



NOTICE OF COUNCIL MEETING

An ORDINARY MEETING of LISMORE CITY COUNCIL will be held at the COUNCIL CHAMBERS, Oliver Avenue, GOONELLABAH on TUESDAY, MAY 11, 2004, at 6.00pm and members of Council are requested to attend.

Paul G. O'Sullivan
General Manager

May 4, 2004

COUNCIL BUSINESS AGENDA

May 11, 2004

PUBLIC ACCESS SESSION: **PAGE NO.**

PUBLIC QUESTION TIME:

OPENING OF MEETING AND PRAYER (MAYOR):

APOLOGIES AND LEAVE OF ABSENCE

CONFIRMATION OF MINUTES – April 27, 2004

CONDOLENCES

DISCLOSURE OF INTEREST

MAYORAL MINUTES

NOTICES OF RESCISSION 1

NOTICE OF MOTIONS 2 - 5

SUSPENSION OF STANDING ORDERS

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

REPORTS

- Review of 6(a)-(Recreation) zoned land and reclassification of certain Council properties from Community to Operational land 6 - 8
- Review of Policy 1.4.13 - S356 Miscellaneous S356 Community Donations 9 - 13
- Purchase of Council Plant – Truck with Crane and Winch 14 - 16
- March 2004 Budget Review Statement 17 - 20
- Management Plan Quarter ended March 31, 2004 21 - 31
- Northern Rivers Quarry and Asphalt Business Development Opportunity 32 0 33

COMMITTEE RECOMMENDATIONS

- Traffic Advisory Committee 21/4/04 34 - 36

DOCUMENTS FOR SIGNING AND SEALING

QUESTIONS WITHOUT NOTICE

CONFIDENTIAL MATTERS - COMMITTEE OF THE WHOLE

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That in relation to the Traffic Committee motion to make a councillor a voting delegate, it be rescinded and adopt the status quo.

“62/04 RESOLVED that a Councillor be appointed to the Traffic Advisory Committee to act as chairperson.”

COUNCILLOR J Chant

COUNCILLOR P J Graham

COUNCILLOR J R Hampton

DATE April 20, 2004

STAFF COMMENT BY GENERAL MANAGER

Councils are required to have a Traffic Committee consisting of four (4) voting members -

- Council representative (normally the Chairperson)
- RTA representative
- Police representative
- Local Member of Parliament or his/her representative.

Any of the members can request that a traffic matter be referred to the Regional Traffic Committee.

Only matters that affect traffic facilities on local roads **must** be reported to Council (eg, Stop and Parking signs on local roads). At the present time all items considered by the Traffic Advisory Committee are reported to a Council Meeting for action, information or comment. The essential mode of operation is dictated by the Transport Administration Act, 1988, which is clearly out of sync with the Local Government Act, 1993.

The Council's decision of April 20 was influenced by the advice that at Blacktown City Council the Mayor chairs the Traffic Committee. This is not correct – the Mayor acts as an alternate delegate for the Local Member.

As mentioned at the Council Meeting, the Lismore Traffic Committee's role requires review but this would be better carried out in conjunction with the planned organisational structure, strategy and Committee review.

On this basis the rescission motion is supported to allow a detailed examination of all issues pertaining to the Traffic Advisory Committee and its operation.

NOTICE OF MOTION

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

That the Council extend parking times in the Browns Creek carpark from two (2) to four (4) hours.

COUNCILLOR J R Dowell

DATE April 27, 2004

STAFF COMMENT BY:

Co-Ordinator – Traffic & Law Enforcement, Bill MacDonald

TTM Traffic Consultants are currently preparing a report for Council on traffic flows and parking within the CBD. Part of this review will tell Council the appropriate time limits for parking or where these need to change.

Generally speaking, time limits radiate out in length from the centre of the precinct.

Demand for shopper parking within the Clyde Campbell Carpark is very high and, accordingly, given its location and turn-over, 2-hour parking would normally be appropriate.

Four-hour parking is virtually un-enforceable as it allows employees or long-term visitors to move their vehicle at lunch time and then leave it there for the rest of the day. It effectively operates as all-day parking.

(04-4205: P20088)

NOTICE OF MOTION

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

That the Council undertake a review of fees charged to sporting clubs for use of fields and facilities.

COUNCILLOR J R Dowell

DATE April 27, 2004

STAFF COMMENT BY: Manager-Roads & Infrastructure

The fees and charges for various sporting grounds and facilities have a long and involved history. Many years ago fees were set as a percentage of the cost to maintain the various facilities. However over many years additional fees have been introduced and in some instances service levels reduced or rationalised to conform to available budget levels.

It is timely to review the fees and charges for sports grounds and facilities. Some factors which should be included in the review include the actual cost to maintain the grounds and facilities for various sports, fees charged by similar councils, fees for junior sport compared to senior sport.

(04-4208: S157)

NOTICE OF MOTION

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

That the Council establish a maintenance fund for the Lismore Neighbourhood Centre using money received from the sale of the land in McKenzie Street.

COUNCILLOR J R Dowell

DATE April 27, 2004

STAFF COMMENT BY: Manager-Special Projects & Properties

To assist Council to place into context the notice of motion, the following information may be helpful:

- 1 The old library building into which the Lismore Neighbourhood (LNC) was relocated in 2003 was valued in 1999 at \$470,000. Prior to the LNC occupying the site the building was the subject of a \$150,000.00 upgrade. This significant cost was in part due to the specific office configuration which was sought by LNC. It also represents a vast improvement in the standard of LNC facilities and accommodation.

At the time of the LNC relocation the old McKenzie Street premises was sold to the Lismore Square developer for \$405,000.00 and was immediately demolished due to its poor condition.

From the above, Council received \$405,000.00 for the old LNC site and relocated them to a freshly fitted out building with a value in excess of \$620,000.00

- 2 In relation to ongoing building maintenance and operational costs for LNC, Council:

a) allocates an annual maintenance budget of	\$7,000.00
b) allocates an airconditioning electricity subsidy of	\$13,000.00
c) discounts the rent for the site of	<u>\$6,000.00</u>
	\$26,000.00
In return Council receives a rental from the LNC of	<u>\$3,500.00</u>
	\$22,500.00

- 3 Proceeds from the sale of the land in McKenzie Street are available for Councillors to allocate in the 2004/05 budget. It could not be recommended that community assets be sold to support general property maintenance. Council has an extensive list of community properties to maintain and strives in each budget to allocate a reasonable sum to cope with those ongoing costs on the basis of need.

Conclusion

Council has already significantly improved the LNC facilities and continues to allocate approximately \$22,500 each year to the maintenance and running costs of the service. This level of support is already significant and does not warrant an unspecified increased special allocation.

(04-4209: P1270)

NOTICE OF MOTION

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

That the Council work with the Lismore Show Society to provide a hoop sign in Uralba Street for the promotion of events and activities at the Showground.

COUNCILLOR J R Dowell

DATE April 27, 2004

STAFF COMMENT BY: Manager-Roads & Infrastructure

The installation of a hoop structure is relatively inexpensive and can be covered by existing budget allocations. Council can work with the Show Society to agree on the size and location of the sign.

The effectiveness of such a sign should be determined by Council.

I would recommend the ongoing administration involving the timely manufacture, installation and removal of signs be undertaken by the Show Society.

Consent will be needed under the Planning Controls but this should present no difficulties.

(04-4206: S704)

LISMORE CITY COUNCIL - Meeting held May 11, 2004

Subject/File No: REVIEW OF 6(a)(RECREATION) ZONED LAND AND RECLASSIFICATION OF CERTAIN COUNCIL PROPERTIES FROM COMMUNITY TO OPERATIONAL LAND (S849)

Prepared By: Manager Special Projects and Properties, Lindsay Walker

Reason: To advise Council of progress on the December 10, 2002 resolution

Objective: For Councils information

Management Plan Activity: Special Projects and Properties

Background:

Malcolm Scott, Consultant Town Planner, has been engaged by Council's Manager, Special Projects and Properties and Councils Strategic Planner to assist Council to finalise Lismore Local Environmental Plan Amendment No. 12 (Amendment No. 12) to amend the Lismore Local Environmental Plan 2000 (Lismore LEP).

Amendment No. 12 to the Lismore LEP was the subject of a report to Council in December 2002 and in general terms seeks to:

- appropriately rezone **Council** owned land used for open space / recreation / environmental habitat purposes that is currently not zoned for those uses;
- to reclassify certain **Council** owned land from community to operational to enable either the opportunity to dispose of or lease the land;
- appropriately rezone **privately** owned land that is currently either in whole or in part zoned for recreation purposes but which was not considered to be used for those purposes; and
- appropriately rezone **privately** owned land currently zoned for but not required for recreation.

Amendment No. 12 was initiated as a result of a direction by the Minister for Planning to Council to review its need for land in private ownership zoned for recreation following the preparation and adoption of Lismore LEP 2000.

Council at the time (December 2002) also separately resolved to reclassify from community to operational other parcels of land.

As Amendment No. 12 involved the reclassification of Council land from community to operational it appeared prudent and logical that both processes be combined into the one amendment.

Draft plan preparation and consultation

The attached schedules describe the lands that are subject to rezonings and reclassification.

The attached maps identify the lands subject of the rezonings and reclassification.

Council on January 7, 2002 advised planning NSW (now Dept of Infrastructure Planning and Natural Resources) that it intended to prepare Amendment No. 12. The Dept advised that there was no need to prepare a local environmental study and that therefore sections 57 & 61 of the Environmental Planning and Assessment Act (the Act) did not apply. The Dept requested that if Council issued a s65 certificate under delegation to enable exhibition of the draft plan that Council forward a copy of the exhibited plan to the Dept.

The Dept of Land and Water Conservation did not make any submissions or comments as Amendment No. 12:

LISMORE CITY COUNCIL - Meeting held May 11, 2004

Review of 6(a) – Recreation zoned land and reclassification of certain Council properties

- is in response to the direction by the Minister for Planning to Council to review its need for land in private ownership zoned for recreation
- rezones certain Council lands currently zoned 6(a)-(Recreation) to environmental protection (natural vegetation or habitat)
- substantially adjusts the location of zoning boundaries to reflect existing land use and ownership
- reclassifies land owned by Council to enable either future disposal or formalisation of existing and proposed commercial (land leasing) arrangements
- does not raise any matter of Regional or State significance and
- does not apply to land adjoining another local government authority
- had the benefit of consultation pursuant to s62 of the Act, prior to the preparation and public notification and exhibition of the draft local environmental plan, undertaken on January 7, 2003 with:
 - Dept of Land and Water Conservation; and
 - NSW National Parks and Wildlife Service.

The NSW National Parks and Wildlife Service on 7 March wrote to Council indicating support of the rezoning subject to Council's consideration of the following matters:

1. *"Lismore Lake, including a 50m buffer around the edge of the lake, is zoned as environmental protection. An environmental protection zone would better reflect the conservation as opposed to recreation value of the Lake. It is understood that the lake has been identified as a conservation area for waterbirds and a Plan of Management is currently being prepared."*

Comment

It is proposed to rezone Lismore Lake including a 20m buffer around the edge of the lake environmental protection (7a – natural vegetation and wetlands zone). A 50m buffer was not considered appropriate or supported as a 50m buffer would have included part of the Bruxner Highway, Lismore Lake swimming pool, the motel and shed business. The Council owned lands that are used for recreation purposes that adjoin the Lake and buffer to be zoned 7a zone are proposed to be rezoned 6a – recreation.

2. *"The need to rezone land surrounding Tucki Tucki Creek for recreation is acknowledged, however, it is recommended that Council consider zoning the creek and a buffer to the creek as environmental protection. Zoning the creek and associated riparian zone for environmental protection will reduce the opportunity for detrimental impacts from recreational activities and assist in raising the awareness of the community regarding the importance of riparian habitats."*

Comment

It is proposed to retain and expand the existing 6a – recreation zone surrounding the main eastern 'arm' and headwaters of Tucki Tucki Creek which flows west. Certain adjoining Council owned lands, including those recently acquired, are proposed to be rezoned from 2a – residential to 6a – recreation. As the lands adjoining the Tucki Tucki Creek tributary which flows south from the Bruxner Highway past the Council Chambers is a more contiguous area of land and is considered to comprise land and vegetation that is in a more natural state it is proposed to rezone these lands environmental protection (7b – habitat zone).

3. *"It is understood that Council proposes to rezone 13 lots to environmental protection, whilst this is supported it is also recommended that all lots with vegetation communities of conservation significance or habitat for threatened species should be zoned for environmental protection."*

Comment

Council lands (e.g. the escarpment and ridgeline areas near Cynthia Wilson Dr and other parks containing remnant native vegetation) previously zoned 6a that were considered to contain vegetation of conservation significance or of potential habitat value for threatened species are proposed to be rezoned environmental protection (7b – habitat zone).

4. *“The potential impact of rezoning on adjacent areas of native vegetation should be considered, preferably rezoning of land that is incompatible with adjacent zones should be avoided without the provisions of adequate buffers.”*

Comment

The potential for rezoning adjacent areas of native vegetation to provide environmental buffer was considered but was not supported as the majority of the adjacent lands comprise urban areas zoned 2a – residential that has been developed for residential purposes.

Amendment No. 12 has been prepared in accordance with:

1. The Department of Planning advisory Circular issued in 1990 and known as *Circular C18 – Processes for the Rezoning of Council Property Assets for Disposal*; and
2. The Department of Urban Affairs and Planning best practice guidelines titled *LEPs and Council Land* released in 1997.

Amendment No. 12 raises no apparent inconsistencies with any provisions that may apply to the lands the subject of the draft local environmental plan in any:

- State Environmental Planning Policies
- North Coast Regional Environmental Plan or
- S117 Directions made under the Act.

Council's Manager of Planning Services will, prior to formal public notification and exhibition be supplied with a report and be requested to issue a Certificate under delegation, certifying under s65 of the Act that the draft plan be publicly exhibited under s66 of the Act.

Manager - Finance & Administration Comments

Not required.

Public Consultations

Not required.

Other Group Comments

Manager Planning Services endorses the report.

Author's Response to Comments from Other Staff

Not required.

Recommendation (GM03)

1. That Council commence the 28 day public exhibition of the Lismore LEP Amendment No. 12 within two weeks.
 2. That submissions relating to Lismore LEP Amendment No. 12 be reported to Council.
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LISMORE CITY COUNCIL - Meeting held May 11, 2004

Subject/File No: REVIEW OF COUNCIL POLICY 1.4.13 – MISCELLANEOUS SECTION 356 COMMUNITY DONATIONS (S164)

Prepared By: Tricia Shantz, Community Development & Project Officer

Reason: Council Resolution 175/03

Objective: Review Council's S356 Policy to determine donations to the fire brigades.

Management Plan Activity: Community Services

Background:

At the August 2003 Council meeting, while determining the Miscellaneous Section 356 Community Donations Funding, Council resolved "that a report be provided to Council reviewing its policy, to determine how the fire brigades can receive a set funding amount."

Each year in the Miscellaneous Section 356 Community Donations Council receives a large number of the Rural Fire Brigades applying for the maximum funding of \$2,200. It is the same situation that was occurring with the rural halls a number of years ago. However, Council does allocate funds annually to the Fire Services. The Rural Fire brigade stations are generally located on Council owned land and Council pays their rates, which are factored in as part of the operational funds. There are 18 individual brigades, a Fire Control Centre, Catering Unit, Training Unit, Headquarters Brigade and Community Education Unit. Each of these has applied at various times for Section 356 Miscellaneous Donations funding in previous years.

The current Miscellaneous Section 356 Community Donations policy came into existence in 1994 and was reviewed in 1996, with one of the specific **intentions being to provide equity of support to groups across the Local Government Area (LGA)** as well as to consider the impact each project will have on the community or on disadvantaged groups within the community.

The policy was again reviewed in 1998 by providing the twenty nine (29) rural halls an annual allocation of \$1,000 to assist them with their insurance and maintenance. At that time the twenty nine (29) rural halls in the Lismore Local Government Area were able to apply for the Miscellaneous S356 Community Donations. However, they had ongoing needs that were not being matched by the amount of funds they could receive from this program. In addition, their rates are also paid by Council.

At the same time each year Council allocates \$30,500 to community based organisations providing a community service within the Lismore Local Government Area, under the Miscellaneous Section 356 Community Donations Policy. As the maximum that any one group is eligible for is \$2,200 approximately 14-15 groups share in this funding each year. This has worked fairly and equitably as the same groups do not receive funding year after year. This was why the policy was adopted. There are numerous community organisations in the Lismore LGA. A large proportion of these operate on minimal budgets and with the help of volunteers. Council is unable to assist them all, however the amount from the Section 356 Donations Policy is a small amount that goes a long way for these groups.

The Council resolution requested a review of the policy to determine how the rural bush fire brigades could receive a set amount of funding each year. Presumably if this was to occur, then funds would be freed up for allocation to other community groups. In recent years the bush fire brigades have been the recipients of funding as follows:

LISMORE CITY COUNCIL - Meeting held May 11, 2004

Review of Policy 1.4.13 – Miscellaneous S356 Community Donations

- 5 out of 17 allocations in 2003/04
- 5 out of 16 in 2002/03
- 1 out of 14 in 2001/02, 2 out of 19 in 2000/01
- 5 out of 16 in 1999/00
- 5 out of 14 in 1998/99

As detailed below, Council already contributes a significant amount of funding for rural bush fire brigades, and for reasons of equity, they should be excluded from eligibility to apply for Miscellaneous S356 Community Donations under Policy 1.4.13.

A further anomaly with the policy is that there are a number of groups that receive recurrent funding from Council, yet are still eligible to apply for funds from the Miscellaneous S356 Community Donations allocation. It is recommended that they also be excluded from applying for this funding.

Manager - Finance & Administration Comments

The Rural Fire Service provides an essential service to the Lismore community. The services provided continue to be broadened so as to not only include fighting fires, but also attending accidents, search and rescue, traffic control during flooding, etc. It is primarily a life saving service and like many others, worthy of Council financial support.

As distinct from other like services, it is a State Government co-ordinated service provided to the local community by a mixture of staff and a significant number of volunteers, and Council is required to contribute financially towards its operations. For 2004/05, the net contribution is estimated to be \$112,200. When added to other funding sources, the total allocated by the State to the local service for all direct and indirect costs is estimated to be in excess of \$900,000.

Also, to assist with the funding of enhancement service capability, Council has a Section 94 Plan, which will contribute a further \$92,000 over the next fifteen years towards the purchase of tankers, equipment and catering services.

Based on the above information, Council already provides set funding for the Rural Fire Service within the recurrent Budget as distinct from the adhoc funding provided to other community groups via Miscellaneous Section 356 Community Donations (Policy 1.4.13). Consequently, if there is a perceived need to increase the annual allocation, a submission should be made to the budget process so it can be assessed and prioritised with all other funding requests.

In regards to the suggestion that the Rural Fire Service be excluded from access to the Miscellaneous Section 356 Community Donations funding this is supported as Council already financially assists. This would be consistent with the logic applied to exclude Rural Halls and should be applied to any organisation that receives recurrent Council funding.

Other Group Comments

Not required.

Public Consultations

N/A

Author's Response to Comments from Other Staff

It is suggested that any group receiving recurrent funds from Council should be excluded from applying for funding under the Miscellaneous Section 356 Community Donations. This will keep the intent of the Miscellaneous Section 356 Community Donations policy intact. As the maximum amount of Miscellaneous Section 356 Community donations available to a group over a three year period is \$2,200 it is suggested that those groups receiving recurrent funds of \$2,200 or more over three years (or \$740 per annum) be excluded.

Conclusion

The resolution of council was to determine how the fire brigades can receive a set funding amount. This already happens. As Council allocates a substantial amount of funding to fire services it is inappropriate for them to apply to the Miscellaneous Section 356 Community Donations budget and the policy needs to be amended to reflect this. It is then also appropriate that any group receiving recurrent funds from Council be excluded from accessing the Miscellaneous Section 356 Community Donations allocation. The recommendations described in the proposal of this report are to address existing anomalies between services being funded by Council and to provide a more equitable means of supporting the community services within the Lismore Local Government Area.

Recommendation (COR10)

That the Miscellaneous Section 356 Community Donations policy be amended as per Attachment 1 (new item 7 under "Eligibility").



POLICY MANUAL

POLICY NO: 1.4.13	GENERAL FUND - MISCELLANEOUS SECTION 356 COMMUNITY DONATIONS
FUNCTION:	Administration
ACTIVITY:	Administration Services
OBJECTIVE:	That Council apportion Section 356 funds on an annual basis to optimally benefit the Lismore community.
SECTION RESPONSIBLE:	Corporate & Community Services
AUTHORISED: 10/11/92	REVIEWED: 6/8/96, 2/6/98, 14/7/98, 11/5/04

Objectives:

- To link donations to the planned development as outlined in the Community Services Facilities Plans, Section 94 and the Strategic Plans for the Local Government area.
- To acknowledge the cultural development of the community.
- To consult with the community on a regular basis to determine the growing and changing needs of the community.

Guidelines for Selection:

- Consider the impact each project will have on the community or on disadvantaged groups within the community.
- Consider the number of potential beneficiaries from the proposed project or service.
- Where the project has a smaller number of potential beneficiaries, consider the relative disadvantage of that group of people (e.g. low income, youth, aboriginality, rural or social isolation, disability, etc.)
- Consider the availability of other funding sources.
- Where possible, resources/projects are to be made available to the general community.
- The equity of support to groups across the LGA needs to be considered.
- Councillors will allocate votes for projects. The number of votes to be allocated will be determined by staff based on the number of applications received. Councillors will only allocate one vote per project.

Strategies:

- Expressions of interest to be sought prior to the beginning of each financial year.
- Ensure that all applicants are aware that there are limited funds available. The maximum for any donation will be established each year and based on a rate of 5 cents per head of population of Lismore.
- Funds will be allocated by Council proportionately to each category. Annually the budget will reflect this.

LISMORE CITY COUNCIL - POLICY MANUAL

Page 2

POLICY NO: 1.4.13 (Cont.)	GENERAL FUND SECTION 356 DONATIONS
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Community Service staff are available to facilitate the decision making process. Councillors are encouraged to contact Community Services staff to discuss applications and/or merit of the various proposals.

Applications will be funded according to the number of votes. Those receiving the largest number of votes will be funded first. Allocations will continue down the ranked list until all funds are committed. Decisions to be made and ratified at a Council meeting in August of each financial year. Funds to be made available to groups by the beginning of September of the financial year.

Eligibility:

Non-profit organisations which provide a community service within the Lismore Local Government area. Recurrent budgets and salaries will not be funded. Applicants will not be reconsidered for funding for the two years following receipt of a Section 356 donation.

- 1 Council advertise for applications for Section 356 Donations annually, each May. Applications to be made on a standard form and Council endeavour to publicise that this is happening.
- 2 Following Council consideration of applications, successful and non successful applicants to be advised. Payment is to be made to successful organisations upon commencement of activities/cost incursion.
- 3 Upon payment of funds each group be requested to furnish Council (following expenditure of funds) with a statement that funds have been expended for the purposes as applied for, and a brief description of project outcomes (to assist in assessing any future applications).
- 4 Any subsequent "applications" received from organisations throughout the year will be advised of Council's Policy and invited to apply in the following year. Only in matters considered by the General Manager, Mayor or at least two Councillors to be exceptional circumstances will such requests be referred to Council for determination.
- 5 Where it is determined that a group should receive a donation greater than the recommended maximum, a vote by Council for an additional allocation to Section 356 will be required.
- 6 Rural Halls are not eligible for funding under the General Fund Miscellaneous Section 356 Donations.
- 7 **Any group receiving recurrent funds of \$2,200 or more over three years (or \$740 per annum) from Council is ineligible.**

Subject/File No: PURCHASE OF COUNCIL PLANT – TRUCK WITH CRANE & WINCH
(CS:T24023)

Prepared By: Fleet Manager - Col Starr

Reason: To inform Council of purchases of major plant items.

Objective: To seek Council's approval for the purchase of one (1) new 4x2 Table Top Truck fitted with Crane and Winch.

Management Plan Activity: 1.12 - Plant Operations

Background:

Tenders closed on March 3rd 2004 for the supply of one (1) new 4x2, Table Top Truck fitted with a crane and winch for Bridge construction and maintenance work.

Lismore City Council's bridge construction and maintenance crew currently operate with three (3) vehicles:-

- Two (2) 6 tonne Gross Vehicle Mass crew cab trucks (Fleet numbers 192 & 194)
- One (1) 14 tonne 'Franna All terrain Crane' (Fleet number 201)
- And until recently, one 5 tonne slew crane (Fleet Number 174) which has been sold at auction.

The removal of the older slew crane from the Bridges crew fleet was brought about by the fact that this crane was over 30 years old and did not meet the new and stringent regulations for cranes on worksites within NSW.

Another factor in the decision to sell this crane is that it's yearly costs to maintain it in a roadworthy condition had risen beyond acceptable levels, especially for it's reduced usage due to it's low capacity.

This tender is to replace one of the existing 6 tonne GVM Crew Cab trucks with a more effective truck which has a greater carrying capacity, which will reduce the need for hired trucks to deliver materials to bridge sites, and a crane mounted on the truck chassis which has a lifting capacity of 8 tonnes/metre.

In addition to the normal lifting capabilities of the crane (with it's own winch) there will be a front mounted winch used for pulling bridge structures into place which are too heavy and dangerous for manual handling.

This truck body will also be set up with container 'twist locks' for securing the LCC owned containers during travel from site to site.

There were a total of five (5) truck and crane and winch combination units offered in this tender.

Consultation with the users of this truck (Bridge Construction and Maintenance – City Works Group) resulted in this unit required to be larger in size and capacity to the current trucks being used for bridge repairs, etc.

One of the crew cab 6 tonne GVM trucks will remain with this crew and the other is to be transferred to a Roadworks (City Works) crew whose is due to be replaced by the 'Plant Replacement Programme'.

LISMORE CITY COUNCIL - Meeting held 11 May, 2004

Purchase Of Council Plant (4x2 Table Top Truck with crane and winch)

Reliability is critical for all of the Lismore City Council trucks due to the minimum number of fleet vehicles being supported and used by LCC operations.

Back-up support is another important factor to be considered, prolonged downtime due to lack of manufacturer or dealer support overloads the available time frame for the closure of roads and bridges during construction and maintenance.

Truck & Table Top with Crane and Winch Units Tendered

Listed below are the units offered for supply to LCC in this tender.

Full technical and tender evaluation details are also listed in the attachments marked as **'Attachment A & B – Tender T24023'**

Truck & Crane/Winch	Supplier
1. Mitsubishi / Obieco / Hiab	Murwillumbah Truck Centre of Murwillumbah NSW
2. Hino / Obieco / Hiab	Gold Coast Trucks of Nerang Qld
3. Isuzu FVR950 / Obieco / Hiab	Northern Rivers Isuzu of Lismore NSW
4. Isuzu FVR950HD / Obieco / Hiab	Northern Rivers Isuzu of Lismore NSW
5. UD Nissan / Obieco / Hiab	Southside Agencies of Lismore NSW

All of the five truck tenders offered the Obieco Table Top body and the Hiab crane combination.

An evaluation panel comprising of Messrs Col Starr (Fleet Manager), Chris Allison (Contracts Officer), Ross Daly (Supervisor – Bridges section) and Ken Grissell (Ganger – Bridges section) assessed the tenders in part or in full, as per the criteria set out in the tender documents.

The evaluation criteria determines the suitability of all of the units offered in this tender for *capability, quality, safety, operational functionality and conformity to the minimum specifications given*. The results of these evaluations are shown in **'Attachment A'**

Full truck and Table Top body with crane and winch evaluations are listed in **'Attachment B'**

Key Points to Consider:

- Purchase best possible combination of truck and crane unit to carry out the tasks as required, when required.
- Proven back-up support from supplier and manufacturer of both units.
- Operator comfort with 'Ergonomic Design' and operating considerations (OH&S).
- Ability to keep truck/compactor working with minimal maintenance and repair time.
- Sufficient capacity for this crew to be self-sufficient on the worksites.

Manager-Finance & Administration Comments

The Bridges Plant Replacement reserve has sufficient funds available to meet the purchase cost of the replacement vehicle.

Other Group Comments

Group Manager – City Works

The safety of the public and staff on the work site is paramount in the modern world. Unfortunately bridge work often takes place while the public still using the bridge which creates a whole range of potential problem. It is therefore essential for staff to have the correct piece of effective equipment which will do the work quickly and efficiently when required

A new versatile crane truck combination will improve efficiency on the job as well as making it much easier for bridge staff to move around large pieces of timber and equipment without putting staff at risk. I endorse the recommendation

LISMORE CITY COUNCIL - Meeting held 11 May, 2004

Purchase Of Council Plant (4x2 Table Top Truck with crane and winch)

Conclusion

The LCC Bridges Construction and Maintenance crew has an important role within Council, not only do they construct and maintain the entire number of road bridges in this Council's area, but they are also responsible for other construction duties eg. Pedestrian bridges over canals, pedestrian overpasses, pedestrian underpasses, flood gates, etc.

Their ability to be able to carry out all of their duties with the minimum of hired or contract machinery is important as this crew is often call upon for bridge washouts, flood damage to road structures, etc. where hired machinery is mostly difficult to obtain at the mostly very short notice given.

Also hired machinery is expensive when the bridge / road structures are well out of town and travelling time has to be paid for those hired vehicles.

The purchase of this truck and crane combination will increase the efficiency of this crew's operations and although more expensive than the smaller truck it is to replace, it is also replacing the crane, which was recently sold at auction.

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, City Works – Bridges section and LCC Fleet & Workshop staff have inspected the available trucks and crane units. All of those staff and users who inspected the trucks and crane units available were convinced that the UD Nissan with the Obieco / Hiab unit is the better purchase for the LCC application as required.

Recommendation (GM01)

That Council purchase one (1) only **UD Nissan PK265N** truck with the **Obieco** Table Top body and the **Hiab** crane unit as tendered (T24023) from **Southside Agencies of Lismore** for the cost of **\$181,258.33** (includes GST)

LISMORE CITY COUNCIL - Meeting held May 11, 2004

Subject/File No: MARCH 2004 QUARTERLY BUDGET REVIEW STATEMENT
(RS: S854)

Prepared By: Manager – Finance & Administration, Rino Santin

Reason: Clause 7, Local Government (Financial Management) Regulations 1993

Objective: To gain Council's approval to amend the 2003/04 budget to reflect actual or anticipated results.

Management Plan Activity: N/A

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 that impact on the budget cash balance have been identified in the report.

While undertaking this review, it was noticeable that the majority of budgets appear to be on target. In regards to revenue, a conservative approach has been adopted so it is anticipated that these will be realised. Conversely, there is little margin for error in expenditure and capital works should unexpected situations arise.

General Fund

The 2003/04 Management Plan provided for a balanced budget. The December review reported an accumulated annual surplus of \$31,100. This review details a surplus of \$28,500 with the accumulated annual surplus at March 31, 2004 being \$59,600.

For Councillors' benefit, the detail of the budget cash balance movement is as follows.

Budget Balance Movements for Quarter	Amount \$
Opening Surplus Balance at January 1, 2004	31,100
Less: Increase in promotional costs associated with stand at North Coast National and bidding for Flood Mitigation Conference	(6,000)
Less: 2003 Masters Games surplus transferred to reserve for use on future Games	(6,100)
Less: Anticipated rental of Laurie Allan Centre less than budget and reduction in maintenance/rates allocations for Baby Health Care Centre as properties no longer used for this purpose.	(5,000)
Plus: Additional rate revenue associated with final levy for 2003/04	23,400
Less: Per Capita subsidy for Library less than budget	(5,000)
Plus: Building Services revenues continue to increase due to the heightened activity in the development industry. To maintain service levels, part of the additional revenue has been used to employ part time/relief staff or pay overtime.	29,400
Less: Reduction in contribution from RTA to Road Safety Officers expenses	(2,200)
Closing Surplus Balance at 31 March, 2004	59,600

LISMORE CITY COUNCIL - Meeting held May 11, 2004

March 2004 Quarterly Budget Review Statement

For Councillors' information, listed below are the details of the activities with significant variances, with a 'nil' effect on the closing balance. Please refer to the attachment for individual programs for details of all budget movements.

Economic Development Unit

- a) Nimbin Marketing Campaign – This is part of the Plan of Action – Nimbin Differential Business Rate adopted by Council in November 2003. The total cost is \$29,000 funded by a grant from Department of State & Regional Development, Nimbin Business Rate, Nimbin Community Development Association and Council.
- b) The Events Office is coordinating two major events being the North Coast Careers Expo and Northern Rivers Herbfest. Amounts totalling \$139,700 have been included for both revenues and expenses recognising these events.

Information Services

To improve electronic communications between Council's CBD offices / Wyrallah Road depots and the Administration Centre, upgraded wireless network and data communications infrastructure has been installed. This is a measured response to increasing delayed response times being experienced by these remote sites and an opportunity to assess the use of 'Voice over IP' technology. The estimated cost is \$44,500 and this is funded from IS reserves.

Art Gallery

Works to integrate the annex (old Early Childhood Centre) with the main gallery were undertaken to the Art Gallery. In addition to these works, other maintenance and repairs works were completed. The total cost is estimated at \$30,000 and this is funded from the Art Gallery Building reserve.

Building & Environmental Health Services

DIPNR have provided \$36,700 for the employment of a Local Government Support Officer to 'engage local government in the transition from Catchment Management Boards to a Catchment Management Authority'. All costs are to be funded from the grant.

Parks & Recreation

- a) Section 94 Works – Works undertaken and funded from S94 totalling \$26,000 have been recognised in the budget. The main project was playground equipment costing \$24,200 for the Dunoon Pre School.
- b) CBD Toilet – Funding for a 24 hour self cleaning public toilet was provided in the current budget. To enable better planning for its location, the funds (net amount \$58,200) are to be reserved and utilised in 2004/05 when the Lismore Levee works in the Magellan Street precinct are completed.
- c) Kadina Park – Recognition of the continuation of this project and adjustment between funding sources. The increase of \$39,900 is to be funded from Parks & Recreation and Section 94 – Community Facilities reserves. A total of \$141,500 will be expended on this project during 2003/04.
- d) McKenzie Street – Vacant Land Sale – The net sale proceeds of \$332,600 (sale price \$334,000) are to be transferred to reserve. The application of these funds to works and/or services is to be considered by Council during the 2004/05 Budget process.
- e) Wade Park Safety Park – Grant funding applications for this project have not been successful and consequently, the schedule of works reduced by an amount of \$64,900. The remaining amount of \$21,600 is to be expended on widening the existing park pathways to cycleways.

LISMORE CITY COUNCIL - Meeting held May 11, 2004

March 2004 Quarterly Budget Review Statement

Urban Road

- a) McKenzie Street – Road Reserve Sale – The net sale proceeds of \$998,300 (sale price \$1,000,000), less contribution to sewer main relocation (\$121,600) and construction works on Magellan Street (\$187,000), are to be transferred to reserve for roadworks to the precinct surrounding the Lismore Shoppingworld development. A submission has been included in the 2004/05 Budget for these works totalling \$689,700.
- b) Lismore Nissan Carpark (Woodlark Street) – Council resolved to acquire and develop this site in August 2003. This project has been finalised at a cost of \$388,400. Funding for this project is from Section 94 carparking contributions (\$200,000) and property sales (\$188,400). As mentioned in the report, this arrangement would require the borrowing of a further \$200,000 for the Lismore Levee scheme as the carparking contributions were earmarked for that project. The additional borrowings have now been arranged.
- c) Cycleways – The RTA have offered Council an additional \$40,000 for cycleway works in Neilson Street, Elisabeth Street and Wyrallah Road on a \$ for \$ basis. As these works can be aligned to the widening of paths and proposed disabled children's playground at Wade Park, funding from footpaths and road reserves has been used to accept the funding.

Commercial Properties

The South Lismore Baby Health Care Centre in Union Street was sold as it was surplus to requirements. In accordance with the agreement, the proceeds were divided between Northern Rivers Health and Council. Council's share of \$56,100 has been transferred to reserves.

Sewerage Fund

The only change to be reported is the capital expenditure to be incurred for McKenzie Street main relocation. The estimated cost to undertake these works is \$275,000 with funding from contributions and reserves.

Change in Net Assets

The 2003/04 Management Plan showed a surplus in the "Change in Net Assets" of \$1,622,000. After the December review, the accumulated amount was \$1,593,000. This review improves the result by \$208,000 to an estimated position of \$1,801,000

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's cash or liquidity position.

Public Consultations

Not required.

Other Group Comments

Not applicable.

Conclusion

Council's budget has improved to a cash surplus position of \$59,600. The main reasons for this improvement are the continued revenues received from building related activity, and the recognition of additional rating income for 2003/04.

Given the objective to achieve a positive annual result from a financial perspective, and the little margin for error in expenditure budgets, Budget Managers will be reminded of their budget expectations and the need for them to act in a prudent and responsible manner.

LISMORE CITY COUNCIL - Meeting held May 11, 2004

March 2004 Quarterly Budget Review Statement

Recommendation (COR11)

- 1 Council adopt the March 2004 Budget Review Statement for General, Water and Sewerage Funds.
- 2 This information be submitted to Council's Auditor.

Subject/File No: MANAGEMENT PLAN REVIEW 2003-2006 –MARCH QUARTER 2004
(S4)

Prepared By: General Manager

Reason: Requirement of the Local Government Act

Objective: Information of Councillors

Management Plan Activity: General Manager

Background:

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

This report includes information that relates to the performance of programmes and activities highlighted in the Plan for completion during the quarter ended March 2004.

Recommendation:

That the report be received and its contents noted.

GROUP: GENERAL MANAGER

Management Plan Review - Period ending March 2004

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

Communications and Community Relations

1. **Management plan** – production and editing of draft 2004-2007 plan with staff involvement.
2. **Strategic planning** –
 - a. Compilation of 'Community directions – Issues Paper 2004' for Council review.
 - b. Project managed strategic planning, including liaison with councillors and consultant, and input to staff cultural gaps survey.
3. **Communications Strategy** –
 - a. Review into Business Paper communication and workflow completed.
 - b. Review of Council meeting communications commenced – survey of Councillors conducted
 - c. Review of Community access commenced.
 - d. Internet – Published Autumn version of website.
 - e. Implementation of new content management system for Internet, supported by staff training.
 - f. Published Community Link Jan/Feb edition.
 - g. 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%)
 - h. Liaison with SCU re 10th anniversary celebrations.
4. **Events - Community Relations** -
 - a. Held Flood Safe Week 2004;
 - b. Finalised procedures for start-up of flood call centre.
5. **Customer Service** -
 - a. Abraxa Review into customer service fully implemented this quarter.
 - b. Customer Service Committee – investigated models for measurement.
6. **Customer Satisfaction Survey** - customer satisfaction survey published and distributed.

Economic Development / Tourism

- The EDU was successfully relocated to the Rous Water Building in March 2004.
- Northern Rivers Tourism: Completed Phase One of the Showcasing Campaign
- The tourism marketing function worked closely with Nimbin's Community Economic Development Officer to organise the Nimbin Marketing Campaign - brochure, TV advertisement and public relations campaign.
- Between January and March 2004 the Rainbow Region Visitors Centre had 12,914 visitors through the door. (in comparison Jan - Mar 2003 was 11, 642.)
- Investigated potential aboriginal feature in Lismore. Several meetings held with Aboriginal Liaison Officer. Research done on available funding and viability.

Special Projects and Properties

- Land and building register – staff are cognisant of the value of this project and have responded positively.
- Spinks Park and Riviera Redevelopment – The Queen Victoria Record Reign fountain has been incorporated into the landscaping of Spinks Park. This section of the flood levee is almost complete and the area to the north of the Transit Centre will be finished within 3 weeks. Designs for the Riviera area have been exhibited and will be brought before Council prior to adoption.

Management Plan Review – General Manager Period ending March 2004

- CBD Centre – major work is complete and a DA for the construction of a disabled ramp is currently before Council. This will complete the building work.
- Cultural Precinct – the draft Master Plan is complete and will be exhibited during May 2004.
- Re-classification and rezoning of Council land – the LEP Amendment No 12 will be on public exhibition for comment during May 2004.

Human Resources

- Media Launch at Richmond Valley Council, and documentation to Minister on Richmond Tweed Council Cooperation initiative - Aurion Human Resources Information System (HRIS) Project involving 7 councils and the Richmond Tweed Regional Library.
- Local Government Support Officer appointed to assist Councils to work constructively on Natural Resource Management issues with the newly formed Catchment Management Authority.
- Regular presentations to General Managers' - Sub Regional Group on the above two projects.
- LGSA 2004 Local Government State Award Working Party progressed through Unions Logs of Claims.
- Convened meeting of Regional Councils' General Managers to prepare negotiating strategy for the new Award.
- Positions advertised for the new Parks structure; consultation and negotiation continuing.
- Reviewed Performance Management system (Chandler & MacLeod) at Hurstville Council and held presentations for staff on the product/system.
- Arranged presentation from Work Cover Senior Inspector on OHS to Middle Managers' Meeting.
- Implemented organisation-wide cultural health (employee opinion) survey.

Workshop , Fleet Management and Sign Shop

- Delivery of the second of the two Mowing type Tractors (Parks & Recreation - Fleet No's 278) and in service.
- Order placed for the purchase of one Reduced Swing Caterpillar Excavator (Roadworks - Fleet No. 246)
- Order placed for the purchase of additional 6x4 Garbage collection truck for NR Waste.
- Purchase/delivery to LCC Workshop of replacement/additional plant items which include:-
 - 4x4 Volvo L90 Loader (Roadworks - Fleet No. 250)
 - 2 x sets of A1 Portable Traffic Lights (Roadworks – Fleet No.'s 735 & 737)
 - 4x4 Nissan Patrol Table Top ute (Lismore Water – Fleet No. 402)
 - 4x4 Nissan Patrol ute with XL service body (Roadworks – Fleet No. 441) Replacing existing 9.5 tonne truck for Roadworks After-Hours Call-Outs.
 - 4x4 Mitsubishi Triton T/Top ute (Lismore Water Nimbin – Fleet No. 401)
 - 4x4 Mitsubishi Pajero Wagon (Group Manager B&E – Fleet No. 936)

GROUP: CORPORATE & COMMUNITY SERVICES
Management Plan Review - Period ending 31/3/04

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

Community Services

- *Kadina Park* – the Envite Work for the Dole team is progressing with stage 2 works including the construction of a shared walking/cycle path (approx. 800 metres in length) and installation of sheltered electric barbeques. A large shade structure was erected over the existing playground in February.
- *Seniors Week* – in conjunction with Ballina Shire Council, a successful Seniors Week Expo was held at Alstonville Leisure Centre on March 19, 2004. Advertisements have been placed in local newspapers and forms posted to seniors groups for entries in the Seniors Book.
- *Cultural Precinct* – the consultants appointed to complete the Master Plan undertook a week of intense community consultation with specific stakeholder groups as well as interested individuals and community groups during late February. The consultants met with the Project Team at the end of March to discuss the draft plan and report.
- *Community Safety/Crime Prevention* – a very successful activity was held at Kadina Park to mark International Women's Day with participation by women from a range of diverse backgrounds. Due to complaints and ongoing vandalism in the area, the (Hayes Street) path at the top of the concrete steps leading to the Coles supermarket has finally been closed.

Information Services

- *Computer Network* - the wireless data communication network (admin. building to remote sites) has been upgraded, with sufficient capacity to carry voice as well as data.
- *Web Site* – a new Content Management System was implemented and staff trained in its operation.
- *Human Resource Management System* – the Aurion HR system was implemented in all Richmond -Tweed Councils as a first step towards resource sharing of IT systems.
- *Records Management* – together with Rous Water and Richmond Valley Council we are working together to investigate a preferred electronic document management solution.

Finance & Administration

- *2004 Local Government Election* – staff had significant involvement with the election including co-ordination of a well attended pre-election seminar in February, organising the Councillor Familiarisation day (held 14/4/04), booking of polling places, organising booths and electoral material, taking postal & pre-poll enquiries and assisting the Returning Officer as required.
- *2004 Rating Professional Conference* – some 170 delegates and 60 to 70 sponsors were in attendance at this highly successful conference, organised by Council rating, tourism and events staff. The exposure of Lismore in such a positive light and the positive feedback from attendees is a credit to all the staff involved.
- *Risk Management* – further information on components of an Events Risk Management Plan have been gathered and a draft plan prepared, for consideration by management in May. In addition, a Trades & Services Directory is being created to ensure that only suppliers that meet Council's OH&S, insurance and sub-contracting requirements are engaged,
- *2004/05 Budget and Management Plan* – significant work has been undertaken during this period in preparing draft documents for consideration and adoption by the (new) Council in May.

GROUP: PLANNING AND DEVELOPMENT

Management Plan Review - Period ending March 2004

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

Planning Services

Implement adopted strategies

- **Urban Development Strategy:** Council at February meeting resolved to include North Lismore Plateau into Strategy, subject to completion of noise management plan for Lismore Speedway, and to permit development of greenfield sites by way of insertion into Schedule of LEP, with sunset clause, rather than through rezoning. In March, Council resolved to use as model, licence between Parramatta Council and its speedway, which resulted in issue of S96 (POEO Act) Notice to Lismore Speedway. DIPNR advised and requested to agree to revised Strategy.
- **Floodplain Risk Management Plan:** draft LEP altering flood-related planning controls gazetted on 27 Feb., after lodgement with Minister's office 3 months' prior.
- **Rural Housing Strategy:** Application received for 14-lot subdivision at 9 Livotto Dr., Richmond Hill. Council resolved to initiate LEP amendment to permit 26 rural res. lots and 1 community lot at Stony Chute Rd., Nimbin.

Improved integration of TCM & ESD in planning controls

- **Koala Plan of Management:** Report prepared for February Council meeting at which Council resolved to take no further action.

Review & update planning instruments:-

- **Amendment 12: Review of land zoned 6(a) Recreation:** being undertaken by consultant supervised by Lindsay Walker, with advice as required from Strategic Planner.
- **Amendment 14 Annual General update:** submitted to Minister's office in early December 2003. Still awaiting approval.
- **Amendment 15: Rezoning of land at Trinity Drive in accordance with UDS:** Strategic Planner continuing to liaise with Development Engineer in preparation of S.94 Plan, including calculation of lot yield.
- **Amendment 16 Airport Industrial Estate:** undertaken by consultant supervised by Council.
- **Amendment 17 Rural Res, Minshul Crescent, Tullera:** awaiting response from RTA.
- **Amendment 18: Dwelling entitlement Satinwood Rd:** Response awaited from RFS. DIPNR advise no need for environmental study.
- **Clunes DCP Review:** Community survey designed as input to revised DCP.
- **DCPs 18 and 28:** Review of DCP 18 (Carparking) commenced. Project Team for DCP 28 review held inaugural meeting.

Monitoring of Development Applications:

- Average processing time/application for quarter 49.3 days (standard – 40 days).
- Number of public enquiries – Jan, 535; Feb, 570; Mar, 657
- Quarterly Residential Subdivision statistics – 4 DAs lodged proposing creation of 18 lots. 55 lots released.

Environmental Health

Actions Planned – Strategies and Programs

Audit of Commercial Premises: Routine inspections of commercial premises in accordance with strategy have commenced. During quarter following inspections undertaken:- High risk-44, medium risk-12, low risk-8, new premises-12, re-inspections-11, pre-purchase-1, other commercial premises-13.

- **State of The Environment Report (SoE):** Relevant staff attended workshop held at DIPNR in Grafton regarding data compilation for 2004 Comprehensive SOE report. Compilation of report is continuing.
- **Clean up Australia Day:** Clean up Australia Day successfully implemented in March.
- **Stormwater Management Strategy:** Trinity Drive drain remediated with gabion mattress. 'Feed Your Garden and Not Our Rivers' cinema ad and brochure in production. Manager-EH&BS continues to serve on Estuary Management and Floodplain Committee, with most recent meeting in March.
- **Water Sensitive Urban Design (WSUD):** Regional meetings held in January & March 2004.
- **Emergency Management Plan:** Quarterly February meetings held for Rescue Committee and Emergency Management Committee.
- **Sun Protection :** DA submitted for shade shelter at Nimbin Skatepark.
- **On-site Sewage Management:** Strategy spread sheet model has been updated and
- Audit/Education program continues. North Woodburn demand management program undertaken and completed with 80% success rate.
- **Contaminated Lands Policy:** Policy continually being updated as properties are either confirmed to be contaminated or not. Risk assessment of properties on database being investigated.

Waste Minimisation Strategies

Actions Planned – Strategies and Programs:-

- **Implement media plans for contamination management in the recycling and organics stream:** Media releases during January: Christmas card recycling (NBN, ZZZ and Echo news coverage); 2 Prime News stories about contamination in recycling stream; recycling ad in Echo. Monthly newspaper ads. continue as scheduled with organics ads for February. Arrangements made for 2NCR radio campaign for SCU 'Orientation Week'. Monthly newspaper advertising, drop off centre promotional ads. ran during March.
- **Develop and implement the schools waste education program 'Resources On Tour':** Next Resources on Tour program commences April.
- **Provide a Waste Audit Service for Schools** LCC school audit kits remain on loan to Sustainable Schools Program.
- **Provide a report each year on the composition of waste, diversion rates and contamination status in Lismore:** Further review of audit report and recommendations of changes needed to findings.
- **Implement Cleaner Production initiatives under the IWS 3-year action plan: Rainbow Region Business Waste:** Rainbow Region Business Waste Project–Finalisation of audits for Lismore Base Hospital and Southern Cross University. Planning for business seminar in May commenced with discussions on conference agenda, booking of speakers, promotional/advertising campaign.
- **Organics Service:** 143 rejection 'slips' issued (comprising 1st, 2nd, 3rd 'notices' & service withdrawal) and 25 home visits conducted during quarter.

Building Services

- **Monitoring of Development Applications:** Average processing time/application 19.16 days for the quarter (standard-25 days)
- **Swimming Pool Survey:** Target of 12 inspections/quarter has been well exceeded with Compliance Officer completed 66 new inspections and reinspections, in order to clear substantial backlog from previous years. Will continue to review files for all pools erected pre-1992 over next 6 months.
- **Fire Safety Measure Program:** Program is being addressed, at measured pace, given complexity and sensitivity of these matters. Building owners have responded to numerous Fire Orders issued. Two further Fire Orders however, will be referred to Council's solicitors for instigation of legal action due to inadequate responses from owners.
- **Inspections of Caravan Parks, Places of Public Entertainment, Public Halls, Boarding Houses:** Consultant has followed up Public Halls and assisted with some outstanding 'essential services' inspections. Work on this area will recommence early in next financial year.

GROUP: BUSINESS AND ENTERPRISE

Management Plan Review - Period ending March 2004

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

Lismore Regional Airport

- Lismore to Brisbane service wound up at Easter due to lack of passenger numbers.
- The AirServices Australia's tender to install approach lighting at the Airport was successful and are currently undertaking the installation works.
- Regional Express (REX) passenger numbers continue to climb to better than expected levels.

Lismore Memorial Gardens (LMG)

- 208 funeral services facilitated.
- Selection of Landscape contractor for Area 6 re-development.
- Evacuation plans installed within crematorium chapel.
- Rockery 2 water feature re-developed.
- 6 lawn sections refurbished with Tryton worm cast material.

Northern Rivers Quarry & Asphalt (NRQ&A)

- Continued work on noise reduction measures for EPA plan.
- Implemented Dept Mineral Resources audit points.
- Implemented new Safety Hazard Identification procedures.
- Revision of Quarry development and maintenance plans.
- Undertook customer value analysis.
- Commenced investigation into crushing plant upgrade.

Northern Rivers Waste

- Council has gained the necessary approvals from the EPA and DIPNR to start the construction of a new leachate processing dam in February 2004, anticipated complete by end May 2004.
- External consultants URS, on Council's behalf, have completed third quarter monitoring at the Wyrallah Road Waste Facility.
- Council has commenced a review of its Landfill Environmental Management Plan (LEMP) in consultation with URS for the Wyrallah Road Waste Facility, to be completed every 3 years.
- Four (4) additional Groundwater bores were installed and tested at the Wyrallah Road Waste Facility to meet EPA and LEMP requirements in January 2004, thus making a total of seventeen (17) Groundwater Bores in total.
- Extension of waste services from intersection of Boatharbour Road and Richmond Hill Roads to Cameron's Road.

Lismore Water

- Water main and sewer main replacement program is continuing according to schedule.
 - A demand management promotion including water audit was conducted in Nimbin.
 - Water supply improvements in Nimbin are on hold until the Department of Energy Utilities and Sustainability (DEUS) reviews its funding program and makes a determination on the funding application.
 - Construction of the UV disinfection unit for East Lismore was commissioned on schedule and was officially opened in March. Designs are underway for an effluent reuse system plant.
 - The Clunes Wastewater Committee is progressing with selecting an appropriate site for the treatment plant and preparation of an EIS.
 - The consultancy for review of the North Woodburn wastewater transportation system was awarded to Geolink Ltd. DEUS indicated that it will not be funding this program at this stage until it finalises its review of the program.
-

- A consultancy to carry out an odour investigation study at South Lismore STP has been awarded to Pacific Air & Environment Ltd.

GROUP: CITY WORKS

Management Plan Review - Period ending March 2004.

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

Parks & Recreation:

- Upgrade canteens at Oakes Oval.
- Enhance City approach along Bruxner Highway outside South Lismore Industrial Centre – Complete.
- Refurbish plantings on CBD roundabouts.
- Refurbish plantings on roundabouts on Ballina Road.
- Refurbish timber seating on grandstands at Oakes Oval.
- Design and build gardens at Spinks Park – Complete.
- Design and build gardens beside Transit Centre.

Urban Roads:

- Footpath maintenance: Repair maintenance management system / inspection programme continuing – 90% complete with over 1,400 trip points identified.
- Footpath construction at Diadem Street, High Street, Hunter Street – complete.
- Maintenance management system development deferred until appointment of Urban Works Engineer.
- Skyline Road reconstruction – commenced.
- Resealing of Trevan Road, Arnett Street, Conte Street, Pollard Place, James Road, Beardow Street West, Alexandra Parade.
- Extension of Oliver Avenue partially complete – deferred until relocation of power poles.
- Cathcart Street drainage and pavement reconstruction programmed from Anstey to Ballina Streets.
- Richmond Hill Road pre-construction activities – 80% complete.
- East Lismore Drain (Elizabeth Street) – initial works commenced.

Rural Roads:

- Reconstruction of MR142 (Nimbin Road) from Stony Chute Road to High Street – complete.
- Nimbin Carpark Extension (final stage) – complete.
- Bus Bays – Eltham Road and Rous Road – complete.
- Resealing of Rosebank Road, Repentance Creek Road, Alphadale Road and Tregeagle Road.
- Completed shoulder maintenance on Rosebank Road, Dunoon Road, Repentance Creek Road, Coopers Creek Road and Minyon Falls Road.
- Completed gravel maintenance in the following areas: Caniaba Road, Johnson Road, Northcott Road, Parrots Nest Road, Pelican Creek Road, Schneider Lane, Auckram Road, Cooper Road, Boerie Creek Road, Hewitt Road, Cox Road, Billen Road.

Management Plan Review - City Works Group:

Period ending March 31, 2004

Bridges:

- Kellas Street to Gallagher Drive Pedestrian Underpass – commenced.
- Fernside Bridge Maintenance – complete.
- Ballina Street Bridge Railing (Stage 1) – complete.
- Numulgi Creek Bridge – commenced.
- Cubawee Bridge, Kyogle Road - pre-planning commenced.

Road Safety:

- Safety Around Schools – Dummies used to help slow down speeding motorists outside schools.
- Safe Travel for School Students – Introduced a Code of Behaviour for students using the Lismore Bus Interchange.
- Speed – Advisory speed checks conducted throughout the Local Government area with follow-up from the Richmond Local Area Command to address speeding on local roads.
- Operation Southtracks – RSO co-ordinated Council and RTA support of Richmond Highway Patrol road safety operation.
- Alcohol – Southern Cross University conducted Drinks Without Dramas at the Union for duration of academic year. Launched during Orientation Week, supported by RSO and Police with information stand and alcoholiser at 'O' Week events.
- Wet Weather – programme encouraging vehicle safety checks by offering 'free' wiper blades in lead up to Easter and school holidays.
- Young Drivers – Two workshops for supervising drivers conducted in March.

Traffic, Enforcement and Street Lighting:

- 124 dogs and 25 cats life-time registered.
- 66 dogs and 18 cats impounded.
- On-street/off-street parking enforcement continued – 684 fines issued.
- Six (6) abandoned vehicles impounded.
- Quote sought from Country Energy for street lighting of Oliver Avenue (Stage 6).
- Installed insulation in roof of kennels at pound.
- Re-opening of Conway and Carrington Streets intersection.
- Upgrade of disabled parking bays in Zadoc Street in front of Cinema
- 69 incidents recorded by safety cameras, 53 of which were responded by Police.

Survey and Design:

- East Lismore Drainage – Harmony Avenue to Elizabeth Street
- Cowlong Road, McLeans Ridges – Realignment
- North Woodburn Lane, North Woodburn – Drainage
- Richmond Hill Road, Richmond Hill – Bruxner Highway 800m North - Rehabilitation
- Diadem Street, Lismore – Shoulder widening plus kerb & gutter – Uralba to Magellan Streets
- Orion Street Catchment, Lismore – Hunter to Diadem Streets – Drainage
- Grace Road, Bexhill – Control survey for monitoring movement (monthly)
- Mortimer Oval, Lismore – Drainage
- Broadwater Road, Broadwater – 'T' Intersection at bridge.

Emergency Services:

- Flood levee – RSL Club to Club Lane – Complete.
- Flood levee – Club Lane to Police Station – final design almost complete; negotiations continuing with affected owners.
- Service Level Agreement between the Rural Fire Service and Council signed.

Subject/File No: NORTHERN RIVERS QUARRY & ASPHALT BUSINESS DEVELOPMENT OPPORTUNITY (Q1)
Prepared By: Craig Kelly – Group Manager Business & Enterprise
Reason: To inform Council of a potential proposal
Objective: To seek Council Resolution
Management Plan Activity: NRQ&A

Background:

Council operates one of three major quarries in this region. The other two major quarries are located at Teven in Ballina Shire and are operated by major public companies.

The operations of Northern Rivers Quarry & Asphalt (NRQ&A) are predominantly undertaken at Blakebrook on the Nimbin Road, however NRQ&A does operate two other minor quarries in the Council area.

Recently, Council was approached by a private sector organisation to consider opportunities to develop the quarry at Blakebrook. This approach has a number of benefits and disbenefits, from the Council perspective and this report does not seek to evaluate these at this time. The issue at hand is the manner in which such an approach can be evaluated in isolation. After some deliberation it was considered that the best approach was to invite Expressions of Interest publicly, to ascertain what other proposals may be put forward as a means of assessing the market value of all offers.

This approach does not address the initial issue of the net benefit to Council. This approach will merely market test any registrations of interest against one another. Should sufficient response be received, a further evaluation of the benefits and disbenefits will then be undertaken.

There is a view, supported within the Council management, that the NRQ&A operations are highly valued and valuable. The operation has good resources and is reasonably managed from independent assessments. This operation provides a reasonable proportion of all quarry products used by the Council in its road construction and maintenance operations. A large proportion (65%) of NRQ&A sales are external to Council, which derives the financial dividends for Council's wider activities.

The skills in operating and managing such a large quarry comes from a long history in quarry management for the Lismore City Council. The full extent of this history is not readily at hand, however it extends to North Lismore quarry prior to Blakebrook. The life of these two quarries would extend back some 50 years or more.

Why should Council consider this approach?

An approach to develop business opportunities for NRQ&A warrants further consideration by Council. It is considered to be a bona fide approach and one that could enhance the income earning capacity of the operation. On these grounds alone it is considered a worthwhile approach and justifies the time and effort to undertake a proper evaluation. Part of this evaluation is to solicit other expressions of interest.

Consideration of this report does not set Council toward a predetermined outcome. Should Council support the resolution, the likely steps forward would entail:

1. Preparing an Expression of Interest document;
2. Calling for Expressions of Interest;
3. Evaluation of responses;
4. Determination if any warrant a professional assessment; if so
5. External assessment;
6. Possible negotiation;
7. Report to Council;
8. Final resolution.

If at step 4 above it is considered that none warrant further assessment, then the process will be reported to Council and it will end at that point. Before final Council resolution, Council can determine what process it wishes to undertake to evaluate the information and form a view.

This process is likely to require a six (6) to twelve (12) month duration.

Manager - Finance & Administration Comments

Not required.

Public Consultations

To be covered during the EOI process.

Conclusion

The approach received by Council for business development opportunities regarding NRQ&A is bona fide and has the potential to provide enhanced returns on the Council investment. The only means of assessing if this is the best available offer is to open up a public process by calling Expressions of Interest. Once these are received and evaluated it is possible to assess if this course of action offers the best outcome for Council.

Undertaking this process does not commit Council to a course of action. The process will take up to one year and will come back to Council for determination.

Recommendation (ENT05)

That Council call for Expressions of Interest for interested parties to put business development proposals to Council for Northern Rivers Quarry & Asphalt.

LISMORE CITY COUNCIL - Meeting held May 11, 2004

MINUTES OF THE TRAFFIC ADVISORY COMMITTEE MEETING HELD APRIL 21, 2004

AT 10.00 AM.

(GW:VLC:S352)

Present: Mr Bill Moorhouse (*Chairperson*), Messrs Mike Baldwin (*Roads and Traffic Authority*), Snr Const Steve Hilder (*Lismore Police*), together with Mrs Wendy Johnson (*Road Safety Officer*) and Messrs John Daley (*Lismore Unlimited*) and Graeme Wilson (*Administrative Services Manager*).

Apologies: Apologies for non-attendance on behalf of Messrs Thomas George, MP, and Bill MacDonald were received and accepted and leave of absence granted.

Minutes of Traffic Advisory Committee Meeting – March 17, 2004

Members were advised that the Minutes of the meeting held on March 17, 2004 would be submitted to the Council meeting of April 27, 2004.

Disclosure of Interest: Nil

Correspondence:

1. **P Vidler**; requesting the intersection of Ballina and Dibbs Streets, Lismore, be upgraded to improve pedestrian and motorist safety. The Committee agreed that the intersection needed to be reviewed to improve safety. Council would arrange for traffic count/movements to be undertaken which would then be referred to the RTA for its attention.

TAC38/04 **RECOMMENDED** that Mr Vidler be advised of the action to be taken.
(04-2449:S352,R6002,R6020)

2. **Koonorigan Bus Service (and supporting letters)**; seeking approval to extend its bus service on Koonorigan Road to the Blackwell Road intersection and requesting a bus turnaround area be provided as part of this proposal. An inspection revealed that there was insufficient space for a turn-around but a three-point turn movement may be possible.

TAC39/04 **RECOMMENDED** that –
1. Council prepare design plans and a budget proposal for the turn-around area.
2. The RTA be asked to investigate the requirements of buses conducting a three-point turn at a drop-off/collection point.
3. The bus company be asked to prepare a management plan to ensure the safety of users of the drop-off/collection point.
(04-3025/30213023//3041/3142:R3304,R3101,S599)

3. **BH Mahaffey**; drawing attention to the difficulty experienced by voluntary community drivers in finding car parking spaces close to the Lismore Base Hospital and suggesting the road shoulder on the northern side of Hunter Street be made more level and a footpath provided. An option may exist for parking to be improved on both sides of Hunter Street, between Uralba and Dalziell Streets.

TAC40/04 **RECOMMENDED** that –
1. Design plans be prepared for improving parking facilities on both sides of Hunter Street, between Uralba and Dalziell Streets.
2. Negotiations be commenced with the owner of No. 47 Uralba Street for the relocation of fencing in conjunction with any works proposed.
(04-3625:S353,R6058)

4. **Hoolihan Valuations;** seeking the removal of two No Parking signs situated in front of its premises at No. 210 Keen Street, Lismore.
An inspection revealed the No Parking signs should remain to maintain driveway access to adjoining buildings.

TAC41/04 **RECOMMENDED** that the No Parking signs remain. (04-3794:P5735)

General Business:

5. **Lockett Street, Lismore – Parking Facilities**
S Arndell of Centrelink had expressed concern regarding vehicles being parked in front of the vehicular access and fire escape stairs in Lockett Street.

It was noted that this section of Lockett Street was appropriately signposted.
TAC42/04 **RECOMMENDED** that Council's Rangers be requested to police this area.(R7318)

6. **Stocks Street, East Lismore – Parking Facilities**
L Synott had raised concern for vehicles being parked close to the bend and double white centre lines in front of his property at No. 4 Stocks Street.

TAC43/04 **RECOMMENDED** that No Stopping signs be erected adjoining No. 4 Stocks Street. (R7479)

7. **Ross Street, Lismore – Parking Facilities**
A Murray had expressed concern that vehicles are being parked around the bend near No. 42 Ross Street.

TAC44/04 **RECOMMENDED** that No Stopping signs be erected adjoining No. 42 Ross Street. (R7132)

8. **Carrington Street, Lismore – Parking Facilities**
P Fraser of Lismore Unlimited had suggested consideration be given to the introduction of 4-hour parking on Carrington Street, between Conway and Bounty Streets, due to the current low usage of on-street parking in this area.
Inspections indicated that the area was well used and that parking spaces were difficult to obtain.

TAC45/04 **RECOMMENDED** that additional information be sought from Lismore Unlimited on its proposal. (R7303)

9. **Lismore Lantern Parade – June 19, 2004**
Ms Jyllie Jackson, Co-Ordinator of the Lismore Lantern Parade, presented a draft management plan for the parade segment of the Lantern Parade. The Committee agreed with the proposal to use "competent volunteers" (eg, SES members), to supervise the barriers.

Ms Jackson also raised the possibility of using the Ballina Street Bridge to display fireworks. Whilst this could be achieved, an alternative approach was also discussed and will be pursued by Ms Jackson. (S823)

10. **Nimbin Mardi Grass – May 1-2, 2004**
The Jungle Patrol Community Safety Inc submitted a traffic plan for the Nimbin Mardi Grass festival. The Committee noted the short time-frame for its consideration (two weeks), and the lack of information supplied. The Committee acknowledged the inevitability of the event proceeding.

Staff would continue to liaise with the Organisers to ensure that issues such as insurance, advertising and road barriers were covered. (S824)

LISMORE CITY COUNCIL - Meeting held May 11, 2004

MINUTES OF TRAFFIC ADVISORY COMMITTEE MEETING HELD APRIL 21, 2004 (Cont'd)

11. **Lismore Memorial Baths Parking – Molesworth Street**
TAC46/04 **RECOMMENDED** that subject to the approval of the RSL Sub-Branch, the number of parking spaces on Molesworth Street be increased by the removal of the No Parking signs. (R7322)

12. **Country Road Safety Summit – May 27-28, 2004**
TAC47/04 **RECOMMENDED** that Council make a submission to the Summit with emphasis on “clear run-off areas” and “excessive vehicle speed for road/weather conditions”. (S596)

This concluded the business and the meeting terminated at 11.40 am.

CHAIRPERSON

ADMINISTRATIVE SERVICES
MANAGER

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE CITY OF LISMORE HELD IN THE COUNCIL CHAMBER, GOONELLABAH ON TUESDAY, APRIL 27, 2004 AT 6.00PM.

Present: Mayor, Councillor King; Councillors Chant, Crimmins, Dowell, Ekins, Graham, Hampton, Henry, Irwin, Meineke and Swientek, together with the General Manager; Group Managers- Corporate & Community Services, City Works, Planning & Development, Business & Enterprise; Manager-Special Projects & Properties, Manager-Finance & Administration, Manager-Human Resources, Administrative Services Manager and Team Leader-Administrative Support.

Apologies/Leave of Absence: Leave of absence was approved for Councillor Tomlinson by Council at its meeting of April 20, 2004.

63/04 **Minutes:** The minutes of the Ordinary Meeting held on March 9, 2004, were confirmed.
(Councillors Irwin/Hampton)

64/04 The minutes of the Extraordinary Meeting held on April 20, 2004, were confirmed.
(Councillors Irwin/Crimmins)

PUBLIC ACCESS SESSION:

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

Damian Chapelle re DA04/73 – Five Lot Residential Subdivision – 346 Ballina Road and 37 Karissa Drive, Goonellabah

(See Minute No. 65/04)

Mr Chapelle spoke in support of the application. He outlined the development, stressing its compliance with Council standards and the efforts made by the applicant to meet residents' concerns.

(D04/73)

Mr Phil Brodie re DA04/73 – Five Lot Residential Subdivision – 346 Ballina Road and 37 Karissa Drive, Goonellabah

(See Minute No. 65/04)

Mr Brodie spoke on behalf of the concerned residents of Karissa Drive. He raised concerns about the safety of the access shaft, its ongoing maintenance, issues of drainage and the retention of hoop pines.

(D04/73)

REPORTS:

DA04/73 – Five Lot Residential Subdivision, 346 Ballina Road & 37 Karissa Drive, Goonellabah

A MOTION WAS MOVED that this matter deferred till the next meeting.

(Councillor Swientek)

The Mayor ruled the motion lapsed for want of a seconder.

65/04 **RESOLVED** that the report be received and -

- A** That Council grant delegated authority to the General Manager - subject to the concurrence of the Development Assessment Panel, to approve variations of a minor nature and/or arithmetic nature to conditions of consent applied to this application except where a particular condition has been specifically identified as requiring Council consent if it is to be varied.
- B** That Council, as the consent authority, approve Development Application 2004/73 for the subdivision to create five residential lots, subject to the following conditions:

PLANNING

- 1 In granting this development consent, Council requires:
- the development,
 - all roads/civil works,
 - lot boundaries, and
 - areas subject to any amendment or modification called for in the following conditions
- be substantially in accordance with the stamped approved plan(s) No. 03/259-1 & 2 dated 15/1/2004 and/or supporting documents submitted with the application. A copy/copies of the approved plan is/are attached to this consent.
- Reason:** *To correctly describe what has been approved. (EPA Act Sec 79C)*
- BUILDING**
- 2 Prior to the release of the Subdivision Certificate, a qualified practising Engineer, experienced in soil mechanics, shall submit documentary evidence in the form of a Geotechnical Investigation Report to the Principal Certifying Authority for approval, certifying that each allotment is suitable for building purposes and classifying each allotment in accordance with Australian Standard 2870 "Residential Slabs and Footings". Any allotment subject to further earthworks during the construction phase will require an amended Geotechnical Report.
- Reason:** *To ensure the development is completed in accordance with the conditions and approved construction design plans. (EPA Act Sec 79C(b))*
- 3 Benching (ie cutting, filling or levelling) of the land to create building platforms does not form part of this approval and will only be considered in conjunction with a Development Application to build on the land.
- Reason:** *To preserve the appearance of the area. (EPA Act Sec 79C(b))*

WATER & SEWER

- 4 The proponent shall provide water works to service the development. The works shall include:
- a) A conventional water reticulation that comprises a water service to each allotment. Water reticulation works shall be designed and constructed in accordance with Lismore City Council's adopted standards. Any costs shall be the responsibility of the proponent. The proponent shall be responsible for the full cost of any associated water maintenance considered necessary by Lismore City Council's Manager-Water and Sewerage for a period of twelve months from the date of approval of the works. After satisfactory completion of this work, a practising qualified surveyor shall submit a "works-as-executed" set of 1:1000 transparency plans and plans in digital format (Autocad or similar) showing these works.
- Reason:** *To provide adequate services for the development (EPA Act Sec 79C(c))*
- 5 The proponent shall provide sewerage reticulation to service the development. The works shall include:

- a) A conventional gravity sewer reticulation that comprises a sewer junction to service the lowest ground level of each allotment. Sewerage works shall be designed and constructed in accordance with Lismore City Council's adopted standards. Any costs shall be the responsibility of the proponent. The proponent shall be responsible for the full cost of any associated sewerage maintenance considered necessary by Lismore City Council's Manager-Water and Sewerage for a period of twelve months from the date of approval of the work. After satisfactory completion of this work, a practising qualified surveyor shall submit a "works-as-executed" set of 1:1000 transparency plans and plans in digital format (Autocad or similar) showing these works.

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

- 6 Prior to issue of a Subdivision Certificate by the Principal Certifying Authority, the proponent must apply to Lismore City Council under Section 305 of the Water Management Act 2000, and obtain from Lismore City Council a Certificate of Compliance under Section 307 of the Water Management Act 2000.

Following the making of an application under Section 305 of the Water Management Act 2000, Lismore City Council under Section 306 of the Water Management Act 2000, may require the proponent to do either or both of the following:

- a) to pay a specific amount to the Lismore City Council by way of contribution towards the cost of such works as are specified in the notice, being existing works or projected works, or both,
b) to construct works to serve the development.

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

- 7 Full design plans of the proposed engineering works to satisfy condition(s) 6 and 7 shall be submitted to Lismore City Council. Such plans must be approved by the Manager-Water and Sewerage before the issue of the Construction Certificate. Construction of these works will need to be completed before a Certificate of Compliance is issued by Lismore City Council under Section 307 of the Water Management Act 2000.

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

- 8 The proponent, at no cost to Council, is to dedicate an easement at least 3m wide centred over the proposed/existing sewer main as directed by Council.

Reason: *required by Clause 65 of the Local Government (Approvals) Regulation.*

- 9 An analysis of the water reticulation is required to assess the impact of the subdivision on water pressure within the adjoining water reticulation. Additional lead-in water mains may be required to be constructed by the developer as a part of this condition. This is dependent upon the findings of the water analysis.

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

LEVIES

- 10 The proponent shall pay to Council all Water and Sewerage Headworks Levies deemed necessary by Council and in accordance with Section 64 of the Local Government Act 1993. The rates and amounts applying at the date of this notice, are set out in the schedule for your information. Such levies shall be paid as required by Council, prior to release of the Subdivision Certificate.

Should levies set out in the attached schedule not be paid within twelve (12) months of the date of this consent, the rates shall be increased in accordance with the listing of rates applicable for the financial year in which payment is made. This listing of rates reflects the adjustment made for the Consumer Price Index (CPI, Sydney) on an annual basis.

Reason: To provide funds for the provision of services and facilities identified in Lismore City Council's Section 64 Contributions Plan as required by the increased population or activity. (Water Management Act 2000, Sec 306)

- 11 Payment of contributions levied under Section 94 of the Environmental Planning and Assessment Act and Lismore Contributions Plan 1999 (as amended) are required. Such levies shall contribute towards the provision of public services and/or amenities identified in the attached schedule. Such levies shall be calculated at the rate(s) in effect on the date the Subdivision Certificate is released. The rates and amounts applying at the date of this notice, totalling **\$17,208**, are set out in the schedule for your information. All contributions, bonds etc. shall be paid prior to the release of the Subdivision Certificate.

Should levies set out in the attached schedule not be paid within twelve (12) months of the date of this consent, the rates shall be increased in accordance with the listing of rates applicable for the financial year in which payment is made. This listing of rates reflects the adjustment made for the Consumer Price Index (CPI) on an annual basis.

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

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

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

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

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

AMENITY

- 12 The hours of work for any noise generating activity of the proposed development are to be limited to the following time restrictions:

Monday to Friday - 7.00am to 6.00pm

Saturday - 8.00am to 1.00pm

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

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

- 13 The construction of the subdivision shall not interfere with the amenity of the locality by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products or grit, oil or otherwise.

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

ENVIRONMENTAL HEALTH

- 14 Erosion and sediment control measures must be put in place and be maintained to prevent soil erosion and the transportation of sediment from the site into natural or constructed drainage lines or watercourses. Control measures are to remain in place until the site has been adequately revegetated or landscaped to prevent soil erosion.

Reason: *To prevent erosion of materials from the site.*

- 15 The development must be adequately drained to ensure that no stormwater and surface water and drainage overflows /drains onto adjoining lands. This must be addressed prior to release of the Subdivision Certificate.

Reason: *To ensure adequate drainage is provided.*

- 16 Lapped timber fencing must be provided and be maintained to the frontage of the development and the existing timber paling fence along the eastern boundary must be kept and maintained to provide a degree of noise attenuation to the development. The frontage fence must be set back sufficiently to allow dense landscaping and must be approved and installed prior to release of the Subdivision Certificate.

Reason: *To provide noise attenuation to the development.*

LANDSCAPING

- 17 The existing hoop pines on the northern boundary of Lot 4 DP 434180 are to be retained.

- 18 The land between the access road of Karissa Drive and Lot 10 DP 829464 and Lot 15 DP 841501 is to be landscaped with species that will provide a buffer to the subject lots in relation to traffic noise and headlight nuisance from vehicles using the accessway.

- 19 Screen plantings along the eastern boundary of Lot 4 DP 434180 are not to exceed normal fence height when mature.

DRAINAGE

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

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

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

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

- 21 The proponent shall make satisfactory provision for existing and proposed lots to dispose of stormwater without causing a nuisance to other properties. All works are to be constructed according to Council's Development, Design and Construction Manual (as amended). All roof water from any existing or proposed buildings and/or surface water from paved areas shall be directed to a discharge point to prevent intensification of discharge runoff onto adjoining land. All drainage lines are to be located within drainage easements. Any stormwater line with an area of influence from the stormwater line measured by projecting a 45° angle from the invert of the main to surface level extending outside of the easement shall be covered by a restriction on use requiring any structure within this area to be pierced to the stormwater invert level. All costs shall be the responsibility of the proponent.
Reason: *To ensure that the land or adjoining land is not damaged by the uncontrolled discharge of concentrated runoff from any buildings and paved areas that may be constructed on the land. (EPA Act Sec 79C(b))*
- 22 Prior to release of the Subdivision Certificate, a suitably qualified person or Principal Certifying Authority is required to furnish a statutory certificate confirming:
- all drainage lines have been located within the respective easements,
 - roadworks are in accordance with the approved design plan,
 - any other structures like retaining walls are located in accordance with the Construction Certificate,
 - all stormwater has been directed to a Council approved drainage system.
 - all conditions of consent/approval have been complied with.
- Reason:** *To ensure the development is completed in accordance with the conditions and approved engineering construction design plans. (EPA Act Sec 79C(a))*

EARTHWORKS

- 23 Prior to commencement of works, certification from a practising qualified engineer experienced in soil mechanics is required verifying:
- civil engineering works including retaining walls have been assessed as structurally adequate,
 - civil engineering works will not be affected by landslip either above or below the works,
 - civil engineering works will not be affected by subsidence either above or below the works, and
 - adequate drainage has been provided.
- Reason:** *To ensure protection from the effects of subsidence and/or slip. (EPA Act Sec. 79C(c))*
- 24 A qualified practising structural engineer shall provide Council with a certificate of structural adequacy for any proposed retaining walls in the development, prior to commencement.
Reason: *To ensure the development is constructed in accordance with the conditions and approved engineering construction design plans. (EPA Act Sec 79C(b))*

ENGINEERING

- 25 Full design plans of the proposed engineering works to satisfy condition(s) 20,21,26, 27,28 and 29 shall be submitted to and approved by Council prior to commencement of these works. Such plans shall be accompanied by the fee, as adopted at the time of the relevant payment as indicated in Council's Fees and Charges.
NOTE: Where a development is proposed to be staged then appropriate plans to satisfy this condition for that stage shall be submitted and approved by Council prior to commencement of works.
Reason: *To ensure an adequate road network in accordance with adopted standards. (EPA Act Sec 79C(a))*
-

- 26 The grade from the road pavement to each lot shall permit the construction of vehicular access in accordance with Council's Design and Construction Specification (Vehicular Access). Engineering design working drawings shall provide evidence of the feasibility of lot access. Such drawings shall be submitted for Council approval prior to release of the Approved design plans.

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

VEHICULAR ACCESS

- 27 Redundant road pavement, kerb and gutter or foot paving, including any existing entrances or other special provisions or damage arising from construction activities shall be reinstated in accordance with Council's Development, Design and Construction Manuals (as amended).

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

- 28 Vehicular access from the road pavement to the development shall be provided by the construction of a crossing, in accordance with the Council's Design and Construction Specification for Vehicular Access.

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

- 29 The access shafts of the lots shall be constructed to the widths shown in accordance with Council's Development, Design and Construction Manuals (as amended), prior to issue of the subdivision certificate.

Where servicing 3 or more lots a 6.0m wide asphaltic concrete (25mm depth) sealed or equivalent combined driveway with kerb and gutter on one side of the driveway.

Where servicing 2 Lots a 4.0m wide asphaltic concrete (25mm depth) sealed or equivalent combined driveway with kerb and gutter on one side of the driveway.

Where servicing 1 Lot a 3.0m wide asphaltic concrete (25mm depth) sealed or equivalent driveway

Provision of the following services:

- power
- water supply
- sewer
- stormwater
- telephone

shall be installed/conduits laid for the full length of the shaft, prior to construction.

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

SUBDIVISION

- 30 The proponent shall place street number identification on the frontage kerb and gutter to indicate the side boundaries and/or access shafts prior to release of the Subdivision Certificate.

Reason: *To provide visual identification of lot boundaries (EPA Act Sec 79C(e)).*

- 31 The proponent shall submit an application for a Subdivision Certificate for Council certification. Such application shall be accompanied by a Subdivision Certificate fee, as adopted at the time of the relevant payment as indicated in Council's Fees and Charges.

Reason: *To comply with environmental planning instrument. (EPA Act Sec 79C(a))*

PUBLIC UTILITIES

32 Prior to approval of the Subdivision Certificate, the proponent shall ensure the provision of telephone services is provided to all lots and including the full length of battle-axe handles. A Certificate of compliance from the relevant utility provider shall be required confirming that the respective utilities requirements have been met.

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

33 Prior to approval of the Subdivision Certificate, a certificate of compliance from Country Energy shall be required confirming that Country Energy has provided electrical power to each lot, including the full length of battle-axe handles and adequate street lighting for the development as required by the relevant Australian Standard, and that charges for the extension of electricity supply have been paid.

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

C A S96 application to remove any of the trees referred to in Condition 17 of DA 2004/73 shall be considered and determined by a meeting of the Council.

(Councillors Irwin/Hampton)

Voting Against: Councillors Swientek,
(D04/73)

Strategic Planning

66/04 **RESOLVED** that the report be received and –

- 1 That the document 'Community Directions - Issues Paper 2004' be placed on public exhibition for a period of 28 days from the date of this meeting.
- 2 That the feedback received be collated and reported on to Councillors ahead of the planned strategic planning days of June 2004.

(Councillors Irwin/Meineke) (S4)

Tender for the Supply of Casual Labour

A MOTION WAS MOVED that the report be received and –

- 1 That the tender for the provision for supplementary agency staff be awarded to North Coast Workforce for a 12 month period with an option for Council to extend the contract for a further two (2) one year periods.
- 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 Meineke/Hampton)

On submission to the meeting the MOTION was DEFEATED.

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

67/04 **RESOLVED** that the report be received and –

- 1 That the tender for the provision for supplementary agency staff be awarded to JHA Recruitment for a 12 month period with an option for Council to extend the contract for a further two (2) one year periods.
- 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 Irwin/Swientek)

Voting Against: Councillor Meineke.
(T24021)

- 68/04 **Tender for the Construction of Sewer Mains, McKenzie Street, Lismore**
RESOLVED that the report be received and –
- 1 The contract for the construction of sewer mains at Cathcart Street be awarded to Camglade Pty Ltd at the rates submitted. (The estimated price of the works is \$248,466 plus GST.)
 - 2 The Mayor and General Manager be authorised to execute the contract on Council's behalf and attach the common seal of the Council.
- (Councillors Hampton/Chant) (24002)

- 69/04 **Application for Closure of Public Road, Willis Road, Chilcotts Grass**
RESOLVED that the report be received and –
- 1 That the application to close the western end of Willis Road (as shown in the attached sketch) be endorsed by Council and lodged with the Crown for endorsement and gazettal as Council land.
 - 2 Council sell the abovementioned closed road to the adjoining landowner at market price.
 - 3 All costs associated with the road closure, as set out in this report be borne by the party who will purchase the closed road.
 - 4 That the General Manager and Mayor be authorised to sign and affix the Council Seal to land transfer documents and plans of survey as may be necessary to expedite this resolution.
- (Councillors Hampton/Chant) (R5305)

COMMITTEE RECOMMENDATIONS:

- 70/04 **Traffic Advisory Committee 17/3/04**
RESOLVED that the minutes be received and adopted and the recommendations contained therein be adopted, excluding Clauses 15, 17,19 and 20.
(Councillors Irwin/Hampton) (S352)

- 71/04 **Clause 15 – Ms L Miller**
RESOLVED that this item be referred back to the Traffic Advisory Committee to consider the possibility of installing a pedestrian refuge on Richmond Hill Road near the intersection with Tamarind Close.
(Councillors Irwin/Swientek) (04-2254: R1012,R1011)

- 72/04 **Clause 17- Intersection of Ballina Road and Bruxner Crescent, Goonellabah**
RESOLVED that as there was some uncertainty about the number of motorists still carrying out this manoeuvre, this area be monitored prior to any additional works being implemented.
(Councillors Irwin/Hampton) (R6408,R6414)

- 73/04 **Clause 19 – Eastpoint Shopping Centre**
RESOLVED that this item be received and noted.
(Councillors Irwin/King) (S746,D02/771)

- 74/04 **Clause 20 – Intersection of Dalley and Nielson Streets**
RESOLVED that this matter be referred back to the Traffic Advisory Committee with a recommendation that a 'fried egg' roundabout be trialled for 6 months.
(Councillors Hampton/Meineke) (R7426,R7459)

DOCUMENTS FOR SIGNING AND SEALING:

A MOTION WAS MOVED that -

- 1 **Surrender of Lease to Dynamic Business Communications**
- 2 **Request to Registrar-General to write off expired lease with Castlesands Pty Ltd**

As part of the conditions of sale of 186 Molesworth Street, Lismore, Council is required to confirm or remove the leases shown on the title of the property, prior to settlement. The abovementioned leases form part of this process.

(04-3881: P6832)

- 3 **Subdivision Plan & S88(b) instrument for current stage of Bristol Circuit Subdivision**

Council, as landowner, is required to place its seal on the documents that are to be lodged with the Registrar General for the abovementioned 8 lot subdivision.

(P27147)

(Councillors Hampton/Graham)

AN AMENDMENT WAS MOVED that Item 3 be approved and Items 1 and 2 be deferred till the next meeting.

(Councillors Swientek)

The amendment lapsed for want of a seconder.

75/04

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

- 1 **Surrender of Lease to Dynamic Business Communications**
- 2 **Request to Registrar-General to write off expired lease with Castlesands Pty Ltd**

As part of the conditions of sale of 186 Molesworth Street, Lismore, Council is required to confirm or remove the leases shown on the title of the property, prior to settlement. The abovementioned leases form part of this process.

(04-3881: P6832)

- 3 **Subdivision Plan & S88(b) instrument for current stage of Bristol Circuit Subdivision**

Council, as landowner, is required to place its seal on the documents that are to be lodged with the Registrar General for the abovementioned 8 lot subdivision.

(Councillors Hampton/Graham)

Voting Against: Councillor Swientek

MATTER OF URGENCY

Train Trip to Sydney

76/04

RESOLVED that this matter be admitted to the business paper as a matter of urgency.

(Councillors Irwin/Meineke)

The Mayor ruled the matter to be of great urgency.

77/04

RESOLVED that Councillor Dowell be Council's representative on the train trip to Sydney to support the retention of the rail link from Casino to Murwillumbah.

(Councillors Irwin/King) (S133)

CONFIDENTIAL MATTERS - COMMITTEE OF THE WHOLE:

78/04

RESOLVED that Council now exclude the press and public and meet in Committee of the Whole to consider the following matter:-

Possible Amendment to the Existing Agreement between Council and Tryton Waste Services (Lismore) Pty Ltd
(Councillors Hampton/Irwin)

RESUMPTION OF OPEN COUNCIL:

When the Council had resumed its former sitting, the General Manager reported that Council, meeting in Committee of the Whole, had resolved to exclude the press and public during its consideration of the beforementioned matters to preserve the confidentiality of a contract with third parties that are commercial in confidence

AND IT NOW RECOMMENDED

Item 1:

- 1 Council endorse the first offer included in the letter dated April 1, 2004.
- 2 Council make no decision on the second offer included in the letter dated April 1, 2004.
- 3 The Mayor and the General Manager be authorised to negotiate on behalf of Council and any further agreement beyond the existing Agreement dated August 28, 2000 be brought back to Council for consideration and resolution.

79/04

RESOLVED that the General Manager's report of Council meeting in Committee of the Whole be received and adopted.
(Councillors Irwin/Hampton)

Voting Against: Councillor Swientek.

This concluded the business and the meeting terminated at 9 pm.

CONFIRMED this 11TH day of MAY 2004 at which meeting the signature herein was subscribed.

MAYOR

