Levy will need to be increased to **\$35.80** for 2002/03.

The value of implementing this strategy has been the subject of much discussion and debate by Council. All the relevant information has previously been submitted to Council for consideration. While I have a concern about the costs and the increased burden on the ratepayer of an additional **\$9.35** above what was proposed, I believe the final determination and rationale rests with Council.

It is important to note that if Council resolves to maintain the 'status quo' with the drop off centres and seek further public opinion, the levy will still need to increase to at least **\$32.50** in the interim to meet likely operating costs. If public opinion supported an increase in the levy to **\$35.80**, the new service could not be implemented until 2003/04 as the levy at **\$32.50** would not fund the introduction of the service.

#### Contracts Officer – Client Services

There have been substantial increases in the costs of the recycling services since the original estimates were prepared in May 2001; the main area of increase has been the reprocessing costs for the materials and the increased costs for dealing with load contamination. In addition, in the tender documentation Council has increased the level of service required, in particular the amount of cleaning at the drop off centres.

**Recommendation**

1. Council **meet the shortfall** in recycling costs, (approximately **\$65 000** per annum, plus one off cost of around **\$40 000** in the first year) between revenue collected from the environment levy, (to be set at **\$26.65** per levy payer) and actual recycling service delivery costs (approximately **\$35.80** per levy payer) from central revenue; or
2. Council **approve an increase in the environment levy** for next year from **\$19.45** (current charge), to approximately **\$35.80**, to cover actual recycling service delivery costs; or
3. Council **carry out another community survey** to assess community acceptance of an increase in the environment levy from the anticipated cost of **\$26.65** to an approximate cost of **\$35.80**, to fund recycling service delivery; and
4. Council maintain the current level of recycling service under existing arrangements and increase the environment levy from **\$19.45** to **\$32.50**, to meet current service costs.

## LISMORE CITY COUNCIL - Meeting held May, 14, 2002

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**Subject/File No:** TENDERS FOR THE COLLECTION OF RECYCLING MATERIALS FROM THE DROP OFF CENTRES – T22010

**Prepared By:** Contracts Officer, Chris Allison

**Reason:** To inform Council of tenders received for the collection of recycling materials from the drop off centres

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

**Management Plan Activity:** Waste Minimisation

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### **Background:**

Council resolved at the February 12, 2002 to call for tenders for the collection of recycling materials from the four (4) drop off centres.

Client Services Unit on behalf of Environmental Health Services prepared the tender documents for the collection of recycling materials from the four (4) drop off centres for a five (5) year period. The contract document addressed concerns with regard to the cleaning of the drop off centres and the successful tenderer will be held more accountable to ensure the drop off centres are maintained in a clean and tidy manner.

Tenders were advertised in the Sydney Morning Herald, Courier Mail and the Northern Star. Tender documents were issued to three (03) companies, with two (02) tenders being received by the close of tender on 2.00pm, Tuesday, February 12, 2002.

### **Tender Examination:**

The tenders received are summarised below:

<b>TENDERER</b>	<b>ORIGINAL TENDER PRICE</b>
Richmond Waste Services - Option A	\$332,726.00
Richmond Waste Services - Option B	\$308,970.00 *
Northern Rivers Waste (Lismore City Council)	\$358,878.00

The prices shown above are exclusive of GST.

\* Plus \$40,000 in year one and based on an 8 year contract

An evaluation panel consisting of Lesley Trott (Waste Minimisation Officer) Tony Kohlenberg (Manager - Environmental Health) and Chris Allison (Contracts Officer) undertook the assessment of tenders.

The tender documentation (Clause B7) defined five (05) areas by which each tender would be assessed: Price, Capability & Relevant Experience, Service Delivery Model, Compliance with Quality & Safety Plans and Management & Financial. The tenderers were required to address each of these criteria in their tender.

Lesley Trott and Chris Allison interviewed each tenderer and additional information was requested from each tenderer to clarify various points of the tender submissions.

**Richmond Waste Services - Option A**

This option provides Council with the same service as currently being provided. Materials are collected in 17m<sup>3</sup> commingled skips and transported to the Ballina MRF for reprocessing.

**Richmond Waste Services - Option B**

This option provides for materials to be collected in 17m<sup>3</sup> commingled skips, these materials would then be transferred into 75m<sup>3</sup> and transported to the Stotts Creek via Murwillumbah for re-processing. This option is conditional on the building of a two bay multi-lift transfer station in Lismore and extend the contract to an 8 year period. It is proposed by Richmond Waste Services that a multi-lift transfer station be constructed at the Wyrallah Road Waste Facility at a cost of approximately \$80,000 and Council would meet half of this cost. At the end of the contract, ownership of the transfer station would revert to Council at no additional cost.

Northern Rivers Waste

This option provides for materials to be collected in 4.5m<sup>3</sup> source separated skips with the materials transported to the Ballina MRF for re-processing. It is expected that these non-commingled skips will reduce the level of contamination. In addition, the truck used for the collection of materials from the drop off centers will be fitted with a skip weighing system to measure the weight of each skip on collection.

**Manager - Finance & Administration Comments**

The implementation of Council's Waste Minimisation strategies, which includes the Drop Off Centres, are fully funded by the Environmental Levy charged on all rateable assessment. It is imperative that this situation continue given the excess demand on available funds.

The tender has identified that the previously reported estimate for the service, based on information provided by the market, was considerably less than real cost. Unfortunately, this will result in an increase in the Environmental Levy above that expected.

If Council adopts the recommendation, to maintain a self funding situation, the Environmental Levy will need to increase from \$19.45 to at least \$35.80. This could increase to \$41.95 if security camera's are to be provided.

**Public Consultations**

Previous public consultations have been undertaken.

**Waste Minimisation Officer**

The Richmond Waste (RW) Stotts Island model is not reliant on achieving a quality acceptance standard, or a hierarchy of charges based on degrees of contamination. This provides a good deal of certainty for LCC in budgeting to meet recycling costs. This degree of certainty is reinforced through contract condition D12, which states that where costs increase by an amount greater than 7.5%, Council reserves the right to terminate the contract.

## **LISMORE CITY COUNCIL - Meeting held May, 14, 2002**

### **Tenders for the collection of recycling materials from the drop off centres – T22010**

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In the original assessment of recycling options, the environmental impact from transporting recyclables was assessed and weighed against each option. There was considered to be little difference in the environmental impact of transporting material approximately 10 times a week to Ballina in 17 cubic metre container sizes, against two (sometimes three) times a week to Stotts Island in 75 cubic metre container sizes.

During discussions with RW, parties explored the potential to use the transfer station as a regional facility for bulking up recyclables from other sources and surrounding council areas, for transport to Stotts Island. LCC will consider including provision in the contract to place a tonnage through-put charge on RW to cover any administrative cost burden on LCC.

The recommended option proposes the transport of contaminants back to WRWF for disposal. Disposal charges are cheaper in Lismore and the vehicle will return empty, so it makes sense to utilise the capacity to back load.

However, LCC raised concerns about the lack of information in the tender application regarding contamination assessment criteria. LCC was concerned about the ability to monitor the volumes of contaminants land filled at WRWF, to provide certainty that volumes of contaminants returned are a true and accurate reflection of recycling contamination directly related to LCC recycling loads. Concern stems from the fact that at the MRF the material is deposited into a large receiving bay and mixed with recyclables from other Council areas (such as Tweed). There is no way to quantify contaminants arising from one source during the sort process and therefore no certainty regarding volumes of contaminants returned to Lismore.

It was therefore proposed that contamination rates be ascertained through an annual recyclables audit, with costs shared equally by RW and LCC. The volumes of contaminants returned to Lismore would be based on the results of the audit. It was suggested that an independent consultant perform the audit.

Should this recommendation be adopted, educational material will need to be amended to reflect the change in recycling material types collected in Lismore. LCC's recycling education material currently reflects the material types accepted at Ballina Shire Council's sorting plant. BSC's plant accepts glass bottles and jars, aluminium and steel cans and plastics 1,2 & 5. Solo Waste's Stotts Island plant accepts glass bottles and jars, aluminium and steel cans, tetra paks (liquid paper board) and plastics 1 and 2.

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

Comments from other staff have identified that the proposed cost of implementing either of the proposed options will have an adverse impact Councils budget. Option B as proposed from Richmond Waste is the lowest cost option and will lessen the impact on the operating budget for the service

#### **Conclusion**

Richmond Waste Services (Option B) have provided the lowest priced tender and have scored the highest in the weighted assessment in regard to the evaluation criteria. Richmond Waste Services are the current contractor for the delivery of the service and are a specialist waste disposal company. It is noted that there have been previous concerns with regard to the general tidiness of the drop off centres in the past, however staff have developed a contract document, which will improve this situation. Currently the contractor is only required to clean the sites once each day, five (5) days a week. Under the terms of the new contract, the contractor will be required to clean the sites twice a day six (6) days a week and will complete a site maintenance sheet for each site

## **LISMORE CITY COUNCIL - Meeting held May, 14, 2002**

### **Tenders for the collection of recycling materials from the drop off centres – T22010**

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daily, detailing the timing of each clean and works undertaken. These site maintenance sheets will to be forwarded to Council monthly.

The Richmond Waste Services (Option B) tender is conditional on the building of a two bay multi lift transfer station, which would be built at the Wyrallah Road Waste facility and require a capital contribution from Council of \$40,000 and a revised contract term of eight (8) years.

#### **Recommendation (GM43)**

1. The Contract for the collection of recycling materials from the four (4) drop off centres be awarded to Richmond Waste Services for the rates tendered in Option B of the tender submission.
2. Council extend the contract term to an eight (8) year period.
3. Council negotiate with Richmond Waste Services to construct a two (2) bay transfer station at the Wyrallah Road Waste facility and Council contribute a maximum of \$40,000.00 to the facility, on agreement that the ownership of the facility will revert to Council at the conclusion of the contract.

**Subject/File No:** REPLACEMENT OF COUNCIL PLANT – Vehicle No. 147  
(Mitsubishi 8x4 / Highgate 17,000lt Water Tanker)  
(CS:VLC:T22016)

**Prepared By:** Fleet Manager - Col Starr

**Reason:** To inform Council of replacement / purchases of major plant items.

**Objective:** To seek Council's approval for the purchase of one (1) new 8x4 truck -  
mounted 17,000lt water tanker.

**Management Plan Activity:** 1.12 - Plant Operations

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**Background:**

Tenders closed on March 14, 2002 for the supply of one (1) new 8x4, truck-mounted 17,000lt water tanker and the sale of -

- V147 – 1990 Mitsubishi 8x4 truck with 17,000lt water tank and spray bars.

Lismore City Council is currently operating two (2) water tankers; both of which have a capacity of 17,000 litres. The anticipated replacement interval for these vehicles is between eight (8) to 10 years depending on the condition of the vehicles; revenue generated for replacement, and revenue available for that replacement. This particular vehicle has been held over for an additional two (2) years as its condition has been good and the additional revenue raised was used to upgrade machines with higher priority (ie, the Paveliner road repair unit).

The existing water tankers comprise of –

- **V147 - 1990 Mitsubishi 8x4 with Hockney Alcan 17,000lt tank and spray equipment.** This particular tanker was the first tanker with Council with this water capacity. Also this tanker has been set up with specialised spray systems which include dual horizontal spray bars, left-hand and right-hand batter sprays and fully adjustable front sprays; all of which have proven to be so successful that the identical system has been fitted to the latter built tanker (V166). This unit is normally based within the City Works Group – Roads Section of Council and is primarily used in the rural roads areas but has been extremely valuable for cleaning roadways and drainage systems within urban areas, especially after floodwaters have receded.

**This water tanker is being replaced in this tender**

- **V166 - 1998 Volvo 8x4 with Hockney 17,000lt tank and spray equipment.** This is the second tanker of this size to be purchased for Council. It also has the dual horizontal spray bars, left-hand and right-hand batter sprays and fully adjustable front sprays. This truck has a larger horsepower engine than the Mitsubishi and has proven to be more effective because of the increase. It is also based within the Roads Section and along with its sister truck, has been kept busy throughout its life with Council. The February 2001 Flood showed the worth of these tankers where they worked on two (2), 12-hour shifts per day until the CBD clean-up was complete.

There were a total of three (3) truck and tanker combinations tendered; four (4) tank and spray equipment supply only tenders, and eight (8) 'Private Offers to Purchase the Trade-In' for V147.

Consultation with the users of this water tanker (Roads Section – City Works Group) resulted in the tanker being similar in size and capacity to the current tankers being used, Fleet Nos. 147 and 166.

# LISMORE CITY COUNCIL - Meeting held May 14, 2002

## Replacement Of Council Plant – V147 (8x4 17,000lt Water Tanker)

### Schedule of Tenders:

SUPPLIER	Make, Model & Details of Truck and Tank	Cost to Council before Trade-in	Trade in Offer for V147	Tank & Spray Equipment Details	Best Change-Over Cost & Delivery
MURWILLUMBAH TRUCK CENTRE Murwillumbah NSW	Mitsubishi 8x4 FS527 249kW 6cyl 12 litre Solid springs Full load sharing	\$292,984.00 (Inc GST \$26,688.00)	\$64,000.00 (Inc GST \$5,818.18)	Haulmark Trailers Tank 17,000lt & Spray Equip.	\$202,179.00 Using the City Truck & Bus Centre private offer <i>Delivery: 20-24 wks</i>
SOUTHSIDE AGENCIES Lismore NSW	Mercedes 8x4 Actros 3240 290kW V6 12ltr Solid springs Full load sharing	\$292,114.25 (Inc GST \$26,555.84)	\$88,000.00 (Inc GST \$8,000.00)	Holmwood / Highgate Tank 17,000lt & Spray Equip.	\$201,309.25 Using the City Truck & Bus Centre private offer <i>Delivery: 22-26 wks</i>
K & J TRUCKS Coffs Harbour NSW	Scania 8x4 P11 250kW 6cyl 11 litre Air springs Full load sharing	\$323,760.00 (Inc. GST \$28,900.00)	\$80,000.00 (Inc. GST \$7,272.73)	Haulmark Trailers Tank 17,000lt & Spray Equip.	\$232,955.00 Using the City Truck & Bus Centre private offer <i>Delivery: 20-24 wks</i>
HAULMARK TRAILERS Rocklea Qld	<i>Supply Tank and Spray Equipment Only</i>	\$114,510.00 (Includes \$10,410.00 GST)	Not Applicable	Haulmark Trailers Tank 17,000lt & Spray Equip.	<i>Delivery: 10-12 wks</i>
NARWHAL FLUID GROUP Underwood Qld	<i>Supply Tank and Spray Equipment Only</i>	\$109,923.00 (Includes \$9,993.00 GST)	Not Applicable	Holmwood / Highgate Tank 17,000lt & Spray Equip.	<i>Delivery: 8-12 wks</i>
NARWHAL FLUID GROUP Underwood Qld.	<i>Supply Tank and Spray Equipment Only</i>	\$112,822.00 (Includes \$10,262.00 GST)	Not Applicable	Narwhale Tank 17,000lt & Spray Equip.	<i>Delivery: 8-12 wks</i>
NARWHAL FLUID GROUP Underwood Qld.	<i>Supply Tank and Spray Equipment Only</i>	\$116,068.70 (Includes \$10,551.70 GST)	Not Applicable	Thomas Tank 17,000lt & Spray Equip.	<i>Delivery: 8-12 wks</i>
<b>Private Offers to Purchase V147</b>					
<b>ALL-TRANS SPARES</b> St. Mary's NSW  \$31,280.00 (Inc. \$2,843.64 GST)	<b>W&amp;P MACHINERY SALES</b> Campbellfield Vic. \$51,311.00 (Inc. \$4,664.64 GST)	<b>WAGGA TRUCKS</b> Wagga NSW \$57,688.00 (Inc. \$5,244.36 GST)	<b>NEVEN's COMMERCIAL SALES</b> Jacob's Well Qld \$62,710.00 (Inc. \$5,700.91 GST)		
<b>WAGGA TRUCKS</b> Wagga NSW \$67,380.00 (Inc. \$6,125.45 GST)	<b>GROVE TRUCK SALES</b> Rocklea Qld \$74,976.00 (Inc. \$6,816.00 GST)	<b>MIDCOAST TRUCKS</b> Macksville NSW \$81,000.00 (Inc. \$8,255.00 GST)	<b>**CITY TRUCK &amp; BUS CENTRE</b> Ascot Vale Vic <u>\$90,805.00**</u> (Inc. \$8,255.00 GST)		

# LISMORE CITY COUNCIL - Meeting held May 14, 2002

## Replacement Of Council Plant – V147 (8x4 17,000lt Water Tanker)

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### Tender Analysis:

An evaluation panel of Messrs Col Starr (Fleet Manager), Darren Patch (Rural Works Engineer), Peter Brewer-Charles (Rural Works Supervisor), Bill Watts (Operator) and Chris Allison (Contracts Officer), assessed the tenders as per the criteria set out in the tender documents.

<b>Evaluation Criteria</b>	<b>Price 40%</b>	<b>Capability 30%</b>	<b>Functionality/ Conformity 30%</b>	<b>Evaluation Total %</b>
<i>Southside Agencies Mercedes / Holmwood</i>	40%	25.5%	28.5%	94%
<i>Murwillumbah Truck Centre Mitsubishi / Haulmark</i>	39.8%	22.3%	20.3%	82.4%
<i>K &amp; J Trucks Scania / Haulmark</i>	33.7%	22.3%	22.5%	78.5%

### Group Manager - City Works' Comments:

A large amount of cement stabilisation works have been, and will continue to be undertaken. The current machine has operated extremely well and now needs to be replaced with a new model. The recommendations contained in this report are fully endorsed.

### Key Points to Consider:

- Purchase best possible unit capable of completing tasks, both 'Road Maintenance' and 'Road Construction', as required, when required as well as clean up after major incidents such as floods and during bush fires.
- Only replace with a machine with size, capable of its designated applications.
- Proven back-up support from the supplier of the truck and manufacturer of the tank and spray equipment.
- Operator comfort with 'Ergonomic Design' during all operations.
- Ability to keep machinery working with minimal maintenance and repair time.
- Uniformity of water tankers within reason for similar situations and conditions.

### Principal Accountant's Comments

There is adequate funding held to replace this piece of machinery. From a financial view, this plant item has exceeded expectations in relation to generating enough funds to cover its replacement.

### Other Group Comments      Not required

### Conclusion

Water tankers are a key component within the road construction and maintenance system of Lismore City Council. While Council has two (2) units of identical capacity, there is little time allowed for downtime during normal working hours, so the crucial back-up support by suppliers is high on the assessment list.

Two (2) of the three (3) trucks (Scania & Mercedes) tendered were field trialled and assessed for their capabilities and performance in conditions similar to those where the tankers normally operate. The third truck (Mitsubishi) could not be trialled as it is a newly released model and still in bond at Brisbane wharves, and therefore could not be released for any trials.

# LISMORE CITY COUNCIL - Meeting held May 14, 2002

## Replacement Of Council Plant – V147 (8x4 17,000lt Water Tanker)

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It is important to note that Volvo trucks did not offer a truck in this tender as their delivery time of an 8x4 cab/chassis exceeded reasonable time frames (6 months +).

The users of this machine have agreed that the suspension of the water tanker plays a large part in their manoeuvrability on work sites and the Scania fitted with air springs (air bags) has reduced wheel travel and will hinder some operations in the rougher terrain areas.

Another key factor for these vehicles was sufficient engine power. The lower powered machines (Mitsubishi and Scania) will not operate as easily, or keep to the pace as required by the Roads Section.

The capacity of the existing water tankers, being 17,000lt+, has proven to be successful for all applications; be it general road construction, road maintenance, drainage maintenance, cement/lime stabilisation, dust suppression on construction sites during and after hours (weekends), bulk water to fire locations or road surface clean-up after floods.

Back-up for the truck needs to be as local as possible. The trucks offered are from dealers and repairers of locations as listed below:

- Mitsubishi Murwillumbah Truck Centre, Murwillumbah.
- Mercedes Benz Southside Agencies, South Lismore
- Scania K & J Trucks, Coffs Harbour.

The tank manufacturers (2), and their locations, who offered tank units in this tender are listed below:

- Haulmark Trailers Rocklea, Qld
- Narwhal Fluid Group (Holmwood/Highgate, Narwhal and Thomas tanks) Underwood, Qld.

As all of the tanks offered in this tender are from the Brisbane area, the location does not have as much impact as does the truck supplier.

All of the trucks offered in this tender are fully imported, and will need to be imported; hence the longer delivery times.

All of the tanks and auxiliary equipment offered in this tender are made in Brisbane and offer almost 100% Australian content.

### **Staff Involvement:**

Acceptance of any proposed machine purchase by operating staff is important as it enhances a long operating life. Keeping this fact in mind, staff have inspected the available trucks and tanker units. All of the staff and users who inspected the trucks and tanks available were convinced that the Mercedes Benz 3240 with the Holmwood/Highgate tanker unit is the better purchase for the application required.

**Author's Comments:** Not required

# LISMORE CITY COUNCIL - Meeting held May 14, 2002

## Replacement Of Council Plant – V147 (8x4 17,000lt Water Tanker)

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### Recommendation (WOR1)

That Council purchase one (1) only **Mercedes Benz 3240** truck with the **Holmwood/Highgate** tanker unit as tendered (T22016) from **Southside Agencies of Lismore** for the cost of **\$292,114.25** (*includes GST \$26,555.84*)

**and**

accept the 'Private Offer to Purchase V147' from **City Truck & Bus Centre of Ascot Vale, Victoria**, for the amount of **\$90,805.00** (*includes \$8,255.00 GST component – Non ITC*).

Change-over cost to Council will be **\$201,309.25** (*with GST*) (\$174,753.41 *after ITC*).

**Subject/File No:** WATER & WASTEWATER DEVELOPER CONTRIBUTIONS  
(AA:CD:S744)

**Prepared By:** Anu Atukorala – Manager Lismore Water

**Reason:** Response to Council resolution

**Objective:** To adopt a policy on charging S64 contributions

**Management Plan Activity:** Water Supply & Wastewater Services

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**Background:**

At its meeting on March 12, 2002, Council resolved that:

*“Council exhibit the policy on charging S64 contributions with a view to adopting it after seeking public comments.”*

The policy was put on exhibition from March 28, 2002 to April 26, 2002 for 28 days. No submissions were received.

It is recommended that Council adopt the policy detailed in Attachment 1.

**Manager - Finance & Administration Comments**

Not required.

**Public Consultations**

The policy was exhibited for 28 days and no submissions were received.

**Other Group Comments**

Not required.

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

Not required.

**Conclusion**

The policy formalises the method of calculating S64 charges and replaces existing Policy No 6.1.4.

**Recommendation (ENT05)**

That Council adopt the policy on charging S64 contributions detailed in Attachment 1.

**Subject/File No:** WASTEWATER USAGE CHARGING STRATEGY  
(AA:CD:S518)

**Prepared By:** Anu Atukorala – Manager Lismore Water

**Reason:** Review of Wastewater Usage Charging Strategy Document

**Objective:** To revise the Wastewater Usage Charging Strategy Document

**Management Plan Activity:** Wastewater Services

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**Background:**

In order to inform the community of Council's wastewater usage charging structure, a document titled "Sewer Usage Charging Strategy" has been in use since 1996. This document is updated annually to reflect current fees and charges but the format and contents have remained the same since 1996. The current version is given in Attachment 1.

The document needs to be reviewed in light of recent developments (such as the preparation of business plans).

In addition, it is appropriate that Council review the method of calculating charges for Basic Strength and Agreed Strength tradewaste customers due to issues raised by a customer.

The revised document titled "Wastewater Usage Charging Strategy" is given in Attachment 2. Some of the key changes are discussed below.

1. Issues with the current format of the Wastewater Usage Charging Strategy Document

1.1. *It only provides a limited amount of information on the rationale behind the charging structure.*

In the recent past, Lismore Water has prepared a Wastewater Business Plan and a Financial Plan. These plans form the basis for determining user charges and it is important that any "Wastewater Usage Charging Strategy" document makes reference to these plans.

The (tradewaste) Sewerage Services Charges Report prepared in March 97 by consultants CMPS&F provides a detailed explanations of the methodology used in deriving various tradewaste charges. It is best that customers are made aware of this document as well, so that interested parties can refer to them and form a more informed opinion.

1.2. The document duplicates the Fees and Charges Schedule adopted annually.

Each year, after the Management Plan and the Fees and Charges are adopted, the document is revised to reflect current charges. This is a time consuming exercise and provides very little additional information.

In the revised document, reference is made to the Fees and Charges Schedule and the Management Plan. This will enable the Wastewater Usage Charging Strategy Document to be a stand-alone document that does not need frequent revisions.

In addition to the above, changes have been made to the layout of the document.

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# **LISMORE CITY COUNCIL - Meeting held May 14, 2002**

## **Report – Wastewater Usage Charging Strategy**

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### **2. Changes to the method of calculating Tradewaste loads**

The most significant change proposed is the change to the method of calculating wastewater load for Basic Strength and Agreed Strength customers.

Wastewater loads are measured in equivalent tenements (ET's). The number of equivalent tenements (ET's) discharged from the premise is calculated by taking the metered water consumption, reducing it by a (sewer discharge) factor and converting this figure into units of 250KI.

The ET's thus calculated have to be in whole numbers (fractions are not accepted by the computerised rating system).

The existing method involves rounding up all such figures. For example two customers with a calculated load of 6.1 ET's and 6.9 ET's will both receive bills for 7 ET's. It could be argued that this is unfair and the issue was raised by a laundry owner (Refer to copy of letter given in Attachment 3).

It is proposed that fractions greater than .5 ET, be rounded up to the next whole number and if under .5, the ET rounded down to the next whole number. A minimum charge of 1 ET will still be applicable.

It is estimated that this will reduce the annual wastewater income by approximately \$65,000. This loss in revenue needs to be weighed up against the fairness of the existing rounding up process and the relief provided to businesses in tough economic conditions.

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

The estimated \$65,000 loss of revenue has already been factored into the draft 2002/03 budget. In the interests of equity, this appears to be a fair trade-off for our customers.

### **Public Consultations**

The document will be put on public exhibition.

### **Other Group Comments**

Not required.

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

Not required.

### **Conclusion**

The Wastewater Usage Charging Strategy Document needs to be revised in order to incorporate additional information (such as the Business Plans etc) that is now available.

Revisions proposed to the method of calculating wastewater load for Basic Strength and Agreed Strength customers will ensure that the charges imposed are fairer. However this will lead to a loss of revenue, which is estimated at \$65,000.

**Recommendations (ENT04)**

1. That in determining wastewater loads for Basic Strength and Agreed Strength customers, fractions greater than .5 ET, be rounded up to the next whole number and if under .5 ET, rounded down to the next whole number.
2. That the revised Wastewater Usage Charging Strategy Document be exhibited with a view to adopting it after seeking public comments.

**Subject/File No:** WAYIGANNA ABORIGINAL ADVISORY COMMITTEE  
RECOMMENDATIONS FOLLOWING COMMENTS REGARDING  
RABBIT-PROOF FENCE  
(S136)

**Prepared By:** Manager Community Services

**Reason:** Report requested at the April Council meeting

**Objective:** Provide Recommendations from the Advisory Group

**Management Plan Activity:** Community Services

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**Background:**

Following comments in the local media made by the Mayor regarding the movie, Rabbit-Proof Fence, and subsequent feedback from the public including a letter from the Lismore Aboriginal Interagency, a report was submitted to Council at the April meeting. The following recommendations were adopted by Council:

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 and Byron/Ballina Aboriginal Interagencies be invited to attend the above meeting.
3. The Mayor be asked to publicly acknowledge that statements made were his and not the Council's or other Councillors'.

A meeting of the Wayiganna Aboriginal Advisory Group was held on Friday 19 April 2002. The Mayor as well as representatives from the Lismore Aboriginal Interagency were in attendance. Following lengthy discussion regarding the Mayor's comments, the Advisory Group felt very strongly that the film was beneficial to the Reconciliation process, that much more could be done to facilitate Reconciliation, and made the following recommendations:

**Committee Recommendations**

1. That Council acknowledge the traditional Aboriginal custodianship of the land (Lismore LGA) at the commencement of Council meetings.
  2. That the Mayor write to the Bundjalung Elders, apologising for his comments in the Northern Star, and acknowledge that he had not contacted Annette Olive, Aboriginal Community Development Officer or any other Aboriginal person prior to making these comments.
  3. That the Mayor make himself available to attend Aboriginal meetings when invited to attend.
  4. That Vicki Bardon approach the Land Council and Aboriginal community to request that the Mayor visit the Gundurimba community.
  5. That Council is requested to acknowledge the Bundjalung Nation (in Widjalbal land) by including a Bundjalung/Widjalbal welcome on signs upon entry/exit to/from Lismore.
  6. That there be another indoors Indigenous worker employed within Council.
  7. That Council support employment training strategies for Aboriginal people.
  8. That there is a specific Reconciliation Program initiated and implemented by Council staff.
  9. That Council staff develop a Cultural Awareness training package for staff and Councillors that focuses on the local Aboriginal community.
  10. That Council take note of the pressing need for activities and facilities for Indigenous and non-Indigenous youth in Goonellabah.
  11. That Council write to the NSW Education Department to request that Australian history including Australian Aboriginal history is included in all primary and secondary school curricula.
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## **LISMORE CITY COUNCIL - Meeting held 14 May 2002**

### **Wayiganna Aboriginal Advisory Committee Recommendations re Rabbit-Proof Fence**

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12. That any issue concerning the Aboriginal community is referred to the Aboriginal Community Development Officer or the Wayiganna Aboriginal Advisory Committee in the first instance.
13. That there is some formalised process for Committees to have input into the budget decision-making process of Council.

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

Any financial implications will be addressed as part of MGM deliberations.

#### **Public Consultations**

Members of the Lismore Aboriginal Interagency were invited to attend this meeting.

#### **Other Group Comments**

##### **Manager – Human Resources**

In accordance with the EEO Management Plan, Council has strategies in place to ensure management and staff understand EEO principles, and their related responsibilities. Staff in Human Resources are currently actively pursuing specific activities relevant to management plan strategies.

The committee recommendations in relation to training and employment could therefore be addressed in light of Council's broader responsibilities to all EEO groups, as outlined in the EEO Management Plan.

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

Not required.

#### **Conclusion**

A number of these recommendations are already being addressed by Community Services staff, specifically recommendations 8,9 and 10. Recommendations 5 and 6 have financial implications and should be referred to MGM for further discussion. Recommendations 1 – 4 do not have any direct financial imposts and could readily be adopted according to Council resolution. It should be noted that the Mayor has complied with the third Council Resolution above, in a letter of apology to the Editor of the Northern Star, 20 April 2002.

#### **Recommendation (Cor14)**

That Council:

1. Note and implement recommendations 1,2,3,4, and 12.
  2. Note recommendations 8,9 and 10 have been commenced by Community Services staff and are further fully endorsed by Council.
  3. Request the General Manager to carry out recommendation 11.
  4. Refer recommendations 5,6,7 and 13 to MGM for consideration and provide subsequent advice to the Wayiganna Committee.
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## LISMORE CITY COUNCIL - Meeting held May 14, 2002

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**Subject/File No:** SKYLINE ROAD REALIGNMENT AND SEALING (S642)

**Prepared By:** Lindsay Walker

**Reason:** It is necessary that Council determine the part 5 report

**Objective:** To gain Council approval to the proposed work

**Management Plan Activity:** City Works

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### **Background:**

In December 2001 Council resolved to “*proceed to prepare the necessary documentation..... to facilitate the approval of the realignment and sealing of Skyline Road, ....*”

In accordance with this resolution and the legal advice which Council obtained a “Modified Statement of Environmental Effects” and a “Species Impact Statement Amended Report” were prepared. These documents were forwarded to the National Parks and Wildlife Services (NPWS) for comment. Although considerable discussion has taken place with NPWS and they have met with Council on site on two occasions this year they have not yet provided written comment. They have indicated that they wish to reserve their comments until Council seeks their concurrence should the proposal receive Council consent.

Although Council’s Planning Department normally review and report on Part 5 applications it was considered that an outside consultant should be engaged to carry out this role on this occasion. Mr Malcolm Scott was engaged and a copy of his report is enclosed for Council’s information.

This report recommends that Council approve the proposed works subject to 23 conditions. These conditions form part of Mr Scott’s report.

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

Not required.

### **Public Consultations**

Extensive previous consultation at the time of initial EIS.

### **Other Group Comments**

#### **Manager Planning Services**

The report by the consultant planner (Section 6.3 (1)) states that “the proposed road will be constructed and/or reconstructed and improved wholly within the existing road reserve”, and as such is not restricted or prohibited by a Local Environmental Plan. What the report does not emphasize is that the now existing road reserve is not the same as that of the original road, which has in fact been realigned by means of ‘closing’ a section of the existing road and ‘opening’ a different section.

Besides the obvious risk management implications of people continuing to drive on a piece of land that is now a closed road and for which the gazettal notice dated July 7, 2000 states

“In pursuance of the provisions of the Roads Act 1993, the road hereunder described is closed and the land comprised therein ceases to be a public road and the rights of passage and access that previously existed in relation to the road are extinguished.”

there is a question over the ethics of proceeding with this road closure before all the relevant legal requirements were in place to approve the activity in a new alignment and then of calling the new alignment “the existing road reserve” for the purpose of complying with Part 5 of the EP&A Act.

Taking into consideration the time and resources already spent on the planning and design of this road upgrading, it would appear that the costs far outweigh the benefits. There would have been considerable staff and financial costs required for the preparation of the EIS/SIS/KPoM, legal advice, etc., in addition to the impact on koala habitat, but the benefits appear to be limited mainly to the reduction of a dust nuisance for 9 properties fronting the road. This dust nuisance could be alleviated by sealing the road on its current alignment.

It appears that the impetus for the upgrading of this road may have originated in a traffic study 10 years ago which, based on highly optimistic population projections, predicted a need for an 'arterial' road in this location; strategic planning work from the same era, also based on the same projections, predicted the development of a new urban release area in the Monaltrie area which would have benefited from the proposed 'arterial' road. Population growth has fallen far short of those projections and the Monaltrie area, if developed for urban purposes at all, may not be required within the next 20 years. Therefore there is no strategic requirement for an upgraded link road in this location.

It is understood that the purpose of the proposed realignment is to remove several bends from the road. These bends serve the purpose of reducing traffic speed, giving drivers additional time to see any koalas on the road and respond accordingly. However, the proposed design of the road is recommended to contain several speed bumps aimed at slowing traffic, and the purpose of removing effective traffic slowing devices only to have to create more is questioned.

Because of the loss of koala habitat the Planning Services Section does not support the proposal for realigning and sealing of the road, but would support the sealing of the road, to rural collector road standard, on its current alignment, in addition to placement of signage as recommended in the consultant's reports.

**Group Manager – City Works**

This project has had a very long gestation period and it is pleasing to see consent conditions before Council for determination.

**Development Assessment Engineer**

The road proposed in the application is of a standard equivalent to or better than that required by Council's DCP 28 'Subdivision'. This DCP sets out road standards for different land uses and traffic classifications and is applied to development consents for subdivisions. The proposed road is also identified in Council's existing section 94 plan and is given a high priority rating within the works program. The conditions of approval contained within this report are comparable to those generally applied to part 4 assessments of a similar nature.

Therefore with regard to engineering requirements for developments the proposed conditions of approval are considered consistent with those currently being imposed by Council upon developments.

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

Staff comments consistent with report.

**Conclusion**

Following a review of Mr Scott's "Assessment of the proposed upgrading of Durham Road and Skyline Road, Monaltrie, Lismore", coupled with site visits and discussions with the NPWS it is considered that the proposal incorporates appropriate measures to minimise the potential for adverse impacts on the local koala community.

**Recommendation (GM41)**

1. That Council approve of the proposed upgrade and realignment of Durham Road and Skyline Road, Monaltrie, as set out in plans accompanying Mr Malcolm Scott's report of April 2002 entitled "Assessment of the proposed up-grading of Durham Road and Skyline Road Monaltrie Lismore".
2. That such approval be subject to the "conditions of approval" contained in Mr Malcolm Scott's report of April 2002 entitled "Assessment of the proposed up-grading of Durham Road and Skyline Road Monaltrie Lismore".
3. That Council forward its determination to National Parks and Wildlife Service for its concurrence.

**Subject/File No:** MASTER PLAN FOR OAKES OVAL  
(P849)

**Prepared By:** General Manager

**Reason:** The completion of Crozier Oval has changed usage patterns for Oakes Oval.

**Objective:** To gain Council support for a proposal to prepare a Master Plan for the future development and use of Oakes Oval.

**Management Plan Activity:**

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**Background:**

Oakes Oval has been the premier outdoor sporting venue for Lismore and the Northern Rivers Region for a number of years. It has been and continues to be utilised for key local and regional sporting occasions, and as such is a valuable contributor to Lismore's enviable reputation as a ***City of sporting excellence*** and the associated positive impact on the local economy.

The recent completion and commissioning of Crozier Oval has facilitated an easing of the heavy usage of Oakes by football codes, namely rugby league, rugby union, and soccer, and together with the impending departure of TAFE as the principal lessor of the Gordon Pavilion, this provides an ideal opportunity to review the future development and use of Oakes Oval to enhance its future utilisation in attracting key sporting events to Lismore.

Some of the issues that should be addressed in such a review include:

- An evaluation of existing arrangements for hiring of the facility by local sporting associations;
- An audit of existing facilities at Oakes Oval to ascertain relevance and adequacy for current and proposed future needs;
- An evaluation of options for attracting key/financially viable long term tenants for the Gordon Pavilion and associated areas;
- A review of existing sponsorship arrangements for Oakes Oval with a view to developing an advertising and marketing strategy that will lead to additional revenue generation to support future re-development options;
- Development of a Master Plan for Oakes Oval in consultation with all key stakeholders (including the broader community), the Economic Development and Tourism Unit (Events Section) and the business sector;
- A review of associated sections of the Plan of Management for Lismore Park; and
- A review of associated sections of the Lismore Events Strategy.

One of the options that could be considered as part of this process is the possible development of a *Sporting Hall of Fame* that would showcase Lismore's rich history of sporting achievement. Such a facility could be utilised to attract visitations by tourists/visitors, school children etc, and if combined with corporate sponsorship/investment and management and linked to the existing catering facilities, could become a valuable facility for receptions, conferences, and dining, and thus enhance Lismore and Oakes Oval as destinations for major sporting events and conferences.

There have been plans prepared for the development of an additional floor to the Gordon Pavilion since the current facility was developed. This additional floor proposal could be "dusted off" and reconsidered for use as outlined as part of any master planning process.

**Master Plan for Oakes Oval**

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Whilst it is acknowledged that there would undoubtedly be financial implications in pursuing any future re-development of Oakes Oval, none-the-less it is incumbent upon Council to ensure that it's premier outdoor sporting facility is competitive with those available in other regions in order to ensure that we maximise the opportunity to attract major events to Lismore with the associated flow of revenue to the local and regional economy.

Initial investigations and review could be undertaken by the LDSA Committee with the support of the Economic Development and Tourism Unit Events Office. Funds are likely to be available from State and Federal Government sources for more detailed planning and the ED&T Unit could prepare submissions to help access such funding.

**Manager - Finance & Administration Comments**

Not necessary at this stage.

**Public Consultations**

Would be undertaken as part of the proposed review.

**Other Group Comments**

Further reports to Council incorporating staff comment are proposed once the LDSA Committee has had an opportunity for input.

**Conclusion**

A review of the future use and possible re-development of Oakes Oval is a sensible and logical progression given changes to usage patterns following the completion of Crozier Oval. A Master Plan incorporating future re-development options for Oakes Oval provides an exciting opportunity to begin planning to position Lismore more strongly to effectively compete for major events and provide a timely boost to future tourism marketing.

**Recommendation (GM50)**

1. That the LDSA Committee be requested to liaise with the Lismore Council Economic Development and Tourism Unit Events Office, the business sector, and key stakeholders, to evaluate the proposals contained in this report.
2. That a further report be prepared for the consideration of the Council following this evaluation, such report to clearly outline any proposed actions together with an associated time frame and a budget.

**Subject/File No:** DRAFT DEVELOPMENT CONTROL PLAN NO. 17 – VEGETATION MANAGEMENT ORDER (SP:S453)

**Prepared By:** ENVIRONMENTAL PLANNER – Sandy Pimm

**Reason:** Exhibition period complete

**Objective:** Council adoption of draft DCP 17

**Management Plan Activity:** Strategic Planning

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**Background:**

Council resolved to approve the notification and exhibition of draft Development Control Plan No. 17 (DCP 17) Vegetation Management Order on February 12, 2002. The exhibition period is now complete and no formal submissions were received. This report seeks Council support to adopt the DCP.

Council will recall that this DCP was formerly named the Tree Preservation Order. The major amendments to the former plan were detailed in the report to Council on February 12, 2002 and are summarised below:

- Exemptions – the list of tree species exempt from the requirement to seek approval for removal has been expanded from 11 in the old TPO to 32 in the new document. The list now includes all known environmental weeds of the area, as well as noxious weeds. Situations that are exempt have been brought up to date with current legislation and situations where Council staff may authorise tree removal have been included.
- Development consent - conditions where development consent is required for tree removal have been explained, as has tree removal requiring consent from an authority outside Council.
- Register of Significant Trees - a list of threatened tree species known from the Lismore LGA has been added to the register.
- Procedures – tree removal application procedures, approval conditions and the criteria for removal or for refusal have been listed in more detail.
- The Environmental Weeds Species List has been included as Part 2 of the DCP so that trees are not replaced with weed species.
- A list of native plants for the Local Government Area and their features has been included as Part 3 of the DCP. It is hoped that this list will be used to select replacement species.

Since exhibition, one minor amendment to the DCP has been necessary in order to insert the current enabling clause from Lismore LEP 2000 under Section 2.2 *Enabling Provisions* of the DCP. The exhibited plan showed the former enabling clause no. 17 from Lismore LEP 1992, whereas the current enabling clause in Lismore LEP 2000 is clause 18. The intent of the clauses is the same (see below) and the minor nature of this amendment does not warrant re-exhibition.

**17 Preservation of Trees (Lismore LEP 1992)**

For the purpose of securing an amenity or preserving the amenity of a premise or a streetscape or neighbourhood and securing or preserving Koala habitat, a person shall not, without the consent of Council, ringbark, cut down, top, lop, remove, injure or wilfully destroy

**Development Control Plan No. 17 – Vegetation Management Order**

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any tree contrary to the provisions of any development control plan prepared in accordance with section 72 of the Act.

**18 Preservation of trees (Lismore LEP 2000)**

- (1) *The objective of this clause is to provide that the Council may regulate the removal or lopping of trees for the purpose of securing or preserving the amenity of premises, a streetscape or a neighbourhood and securing or preserving koala habitat by introducing a development control plan.*
  
- (2) *A person shall not, without development consent, ringbark, cut down, top, lop, remove, injure or wilfully destroy any tree identified in a development control plan approved for the purposes of this clause by the Council on land specified or described in that plan.*

**Public Submission**

No written submissions were received, however, Mr Paul Recher supplied comments by telephone and spoke at the Public Access session of the Council meeting on February 12, 2002. In both instances, Mr Recher questioned the impact of exotic plant species on native wildlife and thus the relevance of the plants listed within Schedule 1 (*List of tree species exempt from the Vegetation Management Order*). He claimed such plants, particularly some exotic trees grown for their edible fruit, aided biodiversity and density of native wildlife. Mr Recher also asked why, if some non-native fruit trees were exempt, others (such as Ice Cream Bean or Jaboticaba) were not exempt.

**Response to Submission**

The list of tree species exempt from the Vegetation Management Order (Schedule 1) was compiled using information on current noxious weeds, weeds that have received conditional declaration and those expected to be declared noxious in the near future. Also used was a list compiled by the Environmental Weed Taskforce, the working group of the *NSW North Coast Weed Advisory Committee*, whose role included choosing the worst current and potential environmental weeds on the NSW North Coast. In compiling this list, the Taskforce used a number of weighted factors to rank current and potential environmental weeds. These factors included, but were not limited to:

- The weed's effect or potential effect on biodiversity;
- The weed's invasiveness or competitiveness;
- The degree of difficulty of control;
- The method of dispersal and dispersal distance;
- The rate of spread;
- The ability to establish amongst existing vegetation;
- The ability to limit recruitment of native vegetation;
- The length of infestation.

It is therefore considered that the list reflects the best available information to date. It is recognised that there is likely to be changes to Schedule 1 over time as more information becomes available, and this will be possible by resolution of Council.

**Manager - Finance & Administration Comments**

Not required.

**Public Consultations**

The DCP was publicly exhibited from February 21, 2002 until April 5, 2002. Submissions from the public were invited during this period and received until April 19, 2002. The exhibition period was notified in the Northern Rivers Echo *Infolink* column on February 21, 2002, March 21, 2002 and April 11, 2002.

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**Other Group Comments**

**Manager Parks & Recreation**

This revised DCP is a more pragmatic and workable document offering greater flexibility to the residents and staff alike. In addition it encompasses contemporary practices/procedures for the management of the Urban Forest. It is a more progressive document whilst maintaining a realistic balance by identifying species no longer required for protection thus freeing up valuable staff resources from unnecessary inspections. Importantly it also reflects recent changes in legislation with regard to vegetation management. I support adoption of the document.

**Acting Manager Building & Regulation**

No objections to the adoption of this document were raised by the Acting Manager.

**Conclusion**

Draft Development Control Plan No. 17 *Vegetation Management Order* has been publicly exhibited, advertised and submissions called. No written submissions were received and no insurmountable objections raised. The new DCP clarifies and explains a number of matters that were unclear or outdated in the old Tree Preservation Order. The addition of the Environmental Weeds Species List and list of native plants for the Lismore LGA add an educative role to the DCP in an effort to prevent planting of unsuitable species and so avoid unnecessary applications for tree removal.

**Recommendation (PLA16)**

1. That Council proceed to adopt Development Control Plan No. 17 – Vegetation Management Order.

## LISMORE CITY COUNCIL - Meeting held May 14, 2002

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**Subject/File No:** GENERAL AMENDMENT TO LEP 2000  
(AJ:MJK:S800)

**Prepared By:** Development Assessment Planner – Angela Jones

**Reason:** Minor addition to Amendment 10 of Local Environmental Plan 2000 to include a 'place of public worship' as permissible with consent from Council within the 6(b) Private Recreation Zone.

**Objective:** To facilitate development in Lismore

**Management Plan Activity:** Strategic Planning

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### **Background:**

A recent enquiry highlighted an anomaly in the zone table for land in the 6(b) Private Recreation Zone. The property, which was the subject of the enquiry, is Lot 22 DP 701863, 45 Wilson Street, South Lismore. This property is the South Lismore RSL Branch Hall and is currently owned by Lismore City Council. The enquiry was with regards to the establishment of a church at the existing hall. Upon examination of the Lismore Local Environmental Plan 2000, it was recognized that a 'place of public worship' was prohibited within the 6(b) zone.

The zone table currently permits a 'place of assembly' as advertised development (clause 68.4) but prohibits 'places of public worship' (clause 68.5). These land uses are defined as follows:

*'Place of assembly' means a public hall, theatre, cinema, music hall, concert hall, dance hall, open-air theatre, drive-in theatre, music bowl or any other building of a like character used as such and whether used for the purposes of gain or not, but does not include a place of public worship, an institution or an educational establishment (Model Provisions).*

*'Place of public worship' means a church, chapel or other place of public worship or religious instruction or place used for the purpose of religious training (Model Provisions).*

As both of these land uses have a similar intensity of use, it appears both beneficial and reasonable to include 'places of public worship' as a permissible land use with Council's consent in the 6(b) Private Recreation Zone.

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

Not required.

### **Public Consultations**

The Amendment 10 to LEP 2000 will be on public exhibition for at least twenty eight (28) days pursuant to cl.12 of the Environmental Planning and Assessment Regulation 2000. During the exhibition period, members of the public are invited to make submissions regarding the proposed amendment.

### **Other Group Comments**

Not Applicable

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

Not Applicable

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**Amendment to LEP**

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**Conclusion**

The inclusion of a 'place of public worship' in clause 68.4 of the Lismore Local Environmental Plan 2000 would permit, with Council's consent, the use in the 6(b) Private Recreation Zone. This would provide consistency throughout the zone tables and assist in the facilitation of development in Lismore. Rather than doing a separate amendment to the Local Environmental Plan, it is suggested that this proposed minor addition be included in the amendment that Council resolved at it's last meeting.

**Recommendation (PLA14)**

It is recommended that:

1. Pursuant to S. 54 of the Environmental Planning & Assessment Act, draft Amendment No. 10 to LEP 2000 (General Amendments for 2002) include 'places of public worship' as permissible with Council's consent in the 6(b) Private Recreation Zone; and
2. The proposed draft LEP be exhibited in accordance with the Best Practice Guideline published by the Department of Urban Affairs and Planning in January 1997 titled LEPs and Council Land - Guideline for Council using delegated powers to prepare LEPs involving land that is or was previously owned or controlled by Council.

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

**Prepared By:** General Manager's Office

**Reason:** Requirement of the Act

**Objective:** Information and Annotation of Councillors

**Management Plan Activity:**

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**Background:**

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

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

**Recommendation:**

That the report is received and content noted.

**GROUP: GENERAL MANAGERS'**  
Management Plan Review  
Period ending March 2002

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

**Communications and Community Relations**

- Communications Strategy – progressive implementation, including:-
  - Wrote, and published online, staff media training kit and continued with staff media training.
  - media plan implementation of all managers and programme officers, including new work and reporting procedures, supported by staff seminars.
  - Proactive media planning and discussion with staff.
- Crisis Management Plan – Organised and hosted a crisis management training day for senior managers.
- Internet – delivery of new internet site on 27 February 2002
- Community Relations – Initiated and held the inaugural Flood Awareness Week, including liaison with the SES, Lismore Unlimited, Northern Rivers Area Health Service, Southern Cross University, Department of Community Services, Education Department, Catholic Education Office, Kirklands and media outlets.
- Progressed discussion with external consultant on benchmarking community survey of attitudes to council services.
- Completion of Annual Report 2001.
- Issue management – maintained daily pro-active media schedule, including maintenance of positive media profile on issues and exceptionally high media coverage of events (greater than 98%)

**Client Services**

- Supervise the removal of surplus buildings on OLHS and general clean up of site.
- Assist City Works to prepare for flood season.
- Prepare reports regarding scope of works required to continue to operate Lakeside pool.
- Continue to work with Lismore Water to ensure best value for money spent on infrastructure renewal and maintenance.
- Supervise the Memorial baths project.
- Continue to bring the Land Register up to an acceptable standard.
- Continue to prepare and advertise tender and expression of interest documents.
- Assist with Strategic Planning of urban land release strategy.
- Continue to assist with negotiations for sale of Council land to Lismore Square.
- Continue to manage Riverbank Redevelopment project and ensure liaison with Levee Committee.
- Coordinate the redevelopment of Cenotaph.
- Continue to manage the LCC v Steltech case, including some statement and evidence collation.
- Promote and prosecute property sales.
- Continue to oversee Skyline Road proposals.

**Human Resources**

- As indicated during the HR session in Council's series of Expenditure Review Forums, a review and best practice study has been undertaken. A number of significant changes have been recommended and with endorsement of MGM, an implementation plan has been put in place for consultation over these changes, which involve relocation of staff and advertising of two positions. The outcome of staffing changes should give the section a more strategic focus, achieve significant savings, some short-term and some a longer timeframe linked to the introduction of a new HR Information System and greater use of technology to overcome time-consuming manual processing.
- In accordance with Council's agreement on the skills assessment, Human Resources staff is working through the few remaining assessments which have been delayed due to difficulties in identifying progression criteria. These outstanding assessments near to completion.
- Skills Assessment Working Party is to meet to confirm the revised procedure that will be employed as the 2002 assessment timetable is to commence in August.
- One of our key objectives from the skills process was to ensure that our position profiles aligned with the Local Government Competency Standards. There have been some significant changes to some of the administrative certificate qualifications, and our assessment process will need to take these into account.
- Also an important item on our agenda is to explore an appropriate performance management system for Council staff. The Manager Human Resources recently put forward a discussion paper to MGM outlining how a system incorporating the development of individual work plans might be put in place. Further consultation and discussion will take place in coming months.
- The GM recruitment process is well in train, Councillors would be aware of progress from regular reports. The response to our advertising and search strategy has been very positive.
- Council continues to support staff with professional development through the Educational Assistance program. It is pleasing to see that a number of staff are making a personal commitment to pursuing further qualifications, made more achievable through Council's financial assistance towards course fees and time off to attend exams.

**Economic Development / Tourism**

- Completion of the Photo Library Project - CD Rom (\$25) now available for purchase from the VIC, images used on Council Annual Report and Website.
- Promotion at the Byron Visitor Centre (veranda) carried out in the two-week period following the New Year. Significant level of enquiry and direct bookings made via mobile phone.
- Lismore loves Queenslanders - launch of a new tourism initiative focusing on the attraction of self-drive tourists from SE Qld.
- Short breaks promotion - working with Tourism NSW & Northern Rivers Tourism for promotion. A Lismore package has been put together with five other areas of the Northern Rivers. This package to be promoted heavily in SE Qld area over next few months.
- Investment Guide - considerable further work on the development of an document and web presence to promote Lismore as and investment destination.
- Residential Land Workshop - A successful workshop despite the blackout and threatening storms. A sub-panel of LEDAB will follow through on issues raised in the forum. A proposed strategy will be brought to Council.
- Director General of the Department of State and Regional Development - Mr Loftus Harris and a number of senior people from the Department made a visit to a number of Lismore based firms and also met with the EDU/Lismore Unlimited and the Lismore BEC.
- Tourism Development and Marketing Officer - Sally Hoolihan commenced in this position. Sally and the EDU has become further involved in the Promotions Plan activities.
- Mapping Australia - various meetings aimed a progressing this exciting development. A briefing of Councillors and the members of LEDAB is planned for 29th April.
- Assisted APEX with successful bid for National Conference to be held next year
- Completed major review of Masters Games ...matters to be reported to Council on May 14

- Compiled bid for major National Cricket tournament to be held in Jan 2005 ( 11 days )  
...recently advised we are on the " shortlist " ( either Lismore or Tamworth )

**GROUP: CORPORATE & COMMUNITY SERVICES**

Management Plan Review  
Period ending March 2002.

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

**Administration and Finance**

- *Electronic Display of Minutes* – trial commenced for period February to May 2002 to display motions/amendments being debated at Council Meetings. Feedback to date from management and Councillors is positive.
- *Footpath Risk Management* – policy has been reviewed in accordance with advice from our insurers. The database has been refined; a revised works program developed and a budget submission prepared. An analysis of "footpath trips v footpath audit" indicates a close correlation between them especially in the CBD.
- *2002/03 Budget and Management Plan* – all submissions now received and a draft document is being prepared for preliminary consideration of management and then Council.
- *Interim Audit* – Council's Auditor conducted an interim audit to December 2001. There were some minor internal control issues raised and these have now been addressed.
- *Review of Councillor Request System* – Councillors were provided with the outcome of the review and the Staff Procedure to manage this process was updated to reflect the suggested improvements submitted and changes to existing practices.

**Information Services**

- *Review of Customer Service and Records Management* - the key findings of the Abraxa (consultants) report identified opportunities that staff may wish to explore to enhance the future provision of these services. MGM have adopted an implementation plan to progressively look at implementing the recommendations of the review.
- *Council's new web site* - Version 1 was launched on 8/2/02 in parallel with Flood Week and was officially launched to the public on 27/2/02.
- *Civil (core computer system)* – the Graphical User Interface (GUI) software has been installed in a test environment and system testing is 95% complete. User acceptance testing commenced in February and full implementation is planned for May.
- *Councillors Home Computer Facilities* – a business case was adopted by Council at its meeting 12/3/02 which will mean that following the next election in 2003, Councillors will be provided with these facilities.

**Community Services**

- *Redevelopment of the Memorial Pool* – Council at its meeting in March adopted the schematic design as presented by the architect. This design will serve as a master plan for the site and includes all future options and possible stages. Cost options will be presented to a Council workshop on 16/4/02, followed by a Special Council meeting.
- *Lismore Lake* – as part of Council's licence application to pump water into the lake, the DLWC will be undertaking an environmental assessment. Further environmental assessment may be required following DLWC's findings.
- *Art in the Heart* – several surplus buildings have been removed or demolished and temporary fencing erected around the site, to limit vehicular and pedestrian traffic. Council has now agreed to obtain detailed costing for the library refurbishment and DA approval is expected in late April. Wendy Adriaans and Lois Kelly visited Sydney in March, meeting with key

government and arts industry personnel to discuss the project, in particular to lobby for future funding. Support and interest for the project was extremely positive.

**GROUP: PLANNING AND DEVELOPMENT**  
Management Plan Review  
Period ending March 2002.

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

Recruitment process for new Manager-Environmental Health and Building continued and is nearing completion.

#### Planning Services

- Koala Management Plan - Steering Committee to meet 8 May to consider report on implications of reducing area to which draft plan applies to accord with Urban Development Strategy.
- LEP 2000 - General amendment for 2002 reported to Council's March meeting, with Council resolving to defer pending workshop on heritage items. Workshop programmed for 23 April.
- Review Urban Development - Close of period for lodgement of expressions of interest Strategy for inclusion of additional land in draft Strategy. Draft to be reported to Council's May meeting for endorsement for exhibition.
- Review DCP's - DCP 17 Tree Preservation Order public exhibition closed, to be reported to Council's May meeting for adoption.
- Draft DCP 42 Guidelines for Urban Design & Weather Protection in the CBD adopted at Council's March meeting, to be included in Development Manual update.
- Review of Section 94 Plan - Project team to meet 8 April to program remaining amendments and determine budget/resourcing demands.
- Monitoring of Development Applications - Average Processing time/application 42.33 days for the quarter (standard – 40 days)

#### **Building**

- Inspection of Boarding Houses Common Places of Lodging - No inspections undertaken during quarter due to temporary staff shortage occasioned by restructure.
- Inspection of Places of Public Entertainment & Public Halls-Three public buildings inspected resulting in issue of notices.
- Monitoring of Development Applications- Average Processing time/application 25.06 days for the quarter (standard – 25 days)

#### Environmental Health

- Undertake environmental audits- Grant funding obtained under EPA Stormwater Trust with audit of commercial & industrial premises to commence in July 2002.
- SoE reporting commitments - On schedule with water sampling to commence April 2002.

#### **Environmental Strategies**

- Support/review implementation - Stage 3 (Organics service in outer CBD) completed of new waste service, Stage 4 due July 2002.
- Undertake annual waste audit- Actually completed December 01. Next audit due June 02.
- Review integrated waste - Internal review completed. External review by Tryton management strategy currently under way.

U

- . Participate in regional NEWF - involvement ongoing with staff identified to co-operation participate in procurement policy training.

**GROUP: BUSINESS AND ENTERPRISE**  
Management Plan Review  
Period ending March 2002

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

**Lismore Regional Airport**

- Passenger numbers at Lismore continue to hold however these remain at levels below September 2001.
- An automatic weather station was installed at the Lismore Regional Airport at the cost of the Bureau of Meteorology. This substantially improves information and safety for air travellers.
- CASA audited the airport and no major issues were raised.
- An application for funding of the aboriginal mural was put to the Arts Council.
- Meetings were held with interested parties in relation to the Mapping Australia proposal.

**Northern Rivers Quarry & Asphalt**

- Report received from CMS consulting regarding the quarry management structure. This is in the process of being discussed and implemented.
- Civicworks Pty Ltd trading as Asphalt Aggregates Australia have had a deed of arrangement approved by the creditors and this will be managed by the administrator.
- Council has installed a new screen deck (screen #3) to screen out a further three products from <7mm.
- A new aggregate pre-coating plant is currently under construction to avoid processing this material through the asphalt plant.

**Lismore Memorial Gardens**

- Work commenced on preparing the new Lismore Memorial Gardens business plan.
- New plan expected to be delivered in Q3 and Q4.
- Responses for the EOI process regarding a memorial garden master plan have been received and are currently being reviewed. Decision on a preferred supplier to be made Q4.

**Lismore Water**

- Council has sought leave to appeal in the case regarding the turf farm. Council has also written to the LGSA seeking assistance with the costs of the appeal.
- A substantial review of the financial model for both the water fund and the sewer fund has been completed and will be reported to Council with the business plan in Q4.
- Council called for EOI for the management of the Airport turf farm. Responses were received and Council will commence the process of negotiating an agreed position. Oil harvested to date is yet to be sold.
- The capital works program is well progressed and expected to be substantially completed by the end of the financial year.
- A submission was made to the expenditure review committee for the addition of further engineering resources to address additional water and sewer capital works.

**Northern Rivers Waste**

- Continue to work closely with Tryton through the implementation of the worm farm.
- Council has hosted a number of visits to the site for interested parties.
- Commence expanded collection services to the CBD with our objective of expanding the organic collections.

**Property**

- Report prepared to Council for acquisition of Crown Land for access to North Lismore quarry.
- Commenced the data collection process to prepare information for the business planning cycle for the plan to be completed in Q4.

**GROUP: CITY WORKS**  
Management Plan Review  
Period ending March 2002.

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

**Parks & Recreation:**

- Nimbin toilet block upgrading continuing.
- Grass cutting programme on schedule.
- Path sweeping programme on schedule.
- Toilet cleaning programme on schedule.
- Garden maintenance programme slightly behind schedule.
- Capital works projects: Weston Park, Oakes Oval and Nielson Park completed within budget.
- Playground upgrade undertaken at Bob Cowley Peace Park.
- Comprehensive inspection of all playgrounds completed in January.
- DA approved for sheds at Coronation Park; demolition to commence mid-April.
- Footbridge at Wade Park completed ahead of schedule.
- Sports ground renovations carried out at Caniaba Street Reserve, Hepburn Park & Rec 12.

**Emergency Services:**

- Lismore SES Unit provided –
  - out-of-area assistance with the Evans Head fires – 1,000 hrs
  - assistance with the Lismore storm on January 16 (over 35 jobs assigned) – 168 hrs
  - out-of-area assistance with the Kingscliff storm (2 rescue teams/1 operations team over six days) – 1,200 hrs
  - assistance with the Lismore storm on February 2 (mainly damaged roofs) – 4 hrs
  - assistance with the Lismore storm on February 5 (2 rescue crews helped to control flash flooding within the CBD) – 17.5 hrs
  - assistance with the Lismore storm on February 18 – 274 hrs
  - assistance with the severe hail storm in Lismore on March 26 (14 members on deck helping with fallen trees and roof damage) – 112 hrs
- Two crews volunteered to help with the severe storm events in Sydney.

**Total of 196 jobs were assigned for the period of 1/1/02-31/3/02: 1,691 hrs**

**Bush Fire Services:**

- Dry conditions resulted in extension of Bush Fire Danger period through until April 14, 2002.
- Training has been very busy during this quarter with the following courses being run: Chainsaw, Rural Fire Driver, Breathing Apparatus Operator, First Aid and Basic Fire Fighter.
- Brigades from Lismore continued to provide responses to various areas within the State over the January fire period with very positive feedback.
- Work has commenced on the Fire Control Centre extensions at Wyrallah Rd Works Depot.
- Community fireguard facilitators have commenced 2002 community education programme

**Urban Roads:**

- Hunter Street stormwater construction.
- Entrance to Crozier Oval.
- Invercauld Road / Ballina Road intersection, Goonellabah.
- Commenced Pineapple Road Ring Road.

**Rural Roads:**

- Completed MR412 - Nimbin Road, Boorie Creek.
- 70% of reseal programme complete.
- Commenced Koonorigan Road construction.
- Commenced Caniaba Road construction.
- Commenced Pelican Creek Road reconstruction.

**Bridges:**

- Gail Place and Caldwell Avenue footbridges, East Lismore.
- Crozier Oval complete.
- Cenotaph (Stage 1) complete.
- Completed flood restoration works to Seccombe Bridge, Budgen's Mill Bridge and McMullen Bridge.
- Deck replacement on Webster Creek Bridge (Stony Chute Road).

**Workshop and Fleet Operations:**

- Initiated modifications to Quarry dump truck, at Supplier's cost, to ensure that maximum payload can be transported.
- Apprentice 'Welder' and 'Plant Mechanic' applications short listed. Interviews held and new apprentices appointed.
- Recommendation for replacement motor grader presented to Council and grader purchased upon Council approval - now in service.
- Quotations for replacement of Parks & Recreation Department truck and Sewer Service truck advertised and closed.
- Tender for roadworks replacement water tanker advertised and closed.
- 'Sign Shop & Workshop Manager' single position finalised with MGM.
- LCC Heavy Vehicle annual inspections with RTA - 100% pass.

**Traffic, Enforcement, Street Lighting and Road Safety:**

- Upgrade of lighting in the Rowing Club Carpark complete.
- Street lighting upgrade investigation commenced for area around the Base Hospital.
- Regulatory signposting scheme for inner lane system of CBD complete.
- 'PAMP' Plan commenced.
- 'Drinks Without Dramas' campaign continues.
- 'Wet Weather' campaign.
- 'Buckle Up' campaign.
- 193 dogs life-time registered.
- 73 infringements issued.

**Survey, Design and Subdivision Control:**

- Lismore Airport OLS (Obstacle Limitation Surfaces) Plan.
- Road Safety Park at Wade Park, East Lismore.
- Caniaba Road Cutting, Caniaba - 1.3Km-2.7Km west of Fredericks Road.
- Woodlawn Road, North Lismore - Racecourse to Houlden Road.
- Casino Street Drainage, South Lismore - West of Hanlon Street.

**Development Control:**

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**Design Plans Assessed:**

- Residential Subdivision - Palmvale Drive, Goonellabah.
- Residential Subdivision - Waratah Way, Goonellabah.
- Residential Subdivision - Cecil Street, Nimbin.

**Jobs Under Construction:**

- Residential student accommodation at Southern Cross University.
- Telstra Call Centre - Simeoni Drive. Goonellabah.
- Residential Subdivision - Avalon Avenue, Clunes.
- Residential Subdivision - Cecil Street, Nimbin.
- Residential Subdivision - Joy Street, Goonellabah.
- Rural Residential Subdivision - Cowlong Road, McLeans Ridges.
- Rural Residential Subdivision - Johnson Road, Eltham.

## LISMORE CITY COUNCIL - Meeting held May 14, 2002

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<b>Subject/File No:</b>	MARCH 2002 QUARTERLY BUDGET REVIEW STATEMENT (GB: S779)
<b>Prepared By:</b>	Principal Accountant – Gary Boyd
<b>Reason:</b>	Clause 7, Local Government (Financial Management) Regulations 1993
<b>Objective:</b>	To gain Council's approval to amend the 2001/02 budget to reflect actual or anticipated results.
<b>Management Plan Activity:</b>	N/A

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### **Background**

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

This review of the "budget versus forecast actuals" has been carried out at a program level. Significant variances, which impact on working funds have been identified in this report.

While undertaking this review, it was noticeable that the majority of budgets appear to be on target. However, there is concern expressed that there is little margin for error if unexpected situations arise.

### **General Fund**

The 2001/02 Budget provided for a working fund surplus of \$30,000. The September review amended the result to a working fund deficit of \$15,900. The December review reported a surplus of \$100,600. This review details a return to a deficit of \$55,400.

For Councillor's benefit, the movements in the working fund surplus are detailed in the table shown below.

<b>Description</b>	<b>Amount \$</b>
<b>Opening Balance at January 1, 2002</b>	<b>100,600</b>
Add – General Purpose Revenues adjustment to actuals	9,000
Add – TV Blackspot and Mount Nardi Mobile Tower funds not required this year	7,500
Add – Interest expense savings from deferred borrowings	10,000
Less – Increase in bank charges resulting from new tender negotiations	(45,000)
Less – Upgrade of Fire Control Centre as per Council resolution	(50,000)
Less – Crozier Oval additional works primarily relating to fitting out canteen	(30,700)
Less – adjustment to contribution to Rural Fire Service	(1,800)
Less – estimated reduced landing fee income for the Airport to the end of June, based on monthly trends for 2002.	(55,000)
<b>Closing Balance at 31 March, 2002</b>	<b>(55,400)</b>

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

# LISMORE CITY COUNCIL - Meeting held May 14, 2002

## March 2002 Quarterly Budget Review Statement

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### Human Resources

#### **Skills Assessments**

To the end of March, details for the majority of staff who have now been assessed on their skills has now been finalised. In total the back-pay amount paid was \$330,000. The amount required from the ELE reserve for general fund was \$272,000 after excluding Water and Sewerage funds and the self-funded departments.

#### **Oncost Rate**

Council paid GIO, our previous workers compensation insurer, \$98,000, being an adjustment for the 2001 calendar year. This adjustment was due to the actual claims being greater than the estimated claims. To fund this additional payment, by the end of the financial year, the oncost rate for wages staff has been increased slightly. This approach is consistent with past practices.

There are numerous small increases in operating expenditures throughout this review as highlighted in Attachment A. Many of these relate to the adjustments made for salary and wage increases resulting from the finalised skills assessments.

### Borrowings for 2001/02

#### **Flood Mitigation Loan Funds**

Council resolved in February 2002 to accelerate the acquisition of flood prone properties to meet the demand being created by the Lismore Levee and Lismore Floodplain Risk Management Plan. As there were insufficient funds, it was determined that Council would borrow \$200,000, using the annual contribution to repay the loan, through Richmond River County Council.

After reviewing Council's loan borrowing for 2001/02, it was clear that there was capacity for Council to borrow this amount directly. On this basis, the provision for greater management flexibility and the potential to earn interest on the unexpended portion of the loan, management decide to borrow these funds in 2001/02.

#### **Urban Roads Loan Funds**

The \$450,000 that was to be borrowed for works on the redevelopment of the CBD has been deleted from this year's budget due to the community surveys required for this project not being finalised in time for works to commence this year.

#### **Memorial Baths Redevelopment Loan Funds**

The funds that were anticipated for 2001/02 relating to the Memorial Baths have not been required this year. Subsequently, borrowings of \$300,000 have been removed from this year's budget.

### Economic Development Unit – Riverbank Project

Earlier this year a debtor was raised for \$276,000 for works relating to the Riverbank Project. This was in recognition of grants funds that were to be received from the Department of Employment, Workplace Relations and Small Business. These funds were contingent on grant funds from the State Rail Authority (SRA) for works on the river wharf. Due to environmental issues the grant funds from the SRA have not been forthcoming. Consequently the \$276,000 grant and expenditure have been deleted from this year's budget as it is uncertain when these funds will be received.

### RTA Works

Further changes to the program of works as approved by the RTA have been incorporated into the current budget. This has resulted in an increase in funds received of \$237,500 across a variety of programs and a corresponding increase in expenditure line-items.

# LISMORE CITY COUNCIL - Meeting held May 14, 2002

## March 2002 Quarterly Budget Review Statement

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### Quarry

There has been a significant decrease in the forecasted profit for the quarry operations. This amount totals \$366,000. A further breakdown and explanation is detailed in the table below.

Budget Item	Amount
Decrease in Blakebrook quarry sales - consisting of a \$24,000 increase in internal sales, a \$177,000 decrease in external sales. And a \$6,000 increase in delivery charges. This is a reflection of the market at present.	(147,000)
Decrease in asphalt plant sales – internal sales have decreased by \$132,000 and external sales have been increased \$74,000. The introduction of the Paveliner in Cityworks has reduced demand for internal asphalt sales.	(58,000)
Increase in Blakebrook quarry expenses	(53,000)
Increase in Asphalt Plant expenses – due largely to material supply costs	(108,000)
<b>Total is a decrease in transfer to reserves amount reflecting cash profit reduction</b>	<b>(366,000)</b>

### Group Manager Business & Enterprise Comments

NRQ&A have taken steps to increase asphalt prices and the industry has recently seen the first realistic increases in aggregate and quarry product prices after a prolonged period of intense competition. The changes bring the forecast profit for the year to \$70,000, which is achievable under the current conditions but still allows for a dividend to general fund of \$128,000.

### Water and Sewerage Funds

A balanced budget position has been achieved in both funds to March 31, 2002.

In the sewerage fund the major change relate to the Sewerage Fund taking up the contractual obligations of the Tea Tree Farm situated at the Airport in the short term. This has resulted in an increase in expenses for the Sewerage Fund of \$130,000 with a corresponding transfer from reserves.

There have been no changes to the Water Fund budget in the third quarter.

### Manager - Finance & Administration Comments

Included in the body of the report.

### Public Consultations

Not required.

### Other Group Comments

Included in the body of the report where relevant.

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

Not applicable.

# **LISMORE CITY COUNCIL - Meeting held May 14, 2002**

## **March 2002 Quarterly Budget Review Statement**

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### **Conclusion**

#### **Change in Net Assets**

The 2001/02 Management Plan showed a surplus in the "Change in Net Assets" of \$938,000. Based on the September and December Quarterly Review for 2001/02 this amount was reduced by \$15,000 and then increased by \$538,000 to give a total of \$1,461,000. This review decreases the surplus by \$273,000 to give a total "Change in Net Assets" of \$1,188,000.

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

### **Recommendation (COR15)**

1. Council adopt the March 2002 Budget Review Statement for General, Water and Sewerage Funds.
2. This information be submitted to Council's Auditor.
3. Council confirms management's actions in borrowing \$200,000 for Flood Prone Property Acquisitions.

## LISMORE CITY COUNCIL - Meeting held May 14, 2003

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**Subject/File No:** COUNCILLOR MEMBERSHIP OF THE NORTHERN RIVERS HERB FESTIVAL (AUGUST 17 & 18, 2002) COMMITTEE (JB:LC:S704)  
**Prepared By:** Events Co-ordinator – John Bancroft

**Reason:** Request from Herb Festival Steering Committee

**Objective:** Increase Council input and awareness re the Event.

**Management Plan Activity:** -

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### **Background:**

Council on April 16, 2002 resolved to

*“allocate \$20,000 in the budget towards the Herb Festival in 2002. This amount to be inclusive of the services Council usually provides such as water usage, banner fee, barricades, waste removal and other items listed on page 13 of the report. The item be further considered for an increase after the budget is considered. Funding be for one year only”.*

Council, along with Lismore Unlimited and Southern Cross University, is a major/key player in the future of the Festival hence Council membership on the Herb Festival Committee is warranted.

### **The Herb Festival Committee**

The Herb Festival Committee currently consists of:

- Louise Barry - Event Co-ordinator
- Marion Forwood – Lismore Unlimited
- Heather Williams – Northern Rivers Echo
- Lois Kelly – EDU Project Co-ordinator
- John Bancroft – Events Co-ordinator
- David Fluery – Board Member - Lismore Unlimited
- Christine Cox – Board Member - Lismore Unlimited
- Andrew Lovett – Manager Economic Development & Tourism
- Michelle Bailey – Administrative Co-ordinator – General Manager
- Melissa Hughes – President Australian Herb Growers Industry Assoc.
- Emma Newman – Co-ordinator of AusDance NSW
- Liz Terracini – Managing Director of NORPA.

The Committee's role is to assist Event Organiser, Lismore Unlimited, with aspects of the Herb Festival's management and promotion such as:

- Sponsorship generation
- Marketing and
- Site preparation.

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

N/a.

### **Public Consultations**

N/a.

### **Other Group Comments**

N/a.

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## **LISMORE CITY COUNCIL - Meeting held May 14, 2003**

### **Councillor Membership of the Northern Rivers Herb Festival Organising Committee**

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

N/a.

#### **Conclusion**

Further input from Lismore City Council is sought via Councillor membership on the Committee, which currently meets at 2.00pm on the last Thursday of each month.

#### **Recommendation GM45**

Council nominate Councillor \_\_\_\_\_ as a member of the Northern Rivers Herb Festival Organising Committee.

## LISMORE CITY COUNCIL - Meeting held May 14, 2002

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**Subject/File No:** CONTRIBUTION TO LEGAL COSTS -TELECOMMUNICATION CARRIERS  
S158, 02-4957

**Prepared By:** Group Manager Corporate & Community Services – Col Cooper

**Reason:** Request by Local Government & Shires Association

**Objective:** Council determine level of contribution

**Management Plan Activity:** N/A

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### **Background:**

The Federal Court in December 2000 found in favour of NSW & Victorian Councils being able to charge telecommunication carriers for their use of public land. Not surprisingly, Telstra and Optus appealed this decision and on April 11, 2002 the Federal Court of Appeal found in favour of the carriers and awarded costs against the councils for the appeal. Costs for the first hearing are yet to be considered.

The decision to take both these actions was endorsed by the fourteen metropolitan councils and was based on the premise of councils being able to seek a fair and reasonable contribution to the community for the use of public facilities. Significant legal costs have been incurred on behalf of the councils and they must take responsibility for funding these actions.

### **Request for Contribution**

The LGSA has sought legal advice on the likely costs and prospects of success in mounting an appeal to the High Court and advice from the former Solicitor - General of the Commonwealth, Sir Maurice Byers QC believes that the case is strong and the Appeal Judges erred.

A meeting of metropolitan mayors unanimously endorsed the lodgement of an appeal to the High Court and in light of benefits that are likely to flow to all councils, a contribution of \$4,391 based on the pro-rata formula is being sought from Council.

The LGSA advise that the issue is not just about telecommunication cables. It is a challenge to the legal right of councils to charge for the use of public property by commercial interests and affects all councils right to seek recompense on behalf of their citizens.

The LGSA is requesting Council to endorse the action taken and a commitment to contribute to the costs. As this is a significant issue and contribution amount, I do not intend making a recommendation as to the level of contribution and it is left entirely to the discretion of Council.

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

If Council agrees to contribute towards the High Court appeal, it will more than likely be payable in 2002/03. The funding will be from existing legal cost budgets.

As to whether we should support the appeal or not, if successful, we may be able to generate significant revenue from businesses using public property for commercial interests. Examples could include Telstra, Optus and Country Energy.

### **Public Consultations**

Not required.

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## **LISMORE CITY COUNCIL - Meeting held May 14, 2002**

### **Contribution to Legal Costs – Telecommunications Carriers**

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#### **Other Group Comments**

Not required.

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

Not required.

#### **Conclusion**

The options available vary from no contribution, then increasing right up to the amount requested, being \$4,391. As this is not a compulsory contribution, Council could opt to make a lesser donation. I would anticipate that any contribution would not be required until some time in 2002-2003.

#### **Recommendation (COR16)**

That Council determine the amount of contribution to the LGSA appeal to the High Court.

**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:-

**Contract of Sale and Transfer – Sale of Lot 22, DP 855155, 16 Bristol Circuit, Goonellabah**

Council has received an offer of \$52,000 for the purchase of Lot 22, DP 855155, being vacant land. This price is consistent with the previous two sales, being Lot 20 for \$47,000 and Lot 23 for \$52,500. This resolution to execute the contract of sale and transfer documents follows Council's previous resolution of July 2001 in which Council resolved to sell Lot 22.

(P25533)

**Sale of Lot 16 DP855155, 4 Bristol Circuit, Goonellabah**

Council has received an offer of \$49,000 for the purchase of Lot 16 in DP855155, being vacant land at Bristol Circuit, Goonellabah. This lot was previously valued at \$46,000 and is somewhat steeper than the lot noted above. The price is above expectation and considered good value.

This resolution to execute the contract for sale and transfer documents follows Council's previous resolution of July 2001 in which Council resolved to sell Lot 16.

(P25527)

**CONFIDENTIAL MATTERS - COMMITTEE OF THE WHOLE**

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

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

**Recommendation:**

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

**Item 1:** Lismore Square Property Matters

**Item 2:** General Manager's Annual Performance Review 2000/01 and associated matters

**Item 3:** Appointment of New General Manager

**Grounds for Closure -**

<b>Section 10D(2):</b>	<b>Item 1:</b>	Section 10A (2)(d)
	<b>Item 2:</b>	Section 10A (2)(a)
	<b>Item 3:</b>	Section 10A (2)(a)

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

- Present:** His Worship the Mayor, Councillor Gates; Councillors Baxter, Chant, Crowther, Gallen, Hampton, Irwin, King, Roberts, Suffolk, Swientek and Tomlinson, with the General Manager; Group Managers- Corporate & Community Services, City Works, Planning & Development, Business & Enterprise; Manager-Client Services, Manager-Finance & Administration, Manager-Community Services, Manager-Planning Services, Manager-Human Resources, Manager-Economic Development & Tourism, Events Co-ordinator, Aboriginal Development Officer, Administrative Services Manager, Engineering Secretary and Team Leader-Administrative Support.
- 54/02 **Apologies/** Leave of absence was granted to Councillors Chant (April 18 - 24);  
**Leave of** Gallen (April 16-21) and Tomlinson (April 16-21).  
**Absence:** (Councillors Chant/Crowther)
- 55/02 **Minutes:** The Minutes of the Ordinary Meeting held on March 12, 2002,  
were confirmed.  
(Councillors Crowther/Chant)

**PRESENTATION TO LORELLE PITTON:**

The Mayor paid tribute to Lorelle Pitton's long service with Council, the last ten years as Team Leader-Customer Service at Council's Administration Office.

Lorelle commenced at Terania Shire Council on January 31, 1956 as a clerk/typiste.

She left in 1963 to start her family and returned to Terania Shire in 1969 where she worked till amalgamation with Lismore City and Gundurimba Shire Councils. Upon amalgamation Lorelle was appointed to the Health & Building Section of Council where she carried out duties of typiste, cashier and customer service.

Lorelle has always been a well respected staff member of Council and the Mayor said he had never heard a word of complaint about her. He praised her for her patience and tolerance with members of the public and her dedication to her job.

The Mayor presented Lorelle with a certificate of service and a cheque as a gratuity in accordance with Council policy.

Lorelle responded, and said she had enjoyed every one of her total of 40 years work in local government.

(E/PIT-019)

**PUBLIC ACCESS SESSION:**

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

**Mr Laurie Stubbs re Notice of Motion - Funds for Rural Road Network**

(Refer Minute 58/02)

Mr Stubbs raised the issue of the amount of money collected from rural rates spent on rural roads. He wanted a greater percentage spent on rural roads. He also called on Council to develop new and innovative methods to work more efficiently on the rural roads network.

(02-3617: S802)

**Kylie Caldwell from Aboriginal Interagency re Report – Mayoral Comments on Indigenous Film “Rabbit Proof Fence”**

(Refer Minute 60/02)

Ms Caldwell spoke on behalf of the Ballina/Byron and the Lismore Aboriginal Interagencies. She questioned the motive and intention in having the article published in The Northern Star and raised a number of questions around this matter.

(02-3244: S136)

**Louise Barry re Report - Northern Rivers Herb Festival**

(Refer Minute 61/02)

Ms Barry cited the success of the first Herb Festival in both the short and long term and sought Council's financial support for ongoing events.

(S704)

**NOTICE OF MOTIONS**

**Council Budget – Statutory Obligations**

Formal notice having been given by Councillor Irwin it was **MOVED**

- 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.

(Councillors Irwin/Roberts)

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

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

(02-3190:S802)

**Independent Review of Container Deposit Legislation**

56/02 Formal notice having been given by Councillor Irwin it was **RESOLVED** that Council :

- 1 Note 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 Call on the State Government to implement the recommendations of the report.
- 3 Write 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.
- 5 That Council write to the Federal Environment Minister and local member and the State Opposition.

(Councillors Irwin/Gallen)

(02-3188: S763)

**Regional Air Services**

57/02 Formal notice having been given by Councillor Irwin it was **RESOLVED** 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.

(Councillors Irwin/Crowther)  
(02-3427: P9733)

**Funds for Rural Road Network**

Formal notice having been given by Councillor Tomlinson it was MOVED 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.

(Councillors Tomlinson/Roberts)

On submission to the meeting the MOTION was DEFEATED.

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

A FORESHADOWED MOTION WAS MOVED that the issue of the condition of rural unsealed gravel roads be referred to the Roads Management Committee for them to consider re-allocating funds from capital expenditure programme to the unsealed roads gravel maintenance programme

(Councillors Roberts/Irwin)

58/02 **RESOLVED** that that the issue of the condition of rural unsealed gravel roads be referred to the Roads Management Committee for them to consider re-allocating funds from capital expenditure programme to the unsealed roads gravel maintenance programme.

(Councillors Roberts/Irwin)

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

(02-3617:S802)

**Unsealed Roads**

Formal notice having been given by Councillor Tomlinson it was MOVED 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.

(Councillors Tomlinson/Irwin)

AN AMENDMENT WAS MOVED that this matter be referred to the Roads Management Committee for a recommendation.

(Councillors Gates/Hampton)

The voting being tied the Mayor declared the amendment APPROVED on his casting vote.

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

59/02 **RESOLVED** that that this matter be referred to the Roads Management Committee for a recommendation.

(Councillors Gates/Hampton)

**Voting Against:** Councillor Gallen.

(02-3616: S745)

**Council Determination of Development Applications**

Formal notice was given by Councillor Irwin that any development application with more than 10 objections come to Council for determination.

(Councillors Irwin/Tomlinson)

At the request of the mover and seconder the motion was WITHDRAWN.

A FORESHADOWED MOTION WAS MOVED that the policy be referred back to the Planning Department for them to bring a revised policy document to the next Council meeting to bring a definition to the word "substantial".

(Councillors Roberts/Swientek)

On submission to the meeting the FORESHADOWED MOTION was DEFEATED

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

(02-3575: S371)

**REPORTS:**

**Mayoral Comments on Indigenous Film "Rabbit Proof Fence"**

60/02

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

- 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 and Byron/Ballina Aboriginal Interagencies be invited to attend the above meeting.
- 3 The Mayor be asked to publicly acknowledge that statements made were his and not the Council's or other Councillors.

(Councillors Irwin/Swientek) (02-3244: S136)

**Northern Rivers Herb Festival 2002-2005**

**S459**

Councillor Crowther declared an interest in this matter (Lantern Parade) and left the Chamber during discussion and voting thereon.

A MOTION WAS MOVED that the report be received and this matter be listed as a budget item for consideration together with sponsorship of the Lantern Parade and the North Coast National Show.

(Councillors Hampton/Suffolk)

AN AMENDMENT WAS MOVED that the report be received and

- 1 Council agree to supporting the Northern Rivers Herb Festival to the sum of \$28,000 per annum (CPI adjusted) .
- 2 Council endorse the three year proposal as detailed in the sponsorship documents provided.
- 3 In the budget process consideration be given to funding the Lantern Parade and North Coast National Show.

(Councillors Irwin/Gallen)

On submission to the meeting the AMENDMENT was DEFEATED.

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

61/02

**RESOLVED** that the report be received and this matter be listed as a budget item for consideration together with sponsorship of the Lantern Parade and the North Coast National Show.

(Councillors Hampton/Suffolk)

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

**Dissenting Vote:**

Councillors Gallen and Irwin (S704)

**Old Lismore High School Site Development**

- 62/02 **RESOLVED** that the report be received and –
- 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.
- (Councillors Irwin/King) (P26243)

**General Amendment to Lismore LEP (Amendment 10 to LEP 2000)**

- 63/02 **RESOLVED** that the report be received and that Council, pursuant to S.54 of the Environmental Planning & Assessment Act:
- 1 Prepare a draft amending local environmental plan which introduces the following changes to the Lismore Local Environmental Plan:
    - (a) rezones certain flood prone land at Nimbin to 1(r) Riverland;
    - (b) includes the entire Nimbin School site in the 2(v) Village Zone;
    - (c) includes the Bush Factory and filled land in Sibley Street with development potential within the 2(v) Village Zone at Nimbin;
    - (d) rezones part of Lot 1, DP 255203, Blue Hills Ave., Goonellabah, to 2(a) Residential;
    - (e) rezones lands held by the National Parks & Wildlife Service to 8 National Parks and Nature Reserves;
    - (f) realigns the 1(d)/2(v) zone boundary on Lot 382 DP 867394, Clunes;
    - (g) removes the Special Use 5 Zone from part of 33 Tweed Street, North Lismore and replace it with the Residential 2(f) Flood Liable zone.
    - (h) removes the 6(a) Recreation Zone from No's 30, 32 & 34 Ravenswood Drive, Goonellabah and replaces it with the 2(a) Residential Zone.
    - (i) introduces a definition of 'markets' and makes provision for this use within the zoning tables;
    - (j) introduces a new definition of 'warehouse';
    - (k) requires the advertisement for public comment of proposals for motels in the 1(a) zone;
    - (l) permits bed and breakfast establishments to be developed with consent in the 7(b) zone, and
    - (m) include a rezone in Dalziel Street to permit the establishment of a clinical school as part of the University Department of Rural Health if the project is sufficiently advanced and if it is necessary.
  - 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.
- (Councillors Roberts/Hampton) (S800)

**Application to Acquire Old Quarry Road, North Lismore**

- 64/02 **RESOLVED** that the report be received and Council –
- 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).
  - 5 Subject to Mr McLeay paying his \$8,000.
- (Councillors Gallen/Chant) (P9388: R2854: D99/787)
-

**Voluntary Flood Prone Property Acquisition Scheme – 62 Lake Street, North Lismore**

- 65/02 **RESOLVED** that the report be received and –
- 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.
- (Councillors Swientek/Hampton) (P6022)

**Tenders for Renewal of Sewer Mains at Conway, James, Casino & Nielson Streets, Lismore**

- 66/02 **RESOLVED** that the report be received and –
- 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.
- (Councillors Swientek/Hampton) (T22011)

**Sportsgrounds – Draft Plan of Management**

- 67/02 **RESOLVED** that the report be received and Council adopt the (Generic) Plan of Management for Sportsgrounds.
- (Councillors Chant/Hampton) (S375)

**Demise of the Voluntary Structural Reform Group**

- 68/02 **RESOLVED** that the report be received and the resolution of the Voluntary Structural Reform Group be noted and endorsed.
- (Councillors Irwin/Swientek) (S34)

**Norlink E-Town Project**

- 69/02 **RESOLVED** that the report be received and –
- 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.
- (Councillors Hampton/King) (02-1613: S620)

**Review of the Airport Business Plan**

- 70/02 **RESOLVED** that the report be received and noted and a further report on the revised business plan for the Lismore Regional Airport be presented to Council in June 2002.
- (Councillors Irwin/Hampton) (P9733)

**Annual Policy Review**

- 71/02 **RESOLVED** that the report be received and –
- 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.*
- (Councillors Irwin/Roberts) (S9)

**Alternate Delegate to Richmond-Tweed Regional Library**

- 72/02 **RESOLVED** that the report be received and Council appoint Councillor Hampton as alternate delegate to the Richmond-Tweed Regional Library Committee.  
(Councillors Baxter/Chant) (02-3338: S120)

**COMMITTEE RECOMMENDATIONS:**

**Traffic Advisory Committee 20/3/02**

- 73/02 **RESOLVED** that the minutes be received and the recommendations contained therein be adopted, excluding Items 1, 2, 10 and 13.  
(Councillors Roberts/Hampton)

**Item 1 – (TAC32/02) – CBD Resident Parking**

- 74/02 **RESOLVED** that this matter be referred back to the Traffic Committee and the Committee be provided with the necessary information to make an informed decision.  
(Councillor Roberts/Irwin)  
**Voting Against:** Councillors Gallen, King and Hampton. (02-284: S353)

**Item 2 – Lombardo’s Roundabout**

- 75/02 **RESOLVED** that this item be received and noted.  
(Councillors Crowther/Chant) (02-599: P451,R6408)

**Item 10 – (TAC40/02) - Proposed Eastpoint Shopping Centre, Cnr. Holland Street and Ballina Road**

- 76/02 **RESOLVED** that a plan be resubmitted to the next meeting addressing all concerns raised for further consideration.  
(Councillors Gallen/King) (D01/772)

**Item 13 – (TAC43/02) – Access from St. Vincent’s Hospital – Dalley Street, East Lismore**

- 77/02 **RESOLVED** that this matter be referred back to the Traffic Committee for further detail.  
(Councillors Irwin/Suffolk) (R7426) (S352)

**DOCUMENTS FOR SIGNING AND SEALING:**

- 78/02 **RESOLVED** that 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.  
(Councillors Crowther/Irwin) (02-3423: P18746)

This concluded the business and the meeting terminated at 9.10 pm.

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

\_\_\_\_\_  
**MAYOR**

**MINUTES OF THE SPECIAL MEETING OF THE COUNCIL OF THE CITY OF LISMORE HELD IN THE COUNCIL CHAMBER, GOONELLABAH ON TUESDAY, APRIL 16, 2002 AT 7.53PM.**

**Present:** His Worship the Mayor, Councillor Gates; Councillors Baxter, Chant, Hampton, Irwin, King, Roberts, Suffolk and Swientek together with the General Manager; Group Managers- Corporate & Community Services, Planning & Development, Business & Enterprise; Acting Group Manager-City Works (Garry Hemsworth), Manager-Client Services, Manager-Finance & Administration, Manager-Communications & Community Relations, Manager-Economic Development & Tourism, Recreation Planner and Contracts Officer.

79/02 **Apologies/**  
**Leave of**  
**Absence:** Apologies for non-attendance on behalf of Councillors Crowther, Gallen and Tomlinson were received and accepted and leave of absence granted.  
(Councillors Swientek/Baxter)

**REPORT:**

80/02 **Memorial Baths Redevelopment**  
**RESOLVED** that the report be received and –

- 1 Bzowy Architecture undertake the design and documentation of all the proposed components excluding first floor.
- 2 Tender documentation be developed in separable portions.
- 3 Staff to develop the business plans for the various options of the new facility.
- 4 Staff continue to investigate all grant/funding options.
- 5 Tenders be called for the main components in the facility such as filtration, pumping, heating and air handling systems. The winning tenders would then become nominated sub-contractors to the main contractor for the pool construction.
- 6 Tenderers be called for the construction of the new facility based on the full design excluding first floor. The tender documentation be structured with separable portions and will not commit Council to construct the whole project.
- 7 Staff report back to Council in October/November 2002 and present all the options to Council. This will include actual tendered construction costs, business plans for the various options and details relating to grants/funding obtained.
- 8 Council to consider all information in October/November 2002 and set the budget for the project and select the components to be constructed.

(Councillors King/Hampton)  
**Voting Against:** Councillors Roberts and Swientek.  
(P6768)

**MATTERS OF URGENCY:**

The Mayor ruled that the business proposed to be brought forward was of great urgency.

81/02 **RESOLVED** that the following matters be transacted at the meeting:  
(Councillors Irwin/Roberts)  
**Voting Against:** Councillor Baxter.

**NOTICE OF RESCISSION MOTION:**

**Funding – Herb Festival**

- 82/02 Formal notice having been given by Councillors Irwin, Roberts and Tomlinson it was **RESOLVED** that Council's decision of April 9 concerning funding of the Herb Festival be rescinded.  
(Councillors Irwin/Roberts)  
**Voting Against:** Councillor Baxter.  
(S704)

**NOTICE OF MOTION:**

**Funding – Herb Festival, Lantern Festival and Show Society**

- Formal notice having been given by Councillor Irwin it was **MOVED** that –
- 1 Funding of \$28,000 in the 2002/03 be approved for the Herb Festival.
  - 2 Funding for the Lantern Festival and North Coast National (Show Society) be supported in principle and negotiated in regard to amounts in the budget process.
- (Councillors Irwin/Roberts)

AN AMENDMENT WAS **MOVED** that Council consider allocating funding to the following three organisations to be voted on separately:

- 1 Show Society
- 2 Herb Festival
- 3 Lantern Parade

in the above order as some councillors would have to declare an interest in some of these matters.

(Councillors Gates/Hampton)

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

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

- 83/02 **RESOLVED** that Council consider allocating funding to the following three organisations to be voted on separately:

- 1 Show Society
- 2 Herb Festival
- 3 Lantern Parade

in the above order as some councillors would have to declare an interest in some of these matters.

(Councillors Gates/Hampton)

**Voting Against:** Councillors Roberts, Swientek, Irwin and Chant.

**North Coast National (Show Society)**

**S459**

Councillor King declared an interest in this matter and left the Chamber during discussion and voting thereon.

A MOTION WAS **MOVED** that Council allocate \$15,000 in the budget towards the next show in 2002. This amount to be inclusive of the services Council usually provides such as grass cutting and grading of roads, etc. Funding be for one year only. The item be further considered for an increase after the budget is considered.

(Councillors Gates/Baxter)

AN AMENDMENT WAS MOVED that Council allocate \$10,000 in the budget towards the next show in 2002. This amount to be inclusive of the services Council usually provides such as grass cutting and grading of roads, etc. Funding be for one year only. The item be further considered for an increase after the budget is considered.  
(Councillors Irwin/Roberts)

At this juncture (8.25pm) Councillor Chant left the meeting.

On submission to the meeting the AMENDMENT was DEFEATED.

**Voting Against:** Councillors Irwin, Roberts, Swientek, Baxter, Hampton, Suffolk and Gates.

84/02 **RESOLVED** that Council allocate \$15,000 in the budget towards the next show in 2002. This amount to be inclusive of the services Council usually provides such as grass cutting and grading of roads, etc. Funding be for one year only. The item be further considered for an increase after the budget is considered.  
(Councillors Gates/Baxter)

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

**Dissenting Vote:**

Councillor Irwin

**Herb Festival**

A MOTION WAS MOVED that Council allocate \$20,000 in the budget towards the Herb Festival in 2002. This amount to be inclusive of the services Council usually provides such as water usage, banner fee, barricades, waste removal and other items listed on page 13 of the report. The item be further considered for an increase after the budget is considered. Funding be for one year only.  
(Councillors Gates/Baxter)

AN AMENDMENT WAS MOVED that Council allocate \$28,000 in the budget towards the Herb Festival in 2002. This amount to be inclusive of the services Council usually provides such as water usage, banner fee, barricades, waste removal and other items listed on page 13 of the report. Funding be for one year only.  
(Councillors Roberts/Irwin)

On submission to the meeting the AMENDMENT was DEFEATED.

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

85/02 **RESOLVED** that Council allocate \$20,000 in the budget towards the Herb Festival in 2002. This amount to be inclusive of the services Council usually provides such as water usage, banner fee, barricades, waste removal and other items listed on page 13 of the report. The item be further considered for an increase after the budget is considered. Funding be for one year only.

(Councillors Gates/Baxter)

**Voting Against:** Councillor Swientek.

**Lantern Parade**

A MOTION WAS MOVED that Council allocate \$8,500 in the budget for the 2003 Lantern Parade. This amount to be inclusive of the services Council already provides such as barricades, etc. Funding be for one year only.  
(Councillors Hampton/Gates)

AN AMENDMENT WAS MOVED that Council allocate \$8,500 in the budget for the 2003 Lantern Parade. Funding be for one year only.  
(Councillors Irwin/Roberts)

At the request of the mover and seconder the amendment was WITHDRAWN.

86/02      **RESOLVED** that the report be received and Council allocate \$8,500 in the budget for the 2003 Lantern Parade. This amount to be inclusive of the services Council already provides such as barricades, etc. Funding be for one year only.  
(Councillors Hampton/Gates)  
**Voting Against:** Councillors Roberts and Swientek.  
(S704)

This concluded the business and the meeting terminated at 8.46 pm.

**CONFIRMED** this 14TH day of MAY 2002 at which meeting the signature herein was subscribed.

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**MAYOR**



