



NOTICE OF COUNCIL MEETING

An ORDINARY MEETING of LISMORE CITY COUNCIL will be held at the COUNCIL CHAMBERS, Oliver Avenue, GOONELLABAH on TUESDAY, SEPTEMBER 14, 2004, at 6.00pm and members of Council are requested to attend.

Paul G. O'Sullivan
General Manager

September 7, 2004

COUNCIL BUSINESS AGENDA

September 14, 2004

<u>PUBLIC ACCESS SESSION:</u>	PAGE NO.
Beth Wallach – 2004/05 Management Plan – Supplementary Budget Workshop (The Channon Walkway)	8
Kerrie Ellis or Dr. Malcolm Tester re S356 Donation to Rotary Club of Summerland Sunrise Inc. – Hire of City Hall	38
PUBLIC QUESTION TIME:	
OPENING OF MEETING AND PRAYER (MAYOR):	
APOLOGIES AND LEAVE OF ABSENCE	
CONFIRMATION OF MINUTES – August 10, 2004	
CONDOLENCES	
DISCLOSURE OF INTEREST	
MAYORAL MINUTES	
NOTICES OF RESCISSION	1 - 2
NOTICES OF MOTION	3 - 7
SUSPENSION OF STANDING ORDERS (Consideration of the Suspension of Standing Orders to debate matters raised during Public Access).	
REPORTS	8 - 33
➤ 2004/05 Management Plan – Supplementary Budget Workshop	8 - 9
➤ Lismore LEP – Draft Amendment No. 17 - Minshul Crescent & Dunoon Road	10 - 12
➤ Crime Prevention Plan	13 - 15
➤ Cultural Development Plan	16
➤ Social and Community Plan	17 - 18
➤ Application to Close Part of Gallagher Drive, Lismore Heights	19 - 20
➤ 2003/04 Reserves (Internally Restricted Assets)	21 - 25
➤ Tenders for Water Main Replacement, Various Locations	26 - 28
➤ Tenders for Mobile Library Trailer	29 - 30
➤ Rating Structure Review	31
➤ 2004 Annual Local Government Association Conference	32
➤ Payment of Expenses and Provision of Facilities Policy	33

COMMITTEE RECOMMENDATIONS

➤ Traffic Advisory Committee 18/8/04 34 - 36

DOCUMENTS FOR SIGNING AND SEALING 37

SECTION 356 DONATIONS 38 - 39

QUESTIONS WITHOUT NOTICE

CONFIDENTIAL MATTERS - COMMITTEE OF THE WHOLE 40 - 43

NOTICE OF RESCISSION MOTION

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

That the Council decision on development applications to come to Council be rescinded.

- 150/04 **RESOLVED** *that the report be received and Council –*
- 1 *Adopt the revised policy for determination of Development Applications and other planning matters by Council.*
 - 2 *Endorse the consequent alterations to Policy 5.2.2 Development Assessment Panel Function and Modus Operandi.*
 - 3 *Endorse the deletion of the existing Policy 1.2.14 'Information Sessions for Councillors' from the Policy Manual on the basis that its contents are now included in the new Policy.*

COUNCILLOR R M Irwin

COUNCILLOR J R Dowell

COUNCILLOR D R Tomlinson

DATE August 12, 2004

See comment on Notice of Motion following Rescission Motions.

(04-8686,04-8697: S371)

NOTICE OF RESCISSION MOTION

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

That the following motion be rescinded:

- 145/04 **RESOLVED** that the report be received and Council:
- 1 Adopt draft LEP Amendment No. 16 to rezone part Lot 532 DP 825929 and part Lot 2 DP 577321 Bruxner Highway, South Lismore from 1(r) Riverlands and 5 Special Uses zone to 4(a) Industrial zone; and
 - 2 Use its delegations under section 69 of the EP& A Act to forward a report to the Minister for Infrastructure, Planning and Natural Resources together with a request that the Minister make the Plan.
 - 3 Council prepare a Development Control Plan for this development.

COUNCILLOR J Chant

COUNCILLOR J Hampton

COUNCILLOR B Henry

DATE August 17, 2004

See comment on Notice of Motion following Rescission Motions.

(04-8926: S865)

NOTICE OF MOTION

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

- 1 The previous policy in regard to DAs to be considered by the Council be retained.**
- 2 That an extra column called Objections be added to the DAP listing for Councillors, which should indicate the number and form of objections received.**

COUNCILLOR R M Irwin

DATE August 12, 2004

STAFF COMMENT BY: Group Manager-Planning & Development

- 1 The officer report to the August meeting outlined a number of reasons why it is appropriate to revise the type of development applications which should be reported to Council for determination. The report emphasised however, that even with the revisions, Councillors will maintain their involvement in significant applications through the use of their 'call in' powers and through the referral by officers of any DA which generates objections of a significant nature which cannot be addressed by:-
 - conditions of consent,
 - negotiated alterations to the proposal,
 - mediation,
 - or, by other means.
- 2 The weekly DAP sheet which is circulated to Councillors can be modified to indicate which DAs have attracted objections (and the number of objections). Concerned Councillors could then seek more detailed information on the nature & form of submissions/objections by contacting either the Group Manager-Planning and Development or the Manager-Planning Services. This approach is more efficient, comprehensive and accurate than officers attempting a brief summation of the nature of objections, which may lead to undesirable situations of ambiguity, misinterpretation or incomplete understanding.

(04-8704: 04-S106,S765,S593)

NOTICE OF MOTION

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

That in view of the increased impact of the flood levee on North and South Lismore, and in the interests of minimising the amount of material dispersed during a flood, the residents be offered an annual general waste collection.

COUNCILLOR R M Irwin

DATE 12/8/04

STAFF COMMENT BY: Acting Manager-Northern Rivers, Lesley Trott

Northern Rivers Waste (NRW) has investigated the cost/benefits of providing an annual waste collection during previous years, and concluded that provision of this service is cost prohibitive, due to significant set-up costs associated with the purchase and operation of a suitable collection vehicle, and the labour intensive nature of such an operation. In addition, NRW considers that it would be difficult to limit the amount and type of material placed out for collection, and provision of such an accessible disposal option for residents may be counter productive to waste minimisation efforts.

Lismore has the option to participate in a North East Waste Forum initiative this year called 'Second Hand Saturday', to encourage residents to place their unwanted household items out for re-use/collection. It is unclear at this stage whether this initiative includes a kerbside clean-up of unwanted items, following 'Second Hand Saturday'. This will be investigated further.

NOTICE OF MOTION

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

That Council:

- 1 Adopt draft LEP Amendment No. 16 to rezone part Lot 532 DP 825929 and part Lot 2 DP 577321 Bruxner Highway, South Lismore from 1(r) Riverlands and 5 Special Uses zone to 4(a) Industrial zone; and**
- 2 Use its delegations under section 69 of the EP& A Act to forward a report to the Minister for Infrastructure, Planning and Natural Resources together with a request that the Minister make the Plan.**

Comment:

That adequate means to provide for good future development exist under the provisions of Section 79C (EP & A Act) and DCP No. 26 – Industrial Development standards.

COUNCILLOR J Hampton

DATE August 17, 2004

STAFF COMMENT BY: Group Manager-Planning & Development

Council's previous resolution to require a Development Control Plan for the proposed Airport Industrial Estate is considered reasonable given the prominent location of the site and the desirability of encouraging a high standard of building design and landscaping on future lots as well as the need for implementing best practice with respect to on-site stormwater management. Landscaping provisions would be designed to enhance the development rather than screen the estate from the main road. This can be achieved through the insertion of a new clause specifically relating to this site into DCP No. 26 (Industrial Development Standards).

(04-8924: S865)

NOTICE OF MOTION

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

That Council:

- 1 Ban smoking within 10 metres of all children's playground equipment.**
- 2 Ban smoking around all playing fields and sporting grounds.**
- 3 Erect signage around playground equipment and playing fields to indicate that designated areas are smoke-free.**
- 4 Ensure that events run or sponsored by Council are promoted as smoke-free events.**

COUNCILLOR J R Dowell

DATE August 30, 2004

STAFF COMMENT BY: Group Manager-City Works

Council has the capacity to control activities on Council owned land under section 632 part 2e. However we must remember that any or all of the activities listed must be able to be effectively enforced by Council and council staff. This would appear the appropriate legislation to use to put signs in and around Heritage Park to stop people smoking in the children's play areas.

Council's rangers, security staff and Police could reasonably take action if people did not take notice of the signs.

As to all other Council grounds, this has far reaching consequences in relation to community behaviour and I have requested advice from Walters as to what may be appropriate which will be available prior to the meeting.

(04-9376: S226)

NOTICE OF MOTION

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

In regard to the review of Council's committee structure, members of committees be involved in the review process prior to a report being submitted to Council.

COUNCILLOR V Ekins

DATE August 18, 2004

(04-8928: S36)

LISMORE CITY COUNCIL - Meeting held September 14, 2004

Subject/File No: 2004/05 MANAGEMENT PLAN – SUPPLEMENTARY BUDGET WORKSHOP (S880)

Prepared By: Manager – Finance & Administration, Rino Santin

Reason: To report the outcome of the Supplementary Budget Workshop

Objective: To gain Council's approval to amend the 2004/05 Budget

Management Plan Activity: Various

Background:

Council resolved at its Extraordinary meeting held on June 22, 2004 to refer all submissions received for the draft 2004/05 Management Plan, including Councillor's submissions (excluding those relating to the Nimbin Business Rate), to a Budget Workshop which was subsequently held on August 3, 2004.

At that Workshop, Councillors reviewed all the submissions and supported the inclusion of a number into the 2004/05 Budget. 'Attachment A' lists the submissions supported and where appropriate the amount and 'Attachment B' lists the other submissions.

To fund the inclusion of these submissions into the 2004/05 Budget, there are two funding sources being the budget surplus of \$133,300 and \$332,600 held in reserve from the sale of park land in McKenzie Street. The outcome from the workshop is that \$105,000 and \$266,800 respectively are recommended for allocation to works and services. This will result in a \$28,300 budget surplus and a \$65,800 unexpended reserve.

To facilitate the supported outcome for the submission from Lifeline Northern Rivers, "Policy No 5.6.1 – Tip Fees – Section 356 Donation" is to be amended to reflect Council's position of paying for waste disposal charges up to the value of two (2) tonnes per month per approved charity at the Wyrallah Road Waste Facility. We have taken the opportunity to make other minor changes and a copy of the proposed policy is attached.

In addition to the budget changes, the Workshop reiterated the necessity to review the level of construction funding and setting of priorities for footpaths and cycleways. This is in response to submissions requesting such works in Richmond Hill, Eltham, The Channon and High Street, Lismore.

Finally, a further workshop on how to improve the overall budget process is to be scheduled for later this year. The intention is to apply the improvements to the 2005/06 – 2007/08 process.

Public Consultations

The draft 2004/05 Management Plan was widely advertised and received a significant increase in the number of public submissions compared to previous years.

Based on the Workshop outcome, a letter was sent to all those who made a public submission.

Conclusion

As a result of the Budget Workshop, a further \$371,800 in works and services are supported for inclusion in the 2004/05 Budget. 'Attachment A' lists the submissions and amounts supported.

LISMORE CITY COUNCIL - Meeting held September 14, 2004

2004/05 Management Plan – Supplementary Budget Workshop

'Policy No. 5.6.1 – Tip Fees – Section 356 Donations' must be amended to cater for the increase in financial support for Lifeline Northern Rivers, and therefore other non profit community groups, using the Wyrallah Road Waste Facility.

A report is required on construction funding levels and setting of priorities for footpaths and cycleways in response to submissions requesting such works in Richmond Hill, Eltham, The Channon and High Street, Lismore.

Recommendation (COR24)

- 1 The submissions listed in 'Attachment A' are supported and as specifically nominated, the 2004/05 Budget be increased by \$371,800, funded \$105,000 from the budget surplus and \$266,800 from the land sale reserve.
- 2 Policy No 5.6.1 be amended to provide for Council to contribute towards waste disposal charges up to the value of two (2) tonnes per month per approved charity, and other highlighted minor changes.
- 3 City Works prepare a report for Council on construction funding levels and setting of priorities for footpaths and cycleways in response to submissions requesting such works in Richmond Hill, Eltham, The Channon and High Street, Lismore
- 4 That in accordance with Section 356(1) of the Local Government Act, Council agree to provide the following donations to: -
 - a) Blue Knob Hall Committee - \$1,348 for the painting of the Blue Knob Hall.
 - b) Vietnam Veterans Association - \$3,400 towards a stained glass window for St Andrew's Church, Lismore.
 - c) NORPA - \$15,000 towards a cultural development program.

Subject/File No: LISMORE LOCAL ENVIRONMENTAL PLAN – DRAFT AMEMDMENT No.17 (S 870)

Prepared By: Development Assessment Planner - Chris Soulsby

Reason: Close of public exhibition period.

Objective: Council's resolution to forward the draft amendment to the Minister.

Management Plan Activity: Strategic Planning

Background:

At its meeting of October 14, 2003 Council resolved to prepare a draft amendment to the Lismore Local Environmental Plan 2000.

PRÉCIS OF THE APPLICATION:

Subject land: Lot 4 DP 580081 and Lots 1, 2 and 6 DP 258403
Minshul Crescent and Dunoon Road
Tullera (plan attached)

Applicant: Newton Denny Chapelle Consulting Surveyors and Planners

Owners: T & M Pilati, RO & HC Cooling, R & GJ Blok, JM Richardson

Purpose: To amend Lismore City Local Environmental Plan 2000 to enable rural residential development to occur on the subject land.

The amendment is in accordance with the adopted Rural Housing Strategy. The amendment will enable the lodgement of a development application for the subdivision of the site to create 17 rural residential allotments.

Relevant Government agencies were consulted and the draft amendment, planning study and other background reports were publicly exhibited for 28 days. No submissions were received in response to the public exhibition. No significant issues were raised from the Section 62 consultation with government authorities.

Draft Amendment No. 17 as exhibited is set out as follows:

*Lismore Local Environmental Plan 2000
(Amendment No. 17)*

1. Name of plan

This plan is Lismore Local Environmental Plan 2000 (Amendment No. 17).

2. Aims of plan

This plan aims to amend schedule 4 to clause 28 of the Lismore Local Environmental Plan 2000 to enable infill rural residential development in accordance with the Lismore City Council Rural Housing Strategy 2002.

3. Land to which plan applies

This plan applies to Lot 4 DP 580081 and Lots 1, 2 and 6 DP 258403 Minshul Crescent Tullera.

4. Amendment of Lismore Local Environmental Plan 2000

Lismore Local Environmental Plan 2000 is amended as set out in Schedule 1.

Schedule 1 Amendments

[1] Schedule 4 Additional development on certain land

Insert in the appropriate order in each of the three columns these additional words:

Column 1	Column 2	Column 3
Land	Purpose	Development standards or conditions
<i>Lot 4 DP 580081 and Lots 1, 2 and 6 DP 258403 Minshul Crescent Tullera</i>	<i>Rural residential subdivision to create 17 allotments in accordance with master plan 01/166 dated 5 August 2003</i>	<i>An application for consent made pursuant to this item must not be granted unless the application is made within 2 years after the commencement of Lismore Local Environmental Plan 2000 (amendment No 17).</i>

Planning Comments:

During the assessment of the application Council wrote to the applicant outlining that a bond for the works to upgrade the intersection of Minshul Cr and Dunoon Rd would be required prior to gazettal of the amendment. This was to ensure that the proposed development had adequate road infrastructure provided and that this was to be fully funded by the developer. The applicant agreed to bonding of the works.

To further protect Council from any potential challenges to the requirement to construct the intersection it is proposed to make an amendment to the draft plan. This amendment will insert a further two conditions into column 3 of the above schedule. The amendment will state:

Column 1	Column 2	Column 3
Land	Purpose	Development standards or conditions
<i>Lot 4 DP 580081 and Lots 1, 2 and 6 DP 258403 Minshul Crescent Tullera</i>	<i>Rural residential subdivision to create 17 allotments in accordance with master plan 01/166 dated 5 August 2003</i>	<p><i>1: An application for consent made pursuant to this item must not be granted unless the application is made within 2 years after the commencement of Lismore Local Environmental Plan 2000 (amendment No 17).</i></p> <p><i>2: The intersection of Minshul Crescent and Dunoon Road shall be upgraded in accordance with the Plan 01/166B dated 16 April 2003 in the rezoning submission prepared by Newton Denny Chapelle at the developers expense.</i></p> <p><i>3: The intersection is to be completed prior to the release of the subdivision certificate for any lot proposed within master plan 01/166 dated 5 August 2003.</i></p>

LISMORE CITY COUNCIL - Meeting held September 14, 2004

LEP Amendment No. 17

This change does not impact in any way upon the adjoining landowners or upon any submission made by a government authority.

Manager - Finance & Administration Comments

Not required.

Public Consultations

The draft amendment was placed on exhibition for a period of 28 days. Landowners adjoining or adjacent to the subject site were also notified. Nil submissions were received.

Other Group Comments

City Works and Business and Enterprise has provided responses to the initial consideration of the amendment documentation. The issues raised by these groups can be addressed at the development application stage by way of conditions of consent.

Author's Response to Comments from Other Staff

Not required.

Conclusion

It is recommended that Council proceed with the next stage of the rezoning process by forwarding draft Amendment No. 17 with the above amendments to the Minister for Infrastructure and Planning with a request that he make the Plan.

Recommendation (PLA01)

That Council:

- 1 Adopt draft LEP Amendment No. 17 to amend Lismore City Local Environmental Plan 2000 to include an enabling clause for rural residential development on Lot 4, DP580081 and Lots 1, 2 and 6 DP 258403. ; and
- 2 Upon receipt of the bond for the intersection works Council use its delegations under section 69 of the EP& A Act to forward a report to the Minister for Infrastructure, Planning and Natural Resources together with a request that the Minister make the Plan.

Subject/File No: CRIME PREVENTION PLAN
(S717)

Prepared By: Lilian Gomez, Community Safety Development Officer

Reason: To identify future directions and develop Crime Prevention Strategies to be implemented in Lismore between 2005-2009.

Objective: That Council endorses the 2005-2009 Crime Prevention Plan

Management Plan Activity: Community Services

Background:

During 1998, the Crime Prevention Division of the NSW Attorney General's Department implemented the Safer Towns and Cities Project. Following some trial work done in Orange and Bega, the Department called for expressions of interest from Local Governments wishing to take part in the program. Lismore City Council was one of five local governments that received funding under the first round of grants.

To develop the Crime Prevention Plan in accordance with the Attorney General's Department's funding agreement, a specific model of development needs to be followed. Crime Prevention Plans that meet the Attorney General's model requirements can be endorsed as "Safer Community Compacts".

Having its initial Crime Prevention Plan endorsed by the Attorney General has enabled Council to access the Safer Communities Development Fund for the last five years. The Fund has been established to provide financial assistance to resource crime prevention strategies.

The first Crime Prevention Plan has been fully implemented and independently evaluated by Southern Cross University.

The Lismore Crime Prevention Plan has the overall aim '**to create a safer environment for all members of the community in the Lismore Local Government Area**'.

Recognising that the prevention of crime is a very complex issue that requires a wide range of responses from a number of stakeholders, Council established the Community Safety Committee in 1998. The committee continues to operate with representation from a broad section of agencies including the Departments of Health, Police, Housing, Education and Training, Community Services, Juvenile Justice, Southern Cross University and relevant community based organisations such as the Community Legal Centre, Aboriginal Land Council, Men's Resource Centre, Sexual Assault Services, YWCA, Family Support and Migrant Services.

The development of this second Crime Prevention plan has been informed by extensive consultation with the community and local service providers as well as action evaluation of strategies included in the previous plan following its completion. This document has strong links with Lismore City Council's Strategic Plan and with the Community and Social Plan and reflects the issues and strategies identified by both documents.

The Lismore City Council 2005-2009 Crime Prevention Plan includes a number of different interventions:

- **ISSUE 1:** Community safety in Lismore Central Business District
- **ISSUE 2:** Young people at risk

LISMORE CITY COUNCIL - Meeting held September 14, 2004

Crime Prevention Plan

- **ISSUE 3:** Domestic and family violence / Violence against women
- **ISSUE 4:** Child abuse and neglect
- **ISSUE 5:** Social exclusion

Recognising it to be unwise to try to tackle every problem at once, the recommendations from the Attorney General's Department suggest that no more than a handful of priority issues should be addressed in each year. It is also important to note the focus of the Community Safety Development Officer's role is on the causal factors of crime and therefore 'quick-fix' solutions are inappropriate.

The Crime Prevention Plan will be placed on exhibition for public comments. Other stakeholders involved with implementing the various strategies will be asked to commit to and sign off on the Plan.

Manager - Finance & Administration Comments

Not required.

Public Consultations

The following is a list of organisations contacted in the compilation of the 2005-2009 Crime Prevention Plan. This list is not exhaustive; consultation and partnership enhancement will be ongoing components of the Plan. Consultations, which also informed the Plan, were recently held to compile the Lismore City Council Community and Social Plan.

- Aboriginal Community Justice Group
- Wayiganna Aboriginal Advisory Committee
- Regional Violence Prevention Specialist (NSW AG's Dept)
- Local Community (Goonellabah Women's Group)
- Young people at Acmena Detention Centre
- Department of Housing
- SCU – Centre for Children and Young People
- Northern Rivers Multicultural Interagency
- CASACS
- Lismore Family Support
- PCYC
- Women Up North
- Lismore Women and Children's Refuge
- Lismore Women's Health Centre
- YWCA
- Northern Rivers Community Legal Centre
- Community Connections
- Community Services Department of Lismore City Council
- Department of Juvenile Justice
- Northern Rivers Health Service
- Richmond Local Area Command Police
- Centrelink
- Department of Community Services
- Anti-violence Project
- Nimbin Neighbourhood Centre
- Lismore Neighbourhood Centre
- ACON

Crime Prevention Plan

Other Group Comments

Not required.

Author's Response to Comments from Other Staff

Not required.

Conclusion

A new five year Crime Prevention Plan is required to replace the initial Plan and its 12 month extension. Endorsement from Lismore City Council and the Attorney General's Department is essential in order to continue the valuable work undertaken into the complex issue of crime prevention.

Recommendation (COR29)

- 1 That Council endorse the attached draft five year Crime Prevention Plan.
- 2 That the draft Crime Prevention Plan be placed on public exhibition for a period of 28 days.

Subject/File No: CULTURAL DEVELOPMENT PLAN
(S86)

Prepared By: Wendy Adriaans, Manager Community Services

Reason: To present the Draft Cultural Development Plan

Objective: To seek Council endorsement of the Plan

Management Plan Activity: Community Services

Background:

The Northern Rivers region has the highest concentration of artists and arts/crafts practitioners per capita of any region in Australia apart from some suburbs of Sydney. However despite the wealth of creative talent that exists in this area, the development of the local arts industry has been hampered for a variety of reasons.

In 2003/2004 the establishment of Arts Northern Rivers, a regional Arts Board whose objective is to develop and promote arts within the Northern Rivers, and the employment of a Regional Arts Development Officer and a Regional Arts Project Officer, has addressed this problem to some extent. However it has become apparent the development of a strategic plan that addresses the needs of the community should be planned and implemented without delay.

Moreover, the Ministry for the Arts in conjunction with the Department of Local Government has recently released Cultural Planning Guidelines for local government. It is widely accepted that future funding from the Ministry may be dependent upon the development and application of a Cultural Development Plan.

To this end significant research and consultation has been undertaken as part of a process to deliver the attached draft Cultural Development Plan.

Manager - Finance & Administration Comments

Not required

Public Consultations

Consultations were conducted with the Art in the Heart Advisory Panel, Lismore Regional Art Gallery Advisory Panel, Lismore Arts Council, Southern Cross University, Northern Rivers Conservatorium of Arts, NORPA, Richmond-Tweed Regional Library service, Wayiganna Aboriginal Advisory Committee.

Other Group Comments

Not required

Author's Response to Comments from Other Staff

Not required.

Recommendation (COR31)

- 1 That Council endorse the attached draft Cultural Development Plan.
 - 2 That the draft Cultural Development Plan be placed on public exhibition for a period of 28 days.
-

LISMORE CITY COUNCIL - Meeting held September 14, 2004

Subject/File No:	SOCIAL AND COMMUNITY PLAN (S429)
Prepared By:	Wendy Adriaans, Manager Community Services
Reason:	To present the draft Social and Community Plan
Objective:	To seek Council endorsement of the draft Plan
Management Plan Activity:	Community Services

Background:

The Local Government (General) Amendment (Community and Social Plans) Regulation 1998 requires all Councils in NSW to develop a social/community plan or its equivalent by 30 November 2004 and include information about access and equity activities in their management plan and annual report. The State Government's social justice commitments require that councils focus on seven mandatory groups:

Children, young people, women, older people, people with disabilities, Aboriginal and Torres Strait Islander people, cultural and linguistically diverse people.

Councils may also include information about other specific groups such as gay, lesbian and transgender people.

This regulation aims to assist councils to:

- Promote fairness in the distribution of resources, particularly for those most in need.
- Recognise and promote people's rights and improve the accountability of decision makers.
- Ensure that people have fairer access to the economic resources and services essential to meeting their basic needs and improving their quality of life.
- Give people better opportunities for genuine participation and consultation about decisions affecting their lives.

Community Services staff have undertaken extensive consultation within the community, and have identified a range of issues and strategies that endeavour to make the local government area a more equitable and socially just place for all its residents. However, due to the time constraints involved in presenting a draft report to Council, the attached Plan is not yet complete. The key section of the plan that has been developed in full details the issues raised within various modes of community consultation and the suggested strategies, timeframes and budgets associated with those strategies.

The remainder of the plan comprises factual information that will not impact on the outcome of the proposed draft plan, eg demographic information, additional introductory material, graphics, existing service provision etc. It is proposed that staff continue to work through these sections and include all relevant information in the November 2004 report to Council.

Manager - Finance & Administration Comments

Not required

Social and Community Plan

Public Consultations

Extensive consultation has been undertaken with individuals, community groups, service providers, government departments, non-government agencies, and business community representatives.

Other Group Comments

Not required

Author's Response to Comments from Other Staff

Not required.

Conclusion

The Social and Community Plan is a major planning document within Council that addresses a range of social issues within the community. It is an evolving and 'living' document that will be updated and refined over a five year period, and will assist Council's planning processes as well as those of community groups and government and non-government agencies.

Recommendation (COR30)

- 1 That Council give in principle endorsement for the attached draft Social and Community Plan.
- 2 That the draft Social and Community Plan be placed on public exhibition for a period of 28 days.
- 3 Following exhibition of the plan, a further report be provided to Council in November to adopt the final plan.

Subject/File No: APPLICATION TO CLOSE PART OF GALLAGHER DRIVE,
LISMORE HEIGHTS
(R7115)

Prepared By: Manager-Special Projects & Properties, Lindsay Walker

Reason: To adjust property boundaries to align property boundaries with land use.

Objective: To obtain Council resolution.

Management Plan Activity: City Works

Background:

Council recently completed a pedestrian underpass under Ballina Road between Kellas Street and Gallagher Drive. The completion of this underpass and the associated entry structures have clarified those areas of Council land which are surplus to its requirements.

The landowner on the north of the Gallagher Drive entry has sought to purchase the surplus land which adjoins his property. The attached sketch plan by Newton Denny Chapelle clearly identifies the area involved.

Council's City Works Section has worked with the landowner to determine the area of surplus land and has appreciated his co-operation throughout the construction of the underpass.

Manager - Finance & Administration Comments

The proposal is supported on the basis that the land is to be sold at an agreed price and all costs associated with the road closure and lot consolidation are to be borne by the adjoining landowner.

Public Consultations

Not required.

Other Group Comments

Group Manager-City Works

Staff have been planning the construction of an underpass through this parcel of land for many years. Now that the work is complete it is reasonable to rationalise the land area required. The landowner to the immediate north has been of great assistance during the construction and continues to monitor the activities within the park and underpass. Council does not need the land in question and it would be an advantage to the neighbour. City Works staff endorse the recommendation.

Author's Response to Comments from Other Staff

Noted.

Conclusion

The area of land proposed to be closed is surplus to Council's requirements and exhibits a greater nexus to the adjoining property than to Council's land.

The closure will be mutually beneficial to both parties as it will save Council maintaining the area.

Recommendation (GM01)

- 1 That the application to close the small area of Gallagher Drive as set out in this report be endorsed by Council and lodged with the Crown for gazettal as operational Council land.
- 2 That Council sell the abovementioned closed road to the adjoining landowner for \$1,000.
- 3 All costs associated with the road closure and its consolidation with the adjoining Lot 1 in DP 249779 be borne by the proprietor of the said Lot 1.
- 4 That the General Manager and Mayor be authorised to sign and affix the Council seal to land transfer documents and survey plans as may be necessary to effect this resolution.

LISMORE CITY COUNCIL - Meeting held September 14, 2004

Subject/File No: 2003/04 RESERVES (INTERNALLY RESTRICTED ASSETS)
(RS:S854)

Prepared By: Manager – Finance & Administration, Rino Santin

Reason: In accordance with Policy 1.5.10

Objective: To inform Council of reserve movements and balances for the financial year 2003/04.

Management Plan Activity: Various

Background:

Policy 1.5.10 - Reserves (Internally Restricted Assets) requires a separate annual report to be submitted to Council each year detailing all movements, appropriate levels and clarification as to needs, for reserves. This report has been prepared to meet that requirement for reserves during 2003/04.

As at June 30, 2004, cash reserves totalled \$21,564,426. This is an overall increase from the last annual report of \$434,365. The amounts held in the general, water and sewerage funds are \$15.423 million, \$2.542 million and \$3.601 million respectively.

Detailed below is a commentary on individual reserves with balances and this should be read in conjunction with the reserves summary (Attachment A), which shows the opening balance at July 1, 2003, movement for the year and closing balance at June 30, 2004, and the reserves policy (Attachment B), which states the objective, methodology and funding level for each reserve.

All reserves held at June 30, 2004 are deemed to be at an appropriate level given that they are either within a suitable range of the nominated funding level or are for a specific purpose.

As well as provide Council with the reserves information, the opportunity was taken to review and update the policy. Only minor modifications are proposed and these are highlighted in Attachment B.

General Manager's Group

Economic Development – Balance \$373,900

This category comprises of a number of individual reserves. It includes: -

- a) Economic Incentives Fund (\$92,200) - During 2004/05, a further \$50,200 is budgeted to be transferred to this reserve. Policy 11.1.1 "Lismore Incentives for Investment" sets a maximum level for this fund at \$300,000.
- b) Special Property Projects (\$198,800) – This includes funding for projects carried forward from 2003/04 such as Administration Building alterations (\$60,000), Nimbin Caravan Park caretaker housing (\$50,000) and C Block renovations (\$20,000). The majority of the residual relates to funds held from the sale proceeds of the South Lismore Baby Health Centre (\$56,100).

Other items of significance within this category include funding for the Strategic Plan (\$21,000) and unexpended Special Business Rate – Promotion (\$19,100) funds.

Corporate and Community Services Group

Administrative Purposes – Balance \$145,200

This category includes \$79,500 for Records Management Systems used to file/store records that require archiving and \$47,000 for Risk Management (insurance premiums).

LISMORE CITY COUNCIL - Meeting held September 14, 2004

2003/04 Reserves

The Risk Management reserve is new and was funded by budget savings in insurance excess payments for 2003/04. The creation of this reserve has allowed for a decrease in the annual budget for insurance excess claims with the expectation that should this budget be exceeded, funding would come from the reserve. At the same time, these funds can be used for risk management initiatives.

Information Services – Balance \$1,013,700

These funds are to be used for the future development and replacement of the corporate computer system, software and hardware, as supported by the Information Services Strategic Plan July 2003 - June 2006.

Employee Leave Entitlements – Balance \$1,173,847

The current value of leave entitlements due to staff at June 30, 2004 is \$3.544 million. Based on the category balance, they are approximately 33% funded. This level of cash funding is acceptable, even though it is slightly above the policy guidelines of 30%. Given the advice received from the Local Government Superannuation Scheme in regards to the re-evaluation of the current employer superannuation contributions 'holiday' due by December 2004, maintaining the reserve at a higher than required level is supported.

Community Services – Balance \$39,000

The main reserves held are for the Social Plan (\$10,800), which is currently being reviewed, and Building Better Communities (\$9,000), which was included in the 2004/05 Budget for Nimbin.

Child Care – Balance \$12,200

The category includes \$9,600 for Gingerbread House and \$2,600 for the After School Hours Service. These funds are accumulated from surplus results compared to budget and can be used in future years to offset deficit results compared to budget, replacement of equipment, building improvements, etc.

Library Services – Balance \$12,300

The funds are to be utilised in 2004/05 for OH&S works on the lift and lockable display shelving at the Lismore City Library.

Art Gallery – Balance \$106,200

This category comprises specific reserve amounts for acquisition (\$17,400), art gallery foundation (\$8,600), building improvement/replacement (\$46,700), corporate patrons (\$13,200) and travelling exhibitions (\$20,300).

Community Facilities – Balance \$1,134,600

A total of \$966,700 is held specifically for the Goonellabah Leisure Centre. These funds will be utilised to fund the construction of Stage 1 expected to be commenced in early 2005.

The balance is to be applied to projects included in the 2004 Section 94 Plan, including the Goonellabah Leisure Centre, and for works required as part of the reconciliation of the 1999 Section 94 Plan, such as Wade Park Disabled Park (\$105,000) and Eltham Hall (\$11,200), which are planned to be completed in 2004/05.

Planning and Development Group

Planning Studies – Balance \$307,100

The main item included in this category is \$193,800 for Section 94 Plan Administration Charges. These are accumulated funds and represent the 2.5% administration charge on all developer levies collected. They are to be used to fund the administration and review of the Section 94 Plan.

LISMORE CITY COUNCIL - Meeting held September 14, 2004

2003/04 Reserves

Other amounts of significance include \$41,100 for Local and Regional Phosphorous Reduction campaigns, \$12,600 for Stormwater Management Plan – Education & Promotion expenses and \$21,000 in matching funds for an Estuary Management grant to be expended in 2004/05. The balance is made up of a number of lesser amounts with the majority to be expended in 2004/05.

Remediation Programs – Balance \$94,000

These funds are for the remediation of the former gasworks site, which is anticipated to be completed during 2004/05. The balance reflects previously committed funds unspent at June 30.

Waste Minimisation – Balance \$33,700

The balance represents the accumulated surplus of all revenues and expenditures for the Environmental Protection Charge levied on ratepayers.

City Works Group

Plant Operations – Balance \$2,198,100

This category reflects the net surplus on operations, purchases and sales of bridges, motor vehicles, roadworks and workshop plant. All other plant reserves are included under the respective category's, which have control over these plant items. The table below summarises all plant reserves, totalling \$3,857,100, which has increased by \$314,400 during the year.

Program	Amount
Bridges	326,100
Motor Vehicles	0
Crematorium and Lawn Cemetery	48,100
Parks and Recreation	431,600
Quarry	306,900
Roadworks	1,529,200
Waste	872,400
Workshop	342,800

Flood Mitigation – Balance \$41,900

This reserve is used to part fund Council's contribution towards the Lismore Flood Levee and flood prone property acquisitions.

Parks and Recreation – Balance \$1,408,100

The following is a list of the major reserve included in this category: -

Reserve Name and Description	Amount
Parks Plant – Accumulated surplus balance from plant operations to be used for plant replacement when required.	431,600
Kadina Park – Funding for works to be undertaken in 2004/05.	341,600
Rural Sportsgrounds Improvement Funds – Works carried forward from 2003/04.	15,600
Shade Strategy – Funding held for Riverview Park.	15,000
Dunoon Sports Club – Funding for lighting requested to be held over to 2004/05 by the Club so that additional funds to complete the works can be sourced.	15,000
McKenzie Street Land Sales – Proceeds from the sale of parkland in McKenzie Street. These funds are planned to be expended during 2004/05 on works supported by Council at the August 2004 Budget Workshop.	332,600
CBD Toilet Block – This project was carried forward into the 2004/05 Budget.	67,400
Coronation Park – Contribution required to match developer contributions received for this project in the 1999 Section 94 Open Space Plan.	87,300
Peace Park – Contribution required to match developer contributions received for this project in the 1999 Section 94 Open Space Plan.	15,500
Lismore Lake – The funds are to be used for future works.	73,400

LISMORE CITY COUNCIL - Meeting held September 14, 2004

2003/04 Reserves

Sporting Grounds – Balance \$25,400

The Nesbitt Park reserve of \$22,900 accounts for the majority of this category. Funds are for future development at this ground.

Transportation Infrastructure – Balance \$2,822,900

The following is a list of the major reserve included in this category: -

Reserve Name and Description	Amount
DA Contributions to Works – This relates to contributions received from developers for Council to complete specific works associated with a development consent.	85,700
Bridge Construction – All planned construction work for 2003/04 were not completed due to the bridge crew working on various other projects. Carried forward works will be undertaken in 2004/05.	42,200
Contractors Reserve – Council bids for work and if successful, performs it to RTA accepted standards. Where there is a profit or a deficit, this is placed in or taken from this reserve. In 2003/04, the net profit for RTA works totalled \$31,600. Included in the reserve is \$240,200 for works that will be required to be completed in 2004/05.	550,900
Road Reconstruction – As has been the case in previous years, funds predominantly for capital works (\$1,120,400) were not spent by June 30, primarily due to the RTA providing funds late in the year for state and regional roadwork. The decision to complete RTA works first has resulted in Council projects being carried forward to 2004/05. Also included in this reserve is the residual from the sale of McKenzie Street (\$762,100) for roadworks in the Lismore Square precinct, and \$98,000 for cycleways and footpaths.	1,993,900
Special Business Rate - Security – Accumulated funds raised by the CBD special business rate and dedicated to the CitySafe program, not expended at June 30.	54,100
Car Parking – Kerb Side Dining – Fees collected from kerbside dining licenses that are to be expended on the provision of carparking spaces.	18,200
Lismore Carboot Market – Funds collected from the Lismore Square Carboot Market that have been reserved for future works.	37,800
Underground Powering CBD – Funds available to contribute towards these type of works associated with major developments in the CBD.	20,400

Business and Enterprise Group

Other Waste Management – Balance \$949,300

Of this category, \$872,400 is held for waste plant, which will be used for the replacement of plant as required, and \$76,900 being the accumulated surplus from the provision of non-domestic waste collection services.

Quarry Management – Balance \$2,604,600

This category includes the accumulated surplus from operations at Northern Rivers Quarry and Asphalt of \$2,267,100. These funds will be applied to the development, enhancement and rehabilitation of Blakebrook Quarry and approved gravel quarries. In addition, \$306,900 is held for the ongoing replacement of quarry plant.

Lawn Cemetery / Crematorium – Balance \$281,500

This reserve includes the accumulated surplus from operations at the Lismore Memorial Gardens of \$233,400. These funds are held to ensure the future sustainability of this facility. In addition, \$48,100 is held for the ongoing replacement of lawn cemetery / crematorium plant.

LISMORE CITY COUNCIL - Meeting held September 14, 2004

2003/04 Reserves

Airport – Balance \$279,000

This reserve is predominately for uncompleted capital works at the Lismore Regional Airport including apron works associated with the Aspect North project; secure carparking facility and Airport Drive reconstruction. It is anticipated that these works will be undertaken during 2004/05.

Property Management – Balance \$366,000

This category includes specific reserves for the part funding for a lift in the old Council Chambers building for the Richmond River Historical Society (\$25,000), residential land sales surplus (\$61,900), industrial land sales surplus (\$190,900) and shops and offices operating surplus (\$82,200). These funds are used for maintenance, enhancement and development of Council owned properties and real estate.

Water Supplies – Balance \$2,541,200

The balance reflects the net cash position of the Fund to June 30. These funds are mixed with all other revenues to operate, manage and maintain a high quality water supply service.

Wastewater Services – Balance \$3,600,679

The balance reflects the net cash position of the Fund to June 30. These funds are mixed with all other revenues to operate, manage and maintain a high quality wastewater service.

Given the need and demand for significant capital works, such as Clunes Sewerage, it is likely that the majority of these funds will be utilised in the medium term.

Public Consultations

Not required.

Other Group Comments

Not required.

Conclusion

The report and attachments detail Council's reserve movements and balances for 2003/04. At June 30, 2004, cash reserves totalled \$21.564 million, with \$15.423 million, \$2.542 million and \$3.601 million being held for general, water and sewerage funds respectively.

All reserves are cash based. Council's cash reserves are healthy and are a result of a number of prudent financial strategies that Council and management have adopted over a number of years. These strategies are usually reviewed or enhanced annually through the budget process. In addition, all of Council's designated businesses now have business plans in place. Other programs have forward plans in place, for example the Information Services Strategic Plan and the Child Care Centres Five Year Plans. These plans provide a useful tool for forecasting the expected level of reserves required and highlight the ongoing need to plan for the future.

In addition to providing this information, a number of minor changes to Policy 1.5.10 Reserves (Internally Restricted Assets) are proposed. The outcome is to simply update the policy to reflect the current situation.

Recommendation

That Council: -

- 1 Adopt the cash reserve balances for June 30, 2004 of \$21,564,426 as detailed on Attachment A.
- 2 Amend Policy 1.5.10 - Reserves (Internally Restricted Assets) as detailed on Attachment B.

LISMORE CITY COUNCIL - Meeting held September 14, 2004

Subject/File No: TENDERS FOR WATER MAIN REPLACEMENT, VARIOUS LOCATIONS (T25001)

Prepared By: Contracts Engineer, Lismore Water – Ravi Ariyasinghe

Reason: To inform Council of tenders received for the replacement of water mains at various locations

Objective: To obtain Council approval to award the Contract

Management Plan Activity: Water Mains Replacement Program

Background:

Tenders have been called for the replacement of 100mm diameter water mains in sections of Avondale Road, Clare Street, Crown Street, Eden Street, O'Flynn Street, Second Avenue, Snow Street, Terania Street and Union Street as part of the 2004/05 water main replacement program.

These water mains were identified as needing replacement because they were in poor service condition.

The request for tender was advertised in the Sydney Morning Herald, the Weekend Star and the Courier Mail.

Tender documents were issued to six organisations and three tenders were received by the close of tender on 2.00pm, Tuesday July 27, 2004.

Tender Examination:

The tenders received are summarised below:

TENDERER	TENDER PRICE	CORRECTED TENDER PRICE	ESTIMATE FOR RATE ONLY ITEMS	ADJUSTED TENDER PRICE
Ballina Shire Council PO Box 171 BALLINA NSW 2478	\$636,140	\$637,140	\$40,730	\$677,870
Camglade Pty Ltd PO Box 4054 GOONELLABAH NSW 2480	\$643,053	\$641,053	\$19,030	\$660,083
KJP Constructions Pty Ltd 222 Bronte Road WAVERLEY NSW 2024	\$951,723	\$949,723	\$34,226	\$983,949

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

This tender is a schedule of rates tender. The "tender price" is the estimated price of the works, as inserted in the tender form by the tenderers using their respective rates.

On examination of the schedules of quantities and prices submitted by the tenderers, it was observed that there were some arithmetical errors and omissions in the schedule. The "corrected tender price" takes account of these errors and omissions.

LISMORE CITY COUNCIL - Meeting held September 14, 2004

Report - Tenders for Water Main Replacement, Various Locations – T25001

Further, the pricing schedule contains some “rate only” items viz. fitting of water meters to existing service lines, extra excavations in the pipe trench, rock excavation etc. The “adjusted tender price” takes account of an estimated quantity of these “rate only” items.

An evaluation panel consisting of Ravi Ariyasinghe (Contracts Engineer, Lismore Water), Janaka Weeraratne (Asset Manager, Lismore Water) and Rod Haydon (Water and Wastewater Inspector, Lismore Water) undertook the assessment of tenders.

The tender documentation (Clause B7) defined four areas by which each tender would be assessed:

- a. Total Price
- b. Capability and Past Experience
- c. Quality, Safety and Environmental Management
- d. References.

No further consideration has been given to the tender submitted by KJP Constructions Pty Ltd, as the price is approximately 50% higher than the other two tenders.

Attachment A shows the weighted result for each criterion.

Ballina Shire Council also submitted an alternative non-conforming tender, which is detailed in the attachment.

The tender submitted by Camglade Pty Ltd has provided the better proposal for this project, when compared with the tender submitted by Ballina Shire Council.

Referee Check:

Council has contracted Camglade Pty Ltd for several previous projects of a similar nature. The works under each contract have been performed to a high standard.

Principal Accountant's Comments

There is a \$712,000 allocation in the 2004/05 Budget for the Water Main Replacement Program. The recommended tender price of \$641,053 is within budget allocation for the 2004/05 year.

Public Consultations

Not required.

Other Group Comments

Not required.

Author's Response to Comments from Other Staff

Not required.

LISMORE CITY COUNCIL - Meeting held September 14, 2004

Report - Tenders for Water Main Replacement, Various Locations – T25001

Conclusion

Camglade Pty Ltd is considered to have the ability for completing the work satisfactorily. It is recommended that the contract for the replacement of water mains at Avondale Road, Clare Street, Crown Street, Eden Street, O'Flynn Street, Second Avenue, Snow Street, Terania Street and Union Street be awarded to Camglade Pty Ltd at the rates submitted.

Recommendations (ENT08)

- 1 The contract for the water main replacement at various locations be awarded to Camglade Pty Ltd at the rates submitted. (The estimated price of the works is \$641,053 plus GST and the estimate for "rate only items" is \$19,030 plus GST.)
- 2 The Mayor and General Manager are authorised to execute the Contract on Council's behalf and attach the Common Seal of the Council.

LISMORE CITY COUNCIL - Meeting held 14 September 2004

Subject/File No: PURCHASE OF PLANT – MOBILE LIBRARY TRAILER
(T24025)

Prepared By: Chris Allison

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

Objective: To seek Council's approval for the purchase of one (1) Mobile Library Articulated Trailer on behalf of the Richmond Tweed Regional Library.

Management Plan Activity: Public Libraries

Background:

The Regional Library has operated this type of mobile library since 1994, with a new library trailer purchased from Brimarco of Ballarat, Victoria.

Tenders were originally advertised on May 4, 2004 for the supply of a new mobile library trailer and the sale of the existing library trailer, with only one (1) tender being received. Council resolved in June 2004 not to accept any tenders and to readvertise for the supply of the mobile library trailer.

Tenders were readvertised on June 22, 2004 with two tenders being received when tenders closed on July 13, 2004.

Tenders were received from the following:

SUPPLIER	Cost to R.T.R.L. before Trade-in	Trade in Offer for V052	Essentials (not included in quote)	Total Cost (Ex. GST)
Mills-Tui Australia	\$333,459.01	Not Given	\$19,250.94 Shelving - \$12,779.76 Risk Assessment - \$2,941.18 Technical Manuals - \$3,530.00	\$352,709.95
Specialised Vehicle Manufactures (SVM)	\$362,450.00	Not Given	Nil	\$362,450.00

An evaluation panel comprising of Martin Field (RTRL - Regional Library Manager), Michael Riddle (RTRL – Mobile Library Officer) and Col Cooper (LCC) 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 *total price, capability, functionality and conformity to the minimum specifications*.

The tender from Mills-Tui was based on using the timber shelving from the existing mobile trailer and only building new additional shelving as required, which was not acceptable, the cost of constructing new shelving was estimated at \$12,779.76. In addition, there were two design issues regarding the placement of the generator and the style of the proposed steps, which would impact on the final tendered price from Mills-Tui.

Both companies have demonstrated experience in constructing coaches/trailers, however SVM have built several more units to the specification required in the tender and are therefore better experienced in this area.

LISMORE CITY COUNCIL - Meeting held September 14, 2004

Purchase of Plant – Mobile Library Trailer

In regard to the construction techniques, Mills-Tui are proposing to use a standard trailer chassis, which would have to be modified to accept the various hydraulic capsules, whereas SVM are proposing to construct a purpose built chassis to suit the manufacture of the trailer.

Both tenders were required to indicate the estimated construction period for the trailer with SVM being able to provide the trailer in the shorter time frame

As there were no trade-in offers for the existing trailer, the RTRL have advertised the trailer for sale and have had three enquires. Although no formal offers have been received, it is expected that a sale price will be negotiated over the coming months.

The Richmond Tweed Regional Library Committee (RTRL), at its meeting on September 2, 2004 unanimously resolved to recommend to Council that the tender submitted by Specialised Vehicle Manufacture (SVM) for the design, supply and delivery of one articulated mobile library trailer be accepted. There are a number of optional extra's totalling \$13,215 which may also be included in the final design, which will be negotiated between Mr Martin Field, Regional Library Manager and Mr Col Starr, Fleet Manager and SVM.

The total cost of the new mobile library unit will be funded by a combination of RTRL reserves and a NSW State Library grant.

Public Consultations

Not required.

Other Group Comments

N/A

Author's Response to Comments from Other Staff

N/A

Conclusion

Having considered all the information provided, the RTRL Committee has unanimously resolved to recommend the acceptance of the tender submitted by SVM.

Recommendation (COR33)

That Council accept the tender from Specialised Vehicle Manufactures for the cost of **\$362,450.00 (excl GST)** + optional extra's (to be negotiated) for the design, supply and delivery of a mobile library trailer for the Richmond Tweed Regional Library.

Subject/File No: RATING STRUCTURE REVIEW
(S384)
Prepared By: Rating Services Co-ordinator - John Beacroft
Reason: Report on the outcome of the Rating Strategy Working Party Workshop of August 24, 2004
Objective: Determine future strategy to review Council's rating structure
Management Plan Activity: Financial Services – Corporate Relations

Background:

Council resolved on August 10, 2004 to hold a rating workshop and following that workshop, to appoint members to a Rating Strategy Working Party (RSWP).

At the rating workshop, held on August 24, 2004, the consensus was that further information needs to be provided at an additional rating workshop on possible rating structures to determine a future course of action.

The information sought covered various possible positions and these are outlined below :-

- One rate in the dollar for all categories
- Base amounts of a variety of percentages
- Increase the Farmland rate to 18% of total income, with revenue divided over all other categories
- Separate the residential urban rate from the residential village rate with the village rate to be less than the residential urban rate
- A combined rate for residential, village and residential rural properties.

In addition, information will be provided from other comparable Council rating structures.

As such, it was agreed that at this stage the appointment of Councillor members to a RSWP is not necessary and that this should be determined at the next rating workshop, which will be held in either October or November, dependent upon completion of the required research.

Public Consultations

Not required at present.

Author's Response to Comments from Other Staff

N/A

Conclusion

The Rating Workshop provided some interesting debate and the additional information sought will be of assistance in formulating Council's 2005/06 rating strategy.

Recommendation (COR26)

- 1 That Council not appoint Councillors to a Rating Strategy Working Party at this time.
- 2 The information sought from the Rating Workshop held on August 24, 2004 be presented to a further Rating Workshop, to be held in either October or November 2004.

LISMORE CITY COUNCIL - Meeting held September 14, 2004

Subject/File No: 2004 ANNUAL LOCAL GOVERNMENT ASSOCIATION CONFERENCE (S569)

Prepared By: Administrative Services Manager, Graeme Wilson

Reason: Need for Council authorisation

Objective: To determine delegates/observers and motions

Management Plan Activity: Councillors

Background:

The 2004 Annual LGA Conference will be held in Armidale from October 23-27, 2004. This is the prime policy making forum of the Association and it is in Council's interest to be represented. Details of the conference have been previously distributed to Councillors.

Delegates/Observers

Council is entitled to send 3 voting delegates and as many observers as it requires. Council policy No. 1.2.1 states that *"The Mayor and General Manager shall, where practicable, attend the annual conference of the Local Government Association (NSW), with Council resolving each year the number of additional delegates/observers that will attend."*

The Mayor is unable to attend due to a clash with another appointment. In the past the Deputy Mayor has attended as the Mayor's delegate.

Council will also be represented by Councillor Irwin (Association Executive) and possibly delegates from its constituent county councils. Council will need to determine at this meeting its voting delegates and observers.

Despite early nomination by Council, tentative hotel accommodation has been booked in Uralla due to accommodation shortages in Armidale.

Motions for the Conference

Motions for the conference closed on August 22, 2004. This Council submitted a motion with respect to changes to the Country Towns Water Supply and Sewerage Program.

Manager - Finance & Administration Comments

Not requested.

Public Consultations

Not requested.

Other Group Comments

Not requested.

Author's Response to Comments from Other Staff

N/A

Recommendation (COR28)

That the Deputy Mayor and Councillors _____ and _____ attend the conference as voting delegates, with the General Manager and Councillor(s) _____ attending as observers.

Subject/File No: PAYMENT OF EXPENSES AND PROVISION OF FACILITIES POLICY (S9)

Prepared By: Administrative Services Manager, Graeme Wilson

Reason: Exhibition of policy

Objective: To adopt policy

Management Plan Activity: Councillors

Background:

Council, at its meeting on July 13, 2004, resolved to exhibit for public comment a revised Payment of Expenses and Facilities Policy.

The exhibited policy was as distributed to Councillors, subject to Item 3.3 being amended to provide for Council to pay for a councillor's spouse to attend one conference dinner per annum.

Manager - Finance & Administration Comments

Not requested.

Public Consultations

The revised policy was placed on public exhibition for a period of 28 days. No submissions were received.

Other Group Comments

Not required.

Author's Response to Comments from Other Staff

N/A

Recommendation (COR27)

That Council adopt the Payment of Expenses and Provision of Facilities policy as exhibited.

LISMORE CITY COUNCIL - Meeting held September 14, 2004

MINUTES OF THE TRAFFIC ADVISORY COMMITTEE MEETING HELD AUGUST 18, 2004

AT 10.00 AM.

(WMacD:VLC:S352)

Present: Councillors Merv King (*Chairperson*), Jenny Dowell, and John Hampton, Ms Karen Wilson (*on behalf of Mr Thomas George, MP*), Mr Mike Baldwin (*Roads and Traffic Authority*), Snr Const Brian Buckley (*Lismore Police*), , together with Mrs Wendy Johnson (*Road Safety Officer*), Messrs Bill Moorhouse (*Group Manager-City Works*) and Bill MacDonald (*Co-Ordinator – Traffic & Law Enforcement*).

Apologies: Apologies for non-attendance on behalf of Mr Thomas George, MP, and Mr John Daley were received and accepted and leave of absence granted.

Minutes of Traffic Advisory Committee Meeting – July 21, 2004

Members were advised that the Minutes of the meeting held on July 21, 2004 were adopted by Council at its meeting of August 10, 2004.

Disclosure of Interest: Nil

Business Arising:

1. **Dixon Place and Kellas Street, Lismore Heights – Vehicle Classifier Results**

(Item 18 of Minutes of March 17, 2004)

The results of vehicle counts taken recently for both Dixon Place and Kellas Street were tabled at the meeting.

For Dixon Place the 85th percentile speed was 54 kph. This indicated that there was not a significant speeding problem at Dixon Place and consequently the need for traffic calming devices was not considered necessary.

For Kellas Street the 85th percentile speed was 59 kph. Whilst this was in excess of the 50 kph limit, it was considered in the lower bracket of what would be considered as requiring the installation of traffic calming devices. It was noted that this could change once the link road was established down onto Rifle Range Road and it was suggested that the need for devices could be further considered at that time. In the meantime, Snr Const Buckley advised that Police Officers would continue to patrol Kellas Street and the new access road down to the University.

(R7112,R7121)

Correspondence:

2. **NSW Roads & Traffic Authority;** forwarding letter from Ms Denise Miller expressing concern for the lack of safe crossing points on Ballina Street for pedestrians accessing the Lismore CBD from the southern side of the Highway. Members noted that there had been a proposal to install an underpass at the intersection of Ballina and Keen Streets and, more recently, pedestrian lights had also been discussed. For practical and economic reasons it was considered that pedestrian lights would be a better option. Mr Moorhouse pointed out that it was already intended for traffic lights to be installed at the intersection of Ballina and Diadem Streets. These lights, together with pedestrian lights at Keen Street would provide sufficient pulse in traffic for pedestrians to cross near Wyrallah Road as well.

TAC77/04 **RECOMMENDED** that Council write to the RTA requesting it approve and fund the installation of pedestrian lights on Ballina Street, at its intersection with Keen Street. (04-7678:S342,R6002)

3. **Smith Plant (Lismore) Pty Limited;** drawing attention to the excessive speed of traffic on James Gibson Road and suggesting a lower speed limit may be required in the vicinity of Corndale Quarry.
An inspection of the road revealed that the quarry intersection linemarking was in need of repainting. The recently erected warning signs each side of the intersection were considered to be too close to the intersection and needed to be moved back further. The existing speed limit was considered appropriate given the rural nature of the roadside environment. (04-8371:R3902,P27460,S352)
4. **Ms Leanda Headford;** drawing attention to the frequency of motor vehicle accidents that occur on the bend on Eltham Road near No. 304 Eltham Road due to vehicles crossing the road, and requesting the 60 kph speed zone be extended from the Eltham Village to a point past the driveway to No. 304 Eltham Road. Due to the rural nature of the roadside environment, the existing speed limit was considered appropriate. However, as the driveway was in the middle of the bend, it was suggested that an appropriate warning sign could be installed.
TAC78/04 **RECOMMENDED** that a 'concealed driveway on bend' warning sign be erected prior to No. 304 Eltham Road. (04-8421:S346,R4002)
5. **Kirklands Bus Lines;** expressing a desire to upgrade its bus service to TAFE, library and shopping facilities in the Keen and Woodlark Streets area, and suggesting that a roundabout at the intersection of Dawson and Magellan Streets would improve traffic flows, however, in the short-term 'bus only' access into Magellan Street be permitted at this intersection.
It was pointed out that whilst Council did not have the delegated authority to introduce 'bus only' lanes, the reason the current controls were in place was because of a significant accident history that had developed as a result of cross traffic movements.
Due to high traffic volumes on Dawson Street, there was some doubt as to how buses would negotiate the intersection if allowed to drive west on Magellan Street in any case. The RTA has indicated that funding for the construction of a roundabout would have a low priority bearing in mind that roundabouts already existed on Dawson Street at the intersections with both Woodlark and Conway Streets. (04-8695:S135,R6017,R7319)
6. **North Coast National A&I Society;** providing Council with a copy of the traffic regulations proposed for the annual Show to be held on October 20-23, 2004. The Committee noted that the proposed restrictions on parking for the Show were the same as in previous years. There was no objection. (04-8742:S352)

General Business:

7. **New Ballina Road, Lismore Heights – Traffic Congestion at Shell Service Station**
It was noted that there had been a number of rear-end accidents in front of the service station as a result of motorists propping on the Highway when unable to gain access.
TAC79/04 **RECOMMENDED** that the proprietors be invited to attend the next meeting to discuss the concerns raised and possible solutions to the current problems. (R6408,P7199)
-

8. **Intersection of Bangalow Road / Howards Grass Road, Howards Grass**
A plan was tabled at the meeting showing an alternative intersection location for Howards Grass Road utilising an unformed road reserve approximately 100m closer to Lismore. This was seen as a cheaper option than widening the existing intersection that would include large culverts as well. Mr Baldwin advised that in the short term the RTA was in the process of having large warning signs made and erected both sides of the existing intersection.
- TAC80/04** **RECOMMENDED** that this matter be referred to Council's Manager - Design Services for further investigation and report. (R4101,R4401)
9. **Bruxner Highway, South Lismore – 80 Kph Speed Zone**
A request had been received for the current 100 kph speed zone to be reduced to 80 kph for the section of the Bruxner Highway from the present 60 kph signs outside Bunnings Hardware to the Lismore Airport.
It was suggested the existing signage that included '60 Ahead' might actually have more impact on reducing motorists' speeds than if they were replaced by 80 kph signs.
- TAC81/04** **RECOMMENDED** that for the time being the existing speed limits remain and be reviewed once further development takes place along the Highway. (R4807)
10. **Dr A Johnson's Surgery – No. 88 Uralba Street – On-Street Parking Restrictions**
Concern had been raised regarding parking restrictions in front of the above premises. An inspection revealed that some motorists were in fact parking at 45° rather than parallel. This was causing sight distance problems for motorists exiting the carpark driveway of No. 88 Uralba Street. Additional signposting was required to ensure it was obvious that vehicles be parked parallel. This would reduce the current concerns. (R6058)

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

CHAIRPERSON

**TRAFFIC & LAW
ENFORCEMENT CO-ORDINATOR**

DOCUMENTS FOR SIGNING AND SEALING

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

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

Recommendation:

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

Reserve No. 85348 Lismore Spinks Park Reserve Trust – Lease Agreement to Lismore Croquet Club

Lease of clubhouse, lawns and surrounds for 5 years from 1/1/04 to 31/12/08.

(04-8907: P6765)

Subdivision Plan - Parmenters Road

Plan of part of Parmenter Road for title issue under the Roads Act 1993. Lot 1 is road and is intended to be closed and vested in Council.

(S324: R2902)

Deed of Agreement – Council and Gava – Caniaba Road

An agreement to be entered into between LCC and Keven Eric & Karen GAVA of 96 Caniaba Road, Caniaba, for the realignment of Caniaba Road in which they will provide 790m² of their property for road widening in return for a new fence and driveway. No money will be exchanged but LCC will also be responsible for all survey and road dedication costs.

(P14839,R4701)

SECTION 356 DONATIONS

a) Mayor's Discretionary Fund (GL2033.26)			
Budget:	\$2,700	To date:	\$110.00
➤ Nimbin Women's Bowling Club - Sponsorship of Gala Day (04-8391: S140)			\$40.00
➤ Summit Sports & Fitness Centre – prizes for trivia night in October (04-9321: S140)			\$40.00
➤ Richmond River High School – support for Kieren Alexander to attend workshop in Sydney as member of National Shakespeare festival team to compose some music for a performance in Sydney during next school holidays.			\$100.00
b) Representative Selection – Policy 1.4.10 (GL2033.6)			
Budget:	\$1,100	To date:	\$644.00
➤ Joel Parrey – member of Australian Karate team to compete in Oceania titles in Fiji from September 1-4, 2004 (04-8922:S140) In accordance with policy			\$322.00
➤ Ari Carr – member of Australian Karate team to compete in Oceania titles in Fiji from September 1-4, 2004 (04-9284:S140) In accordance with policy			\$322.00
c) City Hall Reductions in Rental – Policy 8.4.2 (GL2033.2)			
Budget:	\$8,100	To date:	\$203.40
➤ Rotary Club of Summerland Sunrise Inc. (04-8752: P6816) In accordance with policy			\$154.80
➤ Lismore Symphony Orchestra Inc. (04-9051: P6816) In accordance with policy			\$49.00
d) Sister City (GL2033.18)			
Budget	\$7,500	To date:	\$1,813.99
➤ Japan Centre Support for Isabella A' Capella tour of Japan.			\$2,000.00
e) Civic Pride Advisory Panel			
Budget	\$20,000	To date:	NIL
➤ Lismore Garden Club 2004 Lismore Garden Show			\$1,000.00

LISMORE CITY COUNCIL - Meeting held September 14, 2004

Section 356 Donations

- f) Licence Fees Payable by Charitable Organisations – Policy 1.4.7 (GL2033.7)**
Budget: \$300 To date: NIL
- Our Kids – NR Children’s Health Fund
Reimbursement 30% of S68 application fee for temporary
Fence – Lismore Wine Fair on September 19.
In accordance with policy \$185.70
- g) 2004/05 Management Plan – Budget Submissions (GL 2948.2)**
Budget: \$10,000
- Roy Waddell Community Centre – repairs and renovations to Centre. \$10,000.00
- h) Banners – Policy 1.4.14 (GL 2033.8)**
Budget: \$700 To date: NIL
- Summerland Early Intervention - 19/7/04 to 1/8/04 (allow 1 week)
In accordance with policy \$60.00
- Lismore Legacy Division - 30/8/04 to 5/9/04 (1 week)
In accordance with policy \$145.00
- i) Council Contributions to Charitable Organisations - Waste Facility (Policy 5.6.1)**
(GL 2033.15)
Budget: \$6000 To date: NIL
- Donations - July-Aug 2004:
In accordance with policy
- | | | |
|---------------------------------|-----------------|----------|
| ➤ Animal Rights & Rescue | \$5.45 | |
| ➤ Challenge Foundation of NSW | \$101.84 | |
| ➤ Five Loaves | \$ 45.36 | |
| ➤ Friends of the Koala | \$20.07 | |
| ➤ Lifeline | \$110.00 | |
| ➤ Life Community Church Op Shop | \$58.90 | |
| ➤ Saint Vincent De Paul | \$33.49 | |
| ➤ Salvation Army | <u>\$110.00</u> | \$485.11 |

Recommendation:

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

CONFIDENTIAL MATTERS – COMMITTEE OF THE WHOLE

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

Section 10A(2) – Local Government Act 1993.

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

Recommendation:

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

Item 1: Sale of Land for Unpaid Rates

Grounds for Closure: **Section 10A(2) (b):**

Public Interest: Discussion of this matter in an open meeting would on balance be contrary to the public interest because it would fail to protect the financial and personal information of ratepayers.

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE CITY OF LISMORE HELD IN THE COUNCIL CHAMBER, GOONELLABAH ON TUESDAY, AUGUST 10, 2004 AT 6.03PM.

Present: Mayor, Councillor King; Councillors Chant, Crimmins, Dowell, Ekins, Graham, Hampton, Henry, Meineke, Swientek and Tomlinson, together with the General Manager; Group Managers- Corporate & Community Services, City Works, Planning & Development; Manager-Finance & Administration, Manager-Communications & Community Relations, Strategic Planner, Assets Manager-Water & Wastewater, Waste Minimisation Officer, Administrative Services Manager and Team Leader-Administrative Support.

139/04 **Apologies/**
Leave of
Absence: An apology for non-attendance on behalf of Councillor Irwin was received and accepted and leave of absence granted. Leave of absence was approved for Councillor Crimmins from September 10-28.
(Councillors Hampton/Graham)

140/04 **Minutes:** The minutes of the Ordinary Meeting held on July 13, 2004, were confirmed, subject to Councillor Ekins voting against minute No. 129/04.
(Councillors Chant/Hampton)

141/04 The minutes of the Extraordinary meeting held on August 3, 2004 were confirmed.
(Councillors Swientek/Dowell)

PUBLIC ACCESS SESSION:

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

Mr Paul Armour re Lismore Urban Strategy

(See Minute No. 143/04)

Mr Armour spoke for the inclusion of the North Lismore Plateau in the Lismore Urban Strategy. He raised issues in respect to the legal advice obtained by Council, the speedway and demand for land in support of his argument.
(S650)

CONDOLENCES:

Late Mr Len Chant

Mr Chant, father of Councillor Chant passed away in Sydney last week.

Late Mr Robert Hoy

Mr Hoy, father of Craig Kelly, Council's Group Manager-Business & Enterprise, passed away this week.

142/04 The Mayor moved that Council's expressions of sympathy be conveyed to the families of the late Mr Chant and Mr Hoy and the motion was carried with members standing and observing the customary moment's silence.
(S75)

REPORTS:

Lismore Urban Strategy

143/04

RESOLVED that the report be received and -

- 1 Council note the report and advice concerning the legal implications of deleting Trinity Drive and including the North Lismore plateau in the Lismore Urban Strategy.
- 2 That the Lismore Urban Strategy be amended to require that all future land rezoning for urban residential purposes in the Lismore urban area be subject to the same process as that for greenfield sites identified in the Strategy, ie. that rezoning be by way of inclusion in Schedule 4 of the LEP with a one year sunset clause and a two year limit on subdivision approval.
- 3 That the northern boundary delineating the extent of urban development extending westwards to the North Lismore plateau be deleted from the strategy.
- 4 That a copy of the Lismore Urban Strategy, as adopted by Council at its meeting on July 13, 2004, but including the changes outlined in Recommendations 2 & 3 above, be forwarded to DIPNR.
- 5 That Council send a deputation to the Minister for Infrastructure and Planning to put a case for including the areas identified as the North Lismore plateau, the Tucki Creek area and the Invercauld Road area in the Lismore Urban Strategy. Reasons for exempting Lismore from the standard land supply and demand methodology developed by the Department for land release strategies are to include (but not be restricted to) the following:-
 - The need to facilitate Lismore's growth as a regional capital given its current level of public and commercial infrastructure
 - The desirability of moving away from past planning practices of allowing historical growth patterns to dictate future development trends
 - The difference between actual and potential availability of vacant zoned land when estimating supply
 - That different types of land need to be made available to cater for different markets
- 6 That Thomas George MP be invited to support the deputation to the Minister for Infrastructure & Planning.
- 7 That Council engage an independent acoustical consultant to explore grounds that could justify Council issuing a new Section 96 Direction under the POEO Act that would increase the number of permissible speedway events to more than seven events per season as would be currently permitted under the EPA's Noise Guideline for Local Government.
- 8 That Council undertake discussions with the owners of existing land zoned 2(a) Residential that has not been subdivided within a five year timeframe of its rezoning. The purpose of such discussions will be to:-
 - communicate Council's concerns regarding the non-development of such lands
 - identify development time frames considered appropriate by Council
 - advise owners of possible future actions by Council should owners not initiate development eg. explore 'backzoning', of such lands.

(Councillors Hampton/Chant)
(S650)

Market Street Works

144/04

RESOLVED that the report be received and noted and Council endorse the proposal to plant 5 mature new Hill's Weeping Fig trees in Riverside Park.

(Councillors Dowell/Meineke)

Voting Against: Councillor Ekins. (D03/676)

Draft LEP Amendment No. 16 – Airport Industrial Estate

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

- 1 Adopt draft LEP Amendment No. 16 to rezone part Lot 532 DP 825929 and part Lot 2 DP 577321 Bruxner Highway, South Lismore from 1(r) Riverlands and 5 Special Uses zone to 4(a) Industrial zone; and
- 2 Use its delegations under section 69 of the EP& A Act to forward a report to the Minister for Infrastructure, Planning and Natural Resources together with a request that the Minister make the Plan.

(Councillors Chant/Hampton)

AN AMENDMENT WAS MOVED that the report be received and –

- 1 Adopt draft LEP Amendment No. 16 to rezone part Lot 532 DP 825929 and part Lot 2 DP 577321 Bruxner Highway, South Lismore from 1(r) Riverlands and 5 Special Uses zone to 4(a) Industrial zone.
- 2 Use its delegations under section 69 of the EP& A Act to forward a report to the Minister for Infrastructure, Planning and Natural Resources together with a request that the Minister make the Plan.
- 3 Council prepare a Development Control Plan for this development.

(Councillors Tomlinson/Swientek)

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

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

145/04 **RESOLVED** that the report be received and Council:

- 1 Adopt draft LEP Amendment No. 16 to rezone part Lot 532 DP 825929 and part Lot 2 DP 577321 Bruxner Highway, South Lismore from 1(r) Riverlands and 5 Special Uses zone to 4(a) Industrial zone; and
- 2 Use its delegations under section 69 of the EP& A Act to forward a report to the Minister for Infrastructure, Planning and Natural Resources together with a request that the Minister make the Plan.
- 3 Council prepare a Development Control Plan for this development.

(Councillors Tomlinson/Swientek)

Voting Against: Councillors King and Hampton. (S865)

Draft Amendments to DCP 14 – Residential Development

146/04 **RESOLVED** that the report be received and Council place draft amendment No. 5 to Development Control Plan 14 – Residential Development on public exhibition for a period of 28 days.

(Councillors Dowell/Meineke) (S461)

Draft Lismore LEP Amendment No. 22 – 364A Eltham Road, Eltham

147/04 **RESOLVED** that the report be received and Council –

- 1 Prepare an amendment to Lismore Local Environmental Plan 2000 to include Lot 1 DP 973151 Eltham Road in Schedule 4 pursuant to section 54 of the EP&A Act 1979.
- 2 Advise the Department of Infrastructure, Planning and Natural Resources that Council intends to use its s65 and s69 delegations and that it considers that the preparation of a Local Environmental Study is not necessary.
- 3 Consult with relevant Government agencies pursuant to s62 of the EP&A Act.
- 4 Advertise the draft LEP amendment for a period of twenty eight days following consultations with Government agencies.
- 5 Exhibit the proposal also as a Master Plan for adoption by Council prior to gazettal of the LEP amendment.

(Councillors Swientek/Hampton) (S892)

Further Alteration to DCP 39 – Exempt Development

- 148/04 **RESOLVED** that the report be received and Council agree that the Schedule contained within Development Control Plan No. 39 – Exempt Development be altered by the inclusion under the heading 'Sunshade sails' of the words '5 (*Special Uses Education*)'.
(Councillors Hampton/Henry) (S739)

DCP 47 – Waste Minimisation and Draft Amendments to DCP's 14, 26 and 40

- 149/04 **RESOLVED** that the report be received and –
- 1 That Draft DCP 47 – “Waste Minimisation” be placed on public exhibition for a 28 day period.
 - 2 That Draft amendments to DCP 26 – “Industrial Development Standards” and DCP 40 – “Complying Development” also be placed on public exhibition for a 28 day period.
 - 3 That a Communications Strategy be developed and implemented to ensure that the local development/ construction industry is made fully conversant with DCP 47 prior to the mandatory introduction.
- (Councillors Dowell/Graham) (S881)

Development Applications Determined by Council

- 150/04 **RESOLVED** that the report be received and Council –
- 1 Adopt the revised policy for determination of Development Applications and other planning matters by Council.
 - 2 Endorse the consequent alterations to Policy 5.2.2 *Development Assessment Panel Function and Modus Operandi*.
 - 3 Endorse the deletion of the existing Policy 1.2.14 '*Information Sessions for Councillors*' from the Policy Manual on the basis that its contents are now included in the new Policy.
- (Councillors Swientek/Hampton)
- Voting Against:** Councillors Tomlinson, Ekins, Dowell and Meineke. (S371)

2004 Guidelines for Country Towns Water Supply & Sewerage Program

- 151/04 **RESOLVED** that the report be received and –
- 1 Council convey to the LGSA via a motion to the LGSA Annual Conference, and to the Minister DEUS, its concerns regarding the new Guidelines and requesting support for changes which will make the small town schemes affordable.
 - 2 A revised financial model for Lismore Water be presented to Council, so that the overall impact of revised DEUS water and sewer subsidy guidelines can be properly assessed.
 - 3 Council provide information to ratepayers concerning the cost shifting and seeking their support to lobby the State Government to change its policy.
- (Councillors Hampton/Meineke) (S301)

Nimbin Water Supply Study/Committee

- 152/04 **RESOLVED** that the report be received and Council –
- 1 Note the increase in the price for the construction activities.
 - 2 Write to the Minister requesting approval for calling tenders for the \$424,000 construction activities.
 - 3 Accept the Minister's offer only if the preconstruction activities are treated separately.
- (Councillors Hampton/Graham) (S304)

Miscellaneous S356 Donations

- 153/04 **RESOLVED** that the report be received and -
- 1 That the 2004/2005 miscellaneous Section 356 donations be provided to the following fifteen (15) projects:-
 - 1) Lismore South Public School P&C \$2,200

LISMORE CITY COUNCIL - Ordinary Meeting held August 10, 2004

2)	Out of School Hours Care Goonellabah	\$1,471
3)	East Lismore Pre-school	\$2,200
4)	Lismore Challenge Ltd.	\$2,200
5)	Lismore Community Toy Library	\$2,000
6)	Community Connections	\$2,200
7)	Clunes Community Pre-school	\$2,200
8)	Nimbin A&I Society	\$1,963
9)	Tullera/Modanville Playgroup	\$2,200
10)	Rosebank Community Pre-school	\$2,200
11)	Men's Resource Centre Inc.	\$2,200
12)	Lismore CASACS	\$1,100
13)	Goonellabah Women's Group	\$1,800
14)	Lismore Croquet Club	\$2,200
15)	Lismore Thistles Soccer Club	\$2,200
	TOTAL	\$30,334

- 2 That the remaining funds of \$166 be held over to meet unexpected requests for small community donations for the remainder of this financial year.
(Councillors Swientek/Meineke) (S164)

Rating Structure Review

- 154/04 **RESOLVED** that the report be received and following the rating workshop on August 24, 2004 Council appoint three (3) Councillors as members of the Rating Strategy Working Party (RSWP) and that the RSWP submit a report to Council at the earliest possible opportunity on the preferred rating structure model for Lismore City Council.
(Councillors Swientek/Hampton) (S384)

North East Waste Forum – Councillor Representative

- 155/04 **RESOLVED** that the report be received and -
- 1 Council nominate Councillor Hampton as a representative on the North East Waste Forum.
 - 2 Councillor nominate Councillor Dowell as an alternative representative.
- (Councillors Graham/Chant) (S768)

Management Plan Review 2003-2006 – June Quarter 2004

- 156/04 **RESOLVED** that the report be received and its contents noted.
(Councillors Graham/Swientek) (S4)

Quarterly Budget Review Statement June 2004

- 157/04 **RESOLVED** that the report be received and –
- 1 Council adopt the June 2004 Budget Review Statement for General, Water and Sewerage Funds.
 - 2 This information be submitted to Council's Auditor.
- (Councillors Swientek/Dowell) (S854)

Code of Meeting Practice

- 158/04 **RESOLVED** that the report be received and Council's current Code of Meeting Practice be endorsed, subject to Clause 23A being incorporated into Clause 20A.
(Councillors Graham/Hampton) (S43)

COMMITTEE RECOMMENDATIONS:

Traffic Advisory Committee 21/7/04

- 159/04 **RESOLVED** that the minutes be received and adopted and the recommendations contained therein be adopted.
(Councillors Hampton/Dowell) (S352)

SECTION 356 DONATIONS:

LISMORE CITY COUNCIL - Ordinary Meeting held August 10, 2004

160/04 **RESOLVED** that in accordance with Section 356(1) of the Local Government Act 1993, the donations to persons as under, are hereby approved for distribution.

a) Mayor's Discretionary Fund

Budget: \$2,700 To date: NIL
Corndale Public School P & C (04-8347) – prizes for trivia fundraising night on
September 4, 2004
2 x Lismore Tourism t-shirts (wholesale cost) \$40

b) Representative Selection – Policy 1.4.10

Budget: \$1,100 To date: \$322
Tasman Wales (04-8058) – member of Australian Karate Federation Inc. National
Team to participate in the 2004 Oceania Karate Championships in Suva, Fiji from
September 1-4, 2004
In accordance with policy \$322

c) City Hall Reductions in Rental – Policy 8.4.2

Budget: \$8,100 To date: NIL
Lismore Neighbourhood Club \$130.00
Filipino Community School \$43.74
Northern Rivers Conservatorium of Arts \$50.00
In accordance with policy \$223.74

(Councillors Hampton/Crimmins) (S164)

MATTER OF URGENCY:

161/04 **RESOLVED** that the following be admitted to the business paper as a matter of urgency.
(Councillors Ekins/Tomlinson)

**Attendance by Councillor Ekins at SEGRA 2004 Conference, Alice Springs
September 6-8**

162/04 **RESOLVED** that Councillor Ekins attend the SEGRA 2004 Conference in Alice Springs from September 6-8.
(Councillors Ekins/Tomlinson)
(S266)

This concluded the business and the meeting terminated at 8.34 pm.

CONFIRMED this 14TH day of SEPTEMBER, 2004 at which meeting the signature herein was subscribed.

MAYOR

