



NOTICE OF COUNCIL MEETING

An ORDINARY MEETING of LISMORE CITY COUNCIL will be held at the COUNCIL CHAMBERS, Oliver Avenue, GOONELLABAH on TUESDAY, February 11, 2003, at 6.00pm and members of Council are requested to attend.

Paul G. O'Sullivan
General Manager

February 4, 2003

COUNCIL BUSINESS AGENDA

February 11, 2003

PUBLIC ACCESS SESSION:

PAGE NO.

PUBLIC QUESTION TIME:

OPENING OF MEETING AND PRAYER (MAYOR):

APOLOGIES AND LEAVE OF ABSENCE

CONFIRMATION OF MINUTES – Ordinary meeting 10/12/02
Special meeting 14/1/03

CONDOLENCES

DISCLOSURE OF INTEREST

MAYORAL MINUTES

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

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CONFIDENTIAL MATTERS - COMMITTEE OF THE WHOLE

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NOTICE OF MOTION

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

That Council in this year's budget planning process advertise and call for public input into the budget and rate setting prior to the final LCC workshop which makes the Draft Budget for public comment for the statutory 28 day exhibition phase.

Comment:

Too often valuable input is ignored or duckshovelled after the 28 day mandatory exhibition phase because positions have been fixed or adopted by the Council at these workshops and it would be too problematical to revisit them.

With the public having an opportunity of being part of the budgetary process from the start then they would be on equal footing with councillors and staff who put in submissions from the beginning. The community's input can be considered at an earlier phase and more meaningful participation can be achieved.

Nothing can preclude the mandatory 28 day exhibition phase and this must happen. However the public are only ever canvassed for their input at this final phase of the budgetary process and only some "in the know" will utilise the earlier phase to put in their bid.

This Notice of Motion hopefully will make the process fairer and more transparent.

COUNCILLOR F F Swientek

DATE January 6, 2003

STAFF COMMENT BY: Manager - Finance & Administration:

I agree with Councillor Swientek's proposal as it better promotes the planning process for the Management Plan and will encourage the community to participate in its formation, rather than only provide feedback on what has been prepared.

It will also result in Councillors being able to give consideration to all requests for financial assistance at the one time, and closely look at options for any other issues, such as the quantum of rates, raised by the community.

I will add that early advertising for community input into the formation of the 2003/04 Management Plan was already scheduled in the draft timetable. As well as this, all Council committees, panels and working parties will be issued with a 'budget pack' which will allow them input into the process on a more timely basis. The advertising for community input and issue of budget packs is planned for early March.

All submissions, as usual, will be made available to Councillors.

(03-169: S854)

NOTICE OF MOTION

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

That Council contact the Minister for Roads, Mr Scully, local Members of Parliament and local candidates as a matter of urgency seeking the RTA to immediately address the neglected maintenance to Ballina Street Bridge and Hollingsworth Creek Bridge.

Comment:

Repeated questions without notice have not seen action by the RTA. Hopefully a resounding request from the full Council will see some action on these eyesores. These bridges are part of Lismore's gateway and should be a showcase of what Lismore stands for – a city that cares for its infrastructure and is proud of its natural and human made facilities.

Furthermore, a contract or funding from the RTA is needed to ensure the bridges receive regular maintenance to maintain their appearance and soundness of structure.

COUNCILLOR F F Swientek

DATE January 6, 2003

STAFF COMMENT BY:

Group Manager – City Works

Following a lengthy period of correspondence regarding the condition of bridges in Lismore, a meeting was convened with Senior RTA Staff on Monday, November 25, 2002. Present were Peter Collins, Peter Stephens and David Bell of the RTA and Paul O'Sullivan and Bill Moorhouse.

The RTA position is as detailed below.

Ballina Street Bridge:

The structure is wholly owned by the RTA. It is the RTA's responsibility to maintain the bridge in a trafficable condition. The structural members of the bridge are galvanised steel painted with a lead base paint. While the RTA admits the appearance of the bridge is not good there is no structural need to repaint the bridge. The RTA estimates that it would cost \$2M-\$4M to repaint the bridge as the old lead based paint must be removed first. Repainting the bridge is not on RTA's priority schedule.

Ballina Street Bridge Approaches:

The RTA insists that it is Lismore City Council's responsibility to replace the existing timber approach handrailing (ordinance fencing), which has clearly reached the end of its life. Staff have written a number of letters to the RTA requesting the handrail be replaced and indicating that Council is prepared to share this responsibility but is not prepared to accept 100% responsibility.

The RTA has shown no sign of negotiating to make this a joint project.

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Notice of Motion : Ballina Street Bridge and Hollingsworth Creek Bridge

Hollingsworth Creek Bridge:

This bridge was damaged last year and temporary repairs have been carried out. The RTA has advised that it is working on the replacement of the Hollingsworth Creek Bridge railing on the bridge itself. Lismore City Council will be responsible for the railing on the approaches and the pedestrian railing on the approaches. This mirrors the position taken by RTA on the Ballina Street bridge.

(03-167:S818,S819)

NOTICE OF MOTION

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

- 1 That the Needle and Syringe Program not be located in South Lismore.**
- 2 That the Program continue to be located with the Neighbourhood Centre, with which it has been located successfully for the past ten years.**

COUNCILLOR R M Irwin

DATE December 28, 2002

(03-540: S226)

NOTICE OF MOTION

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

That Council change its planning instruments to ensure that houses and buildings in heavily-treed areas are required to install sprinkler systems on their roofs.

COUNCILLOR R M Irwin

DATE January 22, 2003

STAFF COMMENT BY: Building Surveyor, Chris Watts

The State Government has gazetted bush fire hazard management be provided to all properties with dwellings, in designated fire hazard areas. This consists of low, medium, or high bush fire prone zones, of which currently all properties within Lismore City Council fall.

All new dwellings are assessed under this criteria, by both the Rural Fire Service and Building Services. This assessment relates to both the immediate area surrounding the proposed dwelling site and the actual extra construction requirements, as determined by the relevant Australian Standard.

The Standard requires different levels of additional fire safety measures, such as metal mesh flyscreens, sarking, minimal heights of exposed floors, amongst numerous others, but doesn't include the roof top sprinkler systems.

The Rural Bushfire Authority have addressed these issues and to date haven't required their installation. To have Council require rooftop sprinklers beyond the current legislation, without substantial research into the matter and the support of the Rural Fire Services, may be inappropriate.

Some of the issues that have been raised with these installations, is the maintenance thereof and the guarantee of water supply. Without a maintenance schedule and resources to enforce, reliance on these systems is not guaranteed.

The flyscreens for example, are fixed in situ and are more reliable in combating "ember attack" and less likely to be damaged and require less maintenance, as are the other structural elements which are built into the house, as it is constructed. This also minimises ongoing maintenance and the costs associated with that.

Council is keen to explore other avenues and/or use a sprinkler system (with the support of the Rural Fire Service), in performance solutions for specific individual circumstances and would address them as part of our normal assessment, if so required, by the Environmental Planning & Assessment Act or the Building Code of Australia.

Future Government enquiries will address this very issue and it may be more appropriate to await the outcome of the enquiry, rather than attempt to implement a costly fire suppression system, prior to the recommendations being released.

(03-719: S371)

NOTICE OF MOTION

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

- 1 That Lismore Council advise the Prime Minister immediately of its strong opposition to a war with Iraq.**
- 2 That in that advice we notify him of our deep concern about the implications of such a war, including regional instability which will expose Australia to further acts of terrorism, the cost in lives, whether of our Australian soldiers or the people of Iraq, and the long-term environmental and social consequences.**

COUNCILLOR R M Irwin

DATE January 23, 2003

(03-794: S424)

NOTICE OF MOTION

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

That this Council authorise the Mayor and the General Manager to contact the Prime Minister, the Deputy Prime Minister and local members to:

- 1 Express its concern regarding suggestions in the Auslink Green Paper that Commonwealth funding for local roads through the FAG grants may be reduced.**
- 2 Emphasise how crucial it is to the economic and social infrastructure of this region to extend indefinitely the Roads to Recovery Programme.**
- 3 Ensure that all grants are maintained in real terms and if possible increased.**

COUNCILLOR D R Tomlinson

DATE January 29, 2003

STAFF COMMENT BY:

Manager - Finance & Administration

The Financial Assistance Grant (FAG) comprises two components, being for "General Purpose" and "Local Roads". The local roads component for 2002/03 is approximately \$1,233,000. Council allocates all of the local road component to roads.

While not Council policy, I would assume that should this amount be reduced, the amount allocated to roads would also be reduced.

As for the "Roads to Recovery" programme, the total amount provided to Council since its inception to 2004/05 is anticipated to be \$3,212,591.

It is clear that any reduction in the local road component of FAG's, or the total loss of the Roads to Recovery funding, will be substantial and significantly reduce current service levels on local roads. It is not possible to replace this funding for roads from within the existing budget without making major changes to recurrent operating and capital programs.

Therefore, from a financial perspective, I agree that it is essential that Council should support the intent of the recommendations.

Group Manager – City Works

The basic concept of Auslink is to be applauded.

Auslink is initially a National Land Transport Plan to develop and fund an integrated National land transport infrastructure network.

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Notice of Motion : Auslink Green Paper

Clearly the Federal Government has been looking seriously at the deficiencies in the existing funding systems and intends in future to fund overall transport solutions which mesh with the expected economic growth of a region.

This is indeed sound thinking and the Green Paper presents this very well. However, this change may well have a major impact on Lismore City Council.

Currently Lismore City Council receives road grants from the Federal Government in the following forms -

- | | | |
|--|---|----------------|
| 1. Federal Assistance Grants (FAGS) - road component | } | approx. \$2.0M |
| 2. Roads to Recovery Programme. | } | |

I understand from attending various conferences and speaking with people within the industry that the Federal Government intends to allocate funds to overall transport system needs along agreed corridors and would like to bypass the States and direct the funds straight to Local Government. It is also understood that the economic output of a region is likely to be a major factor in deciding where the funds will be allocated.

If some or all of the above facts are correct, it is unlikely that Lismore City Council will benefit from these changes. Firstly the economic outputs of this region are small in both transport needs and dollars generated.

There are few major identified freight tasks which need to be carried out within this region. Therefore, there are two possible scenarios –

- a) Funding provided to upgrade major Regional Roads **within** Lismore City Council's area. Lismore Regional Roads are in poor condition and need upgrading. Some or all of the current Federal grants will be diverted away from Local Roads towards Regional Roads.
- b) Funding provided to upgrade major Regional Roads **outside** the Lismore City Council area, resulting in:
 - no more money for our Regional Roads
 - little or no Federal funding for roads within the Lismore City Council area.

Either of the above scenarios would have a major impact on Lismore City Council.

(03-953:S182)

LISMORE CITY COUNCIL - Meeting held February 11, 2003

Subject/File No: POSITION OF MAYOR
(03-987, S44)

Prepared By: Group Manager – Corporate & Community Services

Reason: Resignation of Mayor

Objective: Council nominate a replacement.

Management Plan Activity: Councillors

Background:

The mayor was granted leave of absence by council at its meeting on August 13, 2002 for the period up to the February 2003 meeting. The mayor has now officially submitted his resignation due to continuing ill health to take effect prior to this meeting (copy attached).

This resignation will now result in a casual vacancy in the office of mayor. In accordance with Section 294 (3) of the Local Government Act 1993, the casual vacancy will be filled by the Governor appointing to the vacant office a councillor nominated by the council. If the council does not nominate a councillor, the Governor may appoint one of the councillors to the vacant office. Clearly it is in council's best interest to nominate a councillor to the Governor. As the Act is silent as to the process of "nominating" a councillor, it is proposed that schedule 3 of the Local Government (Elections) Regulation 1993 (copy attached) be used to elect a councillor for subsequent submission to the Governor, as council's nominee to fill the casual vacancy.

The position of acting mayor/deputy mayor will not vary until the appointment of a new mayor by the Governor.

Manager - Finance & Administration Comments

Not required

Public Consultations

Not required

Other Group Comments

Not required

Author's Response to Comments from Other Staff

N/A

Conclusion

As the mayor Bob Gates has now resigned, the council should now nominate a councillor to the Governor for appointment to the vacant office of mayor for the remainder of the term of this council.

Recommendation (COR03)

- 1 That council nominate Councillor _____, to the Governor for appointment to the vacant office of mayor for the remainder of the term of this council.
- 2 That council extend its best wishes and thanks to the mayor, Bob Gates and his wife Helen for their service and commitment to the community of Lismore.

1 METHOD OF ELECTION OF MAYOR

The method of election is to be found in schedule 3 of the Local Government (Elections) Regulation 1993. Relevant extracts of this schedule are detailed below:-

Returning Officer

- 1) The General Manager (or a person appointed by the General Manager) is the Returning Officer.

Nomination

- 2)
 - a) A councillor may be nominated without notice for election as mayor or deputy mayor.
 - b) The nomination is to be made in writing by 2 or more councillors (one of whom may be the nominee). The nomination is not valid unless the nominee has indicated consent to the nomination in writing.
 - c) The nomination is to be delivered or sent to the returning officer.
 - d) The returning officer is to announce the names of the nominees at the Council Meeting at which the election is to be held.

Election

- 3)
 - a) If only one councillor is nominated, that councillor is elected.
 - b) If more than one councillor is nominated, the council is to resolve whether the election is to proceed by preferential ballot, by ordinary ballot or by open voting.
 - c) The election is to be held at the Council meeting at which the Council resolves the method of voting.
 - d) In this clause:
"ballot" has its normal meaning of secret ballot;
"open voting" means voting by a show of hands or similar means.

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Subject/File No: MOLESWORTH STREET UPGRADE
(WJM:VLC:R7322)

Prepared By: Group Manager – City Works

Reason: Request from Special Council Meeting of January 14, 2003

Objective: To inform Council of proposed works and action to date.

Management Plan Activity: Roads – Urban

Background:

Council held an extraordinary meeting on January 14, 2003 to consider the reconstruction of Molesworth Street and resolved as follows –

1. Council confirm it is committed to upgrading the Lismore CBD streetscape and its shopper amenity, as an economic development strategy.
Works have commenced.
2. Council note Lismore Unlimited supports Upgrade Option C with angled centre parking and a 1-hour parking limit in Molesworth Street.
No action required to this date.
3. That further community and business feedback be sought and reported to the February Council meeting before any changes to the existing Molesworth Street carparking arrangements are made.
Lismore unlimited has conducted three separate daytime briefing meetings for businesses and a final meeting on the evening of January 30, 2003 - details later in the report.
4. That to ensure the project is completed prior to Easter, Council endorse the commencement of preliminary works described in the report as Steps 1 to 3 on the understanding that such works are required for all upgrade options.
Work has been progressing on the relocation of water mains and services. The installation of box gutters commenced on January 29, 2003 and is progressing well.
5. The report to the February Council meeting -
 - a) address the issue of providing better signage to the carparks;
 - b) include information on how street furniture and other unfunded items will be met;
 - c) address the issue of parking for bicycles, taxis and the disabled.***Detailed in this report.***

Outcomes of Lismore Unlimited Meetings (Refer Resolution 3 above)

Three after lunch meetings were held in Maggie Moore's meeting room on January 21-23 inclusive. These meetings proved valuable in providing Molesworth Street shopkeepers with the current proposal and the effects of these changes from all perspectives.

The final meeting was conducted at the Lismore Workers' Club at 6.30 pm on January 30. Approximately 40 business people attended. Lismore Unlimited intended that this meeting would be the final meeting to determine the options it would recommend to Council. Prior to this meeting Lismore Unlimited had walked door-to-door to discuss with each business operator how the proposal would affect their individual operation.

Molesworth Street Upgrade

The relevant points were –

- The majority of people present wished to see Molesworth Street upgraded.
- A majority of people approved of the angle parking layout with footpath widening.
- A **large** number raised concern for the removal of parking spaces from Molesworth Street.
- A **large** number raised concern for the proposed change in centre parking from 2-hours to 1-hour.

Most of the business people present appeared to agree with the view that there were a number of problems with parking facilities in Lismore, ranging from a lack of signs to a critical shortage of on-street parking close to the CBD. Most also appeared to understand that the CBD was changing and they had to change to meet future needs. The difficulty was in identifying what change was going to be an advantage/disadvantage in the future.

The outcome appeared to be that the majority of businesses would approve Option C as proposed by Lismore Unlimited. Many still had concerns for the number of carparks lost and that the 1-hour parking zone would not be trialled and would remain after a suggested three-month trial. The business community wanted some certainty that the extra carparks promised would be constructed within a relatively short time frame.

A late proposal was submitted by Councillor Suffolk suggesting that the current 90° angle parking layout remain and that a small number of extra trees should be added to the upgraded pavement. The Chairperson requested Council staff prepare an accurate drawing of this proposal which would be considered at the Council Briefing on February 5, 2003.

It is understood it is Lismore Unlimited's intention to make a formal request to Council (*refer copy of letter from Lismore Unlimited marked as 'Appendix 1'*), for work to be carried out immediately on –

1. Option C – 45° centre angle parking with tree planting every three car spaces.
2. Trial a 1-hour parking zone in the newly completed works for a maximum period of three months.
3. Complete construction of the additional car parking in Keen Street as soon as possible.

Notes on Resolution 5 – Additional Issues

(a) Increased Signage to Carparks:

Most people believe there are no signs directing motorists to carparks. However, upon inspection they find that there are currently a whole series of signs directing people to carparks. Clearly these 600mm signs are insufficient and there is a need to increase the size and improve the location of the signs. This is not a difficult task and can be upgraded in conjunction with the current works and assistance from Lismore Unlimited.

(b) Non-Funded Works:

At this stage there is no allowance in the budget for street furniture, treatment of the western footpath, refurbishment of the outdoor dining areas or any overhead structure in the centre crossing area. A Landscape Architect has been engaged and part of their brief includes recommendations on these issues.

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Molesworth Street Upgrade

At the time of writing this report, no details have been developed but a rough estimate of cost is shown below -

Street Furniture (including bench seating, enhanced garbage bin surrounds, etc)	\$20,000
Western Footpath (topping similar to eastern side)	\$40,000
Refurbishment of Outdoor Dining Areas (depends on extent of upgrade)	\$15,000 - \$30,000
Overhead Structure - Centre Crossing (depends on configuration)	\$ 5,000 - \$20,000

(c) **Parking - Bicycles, Taxis and Disabled Persons:**

A bicycle rack will be included as part of the upgrade works. Existing taxi facilities will remain unchanged and there are two disabled parking spaces included in the current design.

Manager - Finance & Administration Comments

The estimated cost for this project has increased by \$186,000 from that reported in January. Approximately \$100,000 relates to the 'unfunded extras'. The total cost of this project is now estimated to be \$1,156,000 and the proposed funding includes, but is not limited to, the following sources -

Loans (2002/03 Management Plan)		\$450,000
Reserves		
- CBD Inner Lanes	\$130,000	
- Contractors	240,000	
- Kerbside Dining	<u>45,000</u>	415,000
Lismore Water		60,000
Revenue (December Budget Review Statement)		<u>45,000</u>
Total:		<u><u>\$970,000</u></u>

Funding Shortfall:

\$186,000

As the Molesworth Street upgrade is now considered the 'priority', it is suggested that the unexpended budget allocated for New Ballina Road (\$250,000) be reallocated to meet this funding shortfall. This will have the effect of 'deferring' these works from the Urban Roads Programme to at least 2003/04.

Public Consultations

Extensive consultation with the business community and interested parties has been carried out over recent months.

Other Group Comments Not required

Author's Response to Comments from Other Staff Not required

Molesworth Street Upgrade

Recommendation (WOR2)

- 1 That Council proceed to reconstruct Molesworth Street between Woodlark and Magellan Streets in accordance with Option C (ie, 45° centre angle parking, one tree planting per three parking spaces and parallel parking on shoulders).
- 2 That the centre angle parking be signposted as 1-hour for a trial period of three months from the date of completion of the works.
- 3 That roadworks funding for New Ballina Road be allocated to the Molesworth Street upgrade.

Subject/File No: SEWAGE MANAGEMENT- NORTH WOODBURN

Prepared By: Manager Environmental Health & Building Services – Tony Kohlenberg

Reason: To address the sewage situation in North Woodburn.

Objective: To seek Councils endorsement of the recommendations.

Management Plan Activity: Environmental Health

Background:

The village of North Woodburn consisting of sixty four (64) residential lots and approximately one hundred (100) persons, has been subject to on-site sewage system failure for some time.

An independent report by GeoLINK dated September 2000, indicated that 15 of 39 premises surveyed had failing on-site systems. A further survey by Council's Environmental Health Section of all dwellings in September 2001 indicated that twenty four (24) of the forty eight (48) existing houses (50%) incurred evidence of failure.

Council inspections and the GeoLINK report have concluded that the on-site systems are prone to failure due to:

- Poor soil permeability
- Small lot sizes
- High Rainfall

Furthermore, on-site sewage management systems in North Woodburn cannot be upgraded on a permanent basis as they do not satisfy Council's On-Site Sewage Management Guidelines or NSW Guidelines due to:

- The close proximity to the Richmond River
- The flood liability of the land
- Inadequate size of disposal areas on residential lots.

Options

The provision of centralised wastewater management offers a means of overcoming the difficulties identified with on-site wastewater management systems in North Woodburn. The GeoLINK report identified the following centralised treatment options:-

1. Provision of a standalone treatment plant close to North Woodburn; or
2. Connecting to the existing wastewater management system, which presently serves Evans Head and South Woodburn; or
3. Discharge to another existing wastewater treatment plant within the Lismore City Local Government area.

The report concludes that:

- Connection to the Evans Head sewage scheme offers the most economical means of wastewater transportation, treatment, reuse and disposal.
- The most economical reticulation option is Common Effluent Drainage.

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Sewage Management-North Woodburn

- Because North Woodburn is flood prone, retention of the existing septic tank would pose a threat to public health and water quality.
- The off-site disposal of the town's wastewater to the East Lismore's treatment plant would entail a high level of energy consumption and green house gas emission.

Interim Upgrades

Interim upgrading arrangements will need to be introduced to the village until such time as sewerage or an alternate scheme is provided. Such arrangements will necessitate owners of existing failing systems to upgrade their systems to a minimum standard for the short term, in order to reduce the current unacceptable situation.

Other Group Comments

Lismore Water

Connection to the Evans Head sewerage system would be dependent on the following:

1. Willingness of Richmond Valley Council to accept the additional sewage load.

As recommended in the report it is important that Richmond Valley Council is approached now so that spare capacity is made available when the plant is upgraded. Apart from this, discussions need to be held on the best method of funding these works and an acceptable cost for on going operations. The possibility of Richmond Valley Council maintaining the reticulation system also needs to be investigated.

2. Completion of the upgrade of the Evans Head plant

Discussions with staff indicate that Richmond Valley Council has re-commenced the community consultation process, however, the plant is unlikely to be commissioned for another 3-4 years.

3. Availability of DLWC funding

DLWC funding needs to be secured for construction of the reticulation system. Discussions with DLWC staff indicate that funding may be available once construction works commence at the Evans Head treatment plant. A maximum subsidy of 50% will be applicable.

Once the above issues are resolved, a community consultation program needs to be established. Part of the discussion should be on the affordability of the scheme. It is most likely that the Richmond Valley will offer their services on a "full cost recovery" basis and these costs will vary depending on the final disposal options (which have not been finalised as yet). If the costs are excessive, Lismore Council will have to determine whether they are to be subsidised.

Financial Implications

Manager - Finance & Administration Comments

This would appear to be a reasonable approach in dealing with the situation.

From a financial perspective, it is prudent to collect information regarding costs, both capital and operating, prior to discussing funding, scenarios, charges, etc for a possible connection to the Evans Head Sewerage scheme.

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Sewage Management-North Woodburn

These issues will be addressed in the preparation of a future report on this option, if required.

Public Consultation

The Community will be informed by letter of the available long-term options. The need for interim solutions required to alleviate the unacceptable effluent disposal situation will also be discussed.

It would not be prudent to commence any community consultation program on the long-term options at this stage, as not all the information is available. As indicated above, the best time to commence any such program is after the discussions with Richmond Valley Council have progressed sufficiently and the cost implications established.

Conclusion

In order to deal with the failing on-site systems at North Woodburn household wastewater will need to be effectively managed in order to reduce the threat to public health and the environment. As stated within the report the most effective solution is to connect wastewater to the Evans Head sewerage system.

This option depends on:

- The willingness of Richmond Valley Council to permit connection of North Woodburn to the Evans Head system.
- Council's ability to financially support the proposal.

Until such time as these matters are resolved, it will be necessary to implement interim upgrade measures for failing systems in the short term in order to alleviate the current unacceptable situation.

Recommendation (PLA3)

- 1 Council staff write to Richmond Valley Council seeking their comments and time frames regarding the option of connection of North Woodburn to the Evans Head sewerage system.
- 2 Council write to North Woodburn residents indicating the options available and the need to introduce interim upgrade arrangements for failing systems within the village
- 3 Council verify the financial implications of connection of North Woodburn to the Evans Head Sewerage scheme.
- 4 A further report be provided to Council after consulting Richmond Valley Council regarding the cost implication for Council and residents.

Subject/File No: LISMORE LEP 2000 AMENDMENT NO. 14

Prepared By: Strategic planner – Bruce Blackford

Reason: Miscellaneous amendments required to LEP

Objective: Council's resolution to prepare LEP amendment

Management Plan Activity: Strategic Planning

Background:

The annual general amendment to the Local Environmental Plan provides an opportunity to address the various issues that have been identified through the day to day application of the LEP. This amendment also takes the opportunity to implement previous resolutions of Council regarding heritage matters, which have not been actioned to date because the high resource demands of heritage planning could not be accommodated amongst other priorities.

A description of the proposed amendments is provided as follows:

1. Definitions (Schedule 7)

The following changes to existing definitions and new definitions are proposed:

- *Dwelling houses* – the current definition of a dwelling house as 'a building' is too narrow and needs to be broadened to permit expanded dwelling houses consistent with Council policy. This can be achieved by amending the definition to refer to 'a building or buildings'.
- *Recycling drop-off centres* – these are places for the deposit of recyclable packaging material for reprocessing or recycling, such as paper & cardboard, glass, cans, and plastics by members of the public, or businesses into collection containers, operated by, or on behalf of, Council. The use is not separately defined in the LEP and this presents some difficulties in terms of approvals for drop-off centres in public reserves. It is recommended that a new definition be inserted in Schedule 7 and that the use be made permissible in the 6(a) Recreation zone subject to development consent.
- *Storage sheds* – development such as mini-storage sheds currently falls within the definition of 'bulk stores' which are permissible in the rural zones. It is appropriate that some forms of bulk store (eg rural bulk stores) are permissible in the rural zones, whereas other types such as mini-storage sheds should only really be appropriate in industrial zones. To overcome this problem it is recommended that a new definition for storage sheds be prepared and that these be made permissible only in the 4(a) Industrial and 2(v) Village zones.
- *Bed and breakfast establishments* – the current definition does not limit the number of guest bedrooms that may be provided in a B&B. This can lead to quasi-motel style developments in areas where such development may be unsuitable. It is considered that the definition should be more specific so that B&Bs are defined as comprising no more than five (5) bedrooms at least one of which must be used by the permanent occupants of the dwelling.

2. Clause 36(4) – Special purpose subdivision in rural zones

Subclause 36(4) permits subdivision in rural zones for purposes other than agriculture, forestry, retail and wholesale plant nurseries, rural tourist facilities, dwelling houses and rural workers dwellings. The clause has a useful purpose in that it provides for certain uses such as 'public utilities' to be subdivided from the main land parcel where they are constructed on rural land.

However problems occur where the clause is used to subdivide other uses such as 'bus depots' in rural areas. A lot created under this clause does not enjoy a separate dwelling entitlement and problems inevitably occur when the approved use ceases to operate or if the lot is sold. It is considered that the clause serves no practical purpose in these instances as uses such as bus depots in rural areas are generally established and run by the owner of the land on which they are located. Therefore permitting their subdivision from the main property does not present any real advantage to the owner. It is recommended that the range of uses to which clause 36(4) applies be restricted to utility installations only.

3. Clauses 36 and 40 – Rural residential development

Subdivision within the 1(c) Rural Residential Zone is currently controlled by two development standards in the LEP – a minimum lot size of 0.2 ha and an average lot size of 0.5 ha. The purpose of the average lot size requirement is to control the overall lot yield for any parcel of land in the 1(c) zone. Thus the potential lot yield may be calculated by dividing the area within the zone by 0.5. The intent of having a different minimum lot size and lot average was to provide flexibility and variety in lot sizes in rural residential subdivisions. While it is debatable whether this has achieved its objectives, the provision has created problems in its application particularly where the subdivision involves successive stages within the one parcel. This can result in higher lot densities being achieved than what was intended or what could have been achieved if the subdivision was not staged. The recommended solution is to remove the averaging provisions for subdivision in the 1(c) zone and make the minimum lot size 0.5 ha. This will not reduce the potential lot yield for any remaining un-subdivided land in the 1(c) zone.

4. Clause 59.4 - Advertised development in Neighbourhood Business Zone

Clause 59 lists the permissible and prohibited uses in the 3(b) Neighbourhood Business Zone. The clause is constructed in such a manner that all development that is not listed as "without consent", "with consent" or "prohibited" automatically falls with the "advertised development" category. This means that relatively minor development in the 3(b) zone can sometimes require advertising. It is considered that it would be better to specifically list those developments requiring advertising and to make all other development that is not either "prohibited" or "without consent" as being permissible with consent. This will bring the requirements for the 3(b) zone in line with the other commercial zones.

5. Clause 38 – Caretaker's residence

Clause 38 enables the erection of a caretaker's residence on rural land under certain circumstances where such use is ancillary to an approved use other than agriculture or forestry. Clause 37(4) enables the erection of a dwelling-house on rural land providing the allotment was lawfully created in a manner consistent with that clause. Clause 38 was not intended to be used as a "backdoor" means of gaining a dwelling entitlement on land that would otherwise have no dwelling entitlement. To ensure that clause 38 is used in the way it was intended, it is proposed that an additional provision be inserted requiring that the subject land has an entitlement to a dwelling pursuant to clause 37(4).

6. Temporary events on private and public land

Over the New Year period two dance parties were held in Lismore, organised by two separate organisations. One organisation sought, and received, development consent to hold its event, and the other didn't but probably should have. Complaints from the public were received by Council concerning excessive noise, and the length of time the noise was experienced.

Planning controls for temporary uses/events have been altered several times in recent years by Council and the State Government, resulting now in inconsistencies in the controls and confusion amongst staff and those organising events about what requires development consent and what doesn't.

It is now proposed to include within the Local Environmental Plan a new definition for temporary uses/events which specifies the parameters under which development consent will be required. Temporary uses/events that do not trigger these parameters will not require development consent but will still require approval under S.68 of the Local Government Act.

The benefits to Lismore of such events, in terms of the economy, employment and image, are acknowledged and there is no intention to prevent temporary events. The purpose of requiring development consent is to control the external impacts of such events on the general community and environment.

In order to achieve clear and consistent planning controls over temporary events/uses the following amendments to the LEP are proposed:

- a) Introduce a new definition for temporary events/uses which:
- Involves the operation or use of a loudspeaker or sound amplifying device after 12 midnight, except within a building or place that is licensed as a place of public entertainment, or
 - requires the erection of a temporary or permanent structure greater than 60 sq metres, or
 - involves the provision of overnight camping or accommodation, or
 - will in Council's opinion have a significant impact on traffic, parking or the management of waste, and
 - is open to the general public.
- b) Make temporary events permissible with consent within the appropriate zones such as 1(a), 1(b), 1(d), 1(r), 2(v), 3(a), 3(b), 3(f), 4(a), 5, 6(a) and 6(b).
- c) Delete from the LEP *Clause 27 - Temporary Use of Public Land*.

This will ensure that the same provisions apply to public and private land.

Consent would not be required for events to be held entirely within buildings already known as, or licensed for, places of public entertainment eg. City Hall, Racecourse or Club function rooms. Nor would the clause apply to events considered to have 'continuing use' rights such as the speedway, or to private functions not open to the public such as weddings etc.

To make the situation in relation to temporary events clear it is also recommended that DCP No.39 (Exempt Development) be amended so that temporary events which do not meet the requirements for development consent are listed in DCP No.39 as exempt development.

7. Miscellaneous issues

There are a number of minor inconsistencies that have been found in the wording of the LEP that should be addressed to remove any ambiguity in the interpretation of the plan. These are as follows:

- Clause 16 – amend 'do shall'.
 - Clause 24 – should refer to clause 5 (not 6) of DCP 36.
 - Clause 31.4– delete service stations
 - Clause 49.3 – change reference to '49.2, 49.4 or 49.5'
 - Clause 49.5 – change to 'industries (other than home and light industries)'.
 - Amend Schedule 4 to delete superseded items
-

8. Heritage matters

Recommended amendments to the heritage provisions of the LEP include the replacement of existing provisions with standard provisions issued by the Heritage Office, some minor alterations to the description of existing heritage items listed in Schedule 1 and the inclusion of some additional landscape items within Schedule 1. The proposed amendments are described as follows:

(a) Standard provisions issued by Heritage Office

On 30 March 1999 Council resolved to amend the existing heritage provisions of the LEP to reflect the standard provisions of the NSW Heritage Office. A copy of the standard heritage provisions is included in the Attachment to the Business Paper.

Although the new provisions appear longer and more complicated than the older provisions currently contained in LEP 2000, much of the difference lies in the new provisions making explicit requirements which previously were implicit. The major differences between current provisions in LEP 2000 and the new standard provisions are:

i) New definitions are added as follows:

Archaeological site means the site of one or more relics.

Conservation Management Plan means a document prepared in accordance with the requirements of the NSW Heritage Office that establishes the heritage significance of an item, place or heritage conservation area and identifies conservation policies and management mechanisms that are appropriate to enable that significance to be retained.

Heritage Impact Statement means a statement demonstrating the heritage significance of a heritage item or conservation area, or of a building, work, archaeological site, tree or place within a heritage conservation area, an assessment of the impact that proposed development will have on that significance and proposals for measures to minimise that impact.

Heritage Significance means historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value.

Maintenance means the ongoing protective care of a heritage item or a building, work, archaeological site, tree or place within a conservation area. It does not include alterations, such as carrying out extensions or additions, or the introduction of new materials or technology.

Potential archaeological site: such a site may be mapped as having, in Council's opinion, the potential to be an archaeological site.

Place of Aboriginal heritage significance means:

- a) a place that has the physical remains of pre-European occupation by, or is of contemporary significance to, the Aboriginal people. It can (but need not) include items and remnants of the occupation of the land by Aboriginal people, such as burial places, engraving sites, rock art, midden deposits, scarred and sacred trees and sharpening grooves, or
- b) a natural Aboriginal sacred site or other sacred feature. It includes natural features such as creeks or mountains of long standing cultural significance, as well as initiation, ceremonial or story places or areas of more contemporary cultural significance.

Potential place of Aboriginal heritage significance: (self explanatory)

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Other heritage definitions currently in the LEP are altered, the meaning being clarified and expanded.

- ii) Places of actual or potential significance to the Aboriginal community are separately provided for.
- iii) There is provision for Council to recognise and protect places which have the potential to have heritage significance, but which are not identified as heritage items.
- iv) An application concerning a heritage item (or works within a conservation area) must include a heritage impact statement, the contents of which are specified.
(Note: this is information which would previously have been required in a Statement of Environmental Effects)
- v) 'Conservation incentives', which over-ride the land use tables to permit any use of a building or land which is a heritage item providing that the retention of the item depends on the granting of consent, has been expanded to require that the proposed use is in accordance with an endorsed conservation management plan, the requirements of which become conditions of consent. This is an improvement over the current provisions which provided little guidance on usage and have led to attempts to undermine the planning controls.
- vi) The requirements for development applications in conservation areas have been expanded to include a list of matters to be addressed in the application and assessed by Council. This is of particular benefit to Councils such as Lismore which do not have the advantage of permanent heritage officers to advise applicants and assess applications.
- vii) Consent is to be required for structural changes to the interior of an item.
(Note: *Building & Regulation officers have clarified that 'structural changes' would comprise, for example, removal of internal weight bearing walls, but would not comprise updating of kitchens, bathrooms, or repainting or general home maintenance*)
- viii) The Heritage Office is to be notified of applications for demolition of State significant items only, not all listed items.

Provisions which do not significantly alter are:

- i) Consent is still required for demolition, moving or altering an item either individually listed or within a conservation area, unless in Council's opinion the proposal would be minor and nonsignificant.
- ii) Advertising of proposals for demolition or incentives related works.

It may not be possible for Council to choose to adopt some provisions but not others: any heritage related local environmental plan must obtain the endorsement of the Heritage Office before the Minister will make the plan, so that if Council chooses to pursue any of the heritage related matters from resolutions of the previous Council it must also include the standard provisions if it wants the LEP amendment to be adopted.

b) . Proposed alterations to descriptions of items listed in Schedule 1

The following alterations to the descriptions of items already listed in Schedule 1 of the LEP are proposed:

i) Woodlawn College

The College is listed within Schedule 1 Heritage Items, but is also included in a list of potential landscape items for inclusion in the LEP (discussed below). It is recommended that Schedule 1 be altered by the addition of the correct address (189 and 203 Woodlawn Road) and by including the words 'and grounds'. This will have the effect of providing heritage protection to the building and grounds without duplicating the listing for landscape purposes.

ii) Railway Carriage Shed

Item 73 in Schedule 1 Heritage Items is identified as 'Railway Strait Carriage Shed'. Reference to the Heritage Study indicates that the spelling should be corrected as 'Straight'. It is recommended that this item be altered to read 'Railway Straight Carriage Shed'.

iii) Former Lismore High School Site, cnr. Keen & Magellan Sts.

This site contains separate properties, being 152 Keen Street (Lot 15, DP 867281) containing A Block, and what is described as 150 Keen St (Lot 14 DP 867281) containing B and C Blocks and other buildings. Both properties are identified within Schedule 1 but due to an oversight only 152 Keen Street is mapped. It is recommended that a map indicating Lot 14 DP 867281 is added as Map 32A to ensure consistency between the written instrument and the maps. The address for Lot 15 should also be changed to the correct address being 110 Magellan Street.

iv) Trees – 612, 622 and 632 Skyline Road, Gundurimba

Although the trees are listed in Schedule 1 as a landscape item on the above properties, they are actually located within the Skyline Road reserve adjacent to these properties. The description of the item should be amended to reflect their true location.

c). Proposed addition of new items in Schedule 1

At its meeting of August 31, 1999 Council resolved to defer certain landscape and archaeological items for inclusion in a subsequent miscellaneous LEP amendment. Those items are listed in an Attachment to this report together with an assessment of their suitability for inclusion in Schedule 1. The result of that assessment is that five (5) items from that list are recommended for inclusion. Following is a description of the items recommended for inclusion in Schedule 1.

i) Former Power Station Building – Union St, South Lismore

Council had previously resolved (Resolution 277/99) to defer inclusion of the former Power Station Building and site pending preparation of a Conservation Management Plan for the site at the expense of North Power. The purpose of requiring additional information was to ascertain whether the entire North Power site should be included in Schedule 1 Heritage Items, or only the site of the former Power Station. The then North Power objected strongly to the inclusion of the entire site, fearing listing would interfere with current operations carried out from the site.

The Conservation Management Plan submitted was unclear initially about the features of the site which had heritage value and which were of sufficient significance to be listed in the LEP. However subsequent investigation, site inspection and correspondence with Country Energy has clarified that the site to be listed in Schedule 1 to the LEP is that containing only the building known as the former Power Station, contained on Lot 1, Section 1, DP 1691.

Consultation with Country Energy has been undertaken to reach the above conclusion.

ii) Former Dungarubba School Grounds

A large hoop pine evident in the photograph from the inventory sheet remained when inspected in early 2002; remaining vegetation remains much as in the 1995 photograph and appears to contain camphor laurel.

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iii) Orchard & Trees, Smith St. Clunes

Intact in early 2002 and at 23 December 2002.

iv) Uniting Church, 1615-1615A Dunoon Rd., Dunoon

This item appears well maintained with the landmark Bunya and Norfolk Is. pines healthy.

v) Rainbow Power Company, 7 Alternative Way, Nimbin

The Heritage Study recommends its inclusion on the grounds of its local significance as one of the sites made available for the 1973 Aquarius Festival.

vi) Nimbin Rocks, Mountain Top

Two property ownerships are involved, with neither at the nominated address. The correct addresses are 2345A Nimbin Road, Nimbin and 332 Lodge Road, Mountain Top. The Rocks are included in the draft Regional Vegetation Management Plan as having national significance and do not require duplicate provisions in a local plan. P.87 of draft RVMP states '*Clearing of native vegetation associated with non-Aboriginal cultural sites of National Significance should not be permitted*'.

Owners of the above properties have been advised of the contents of this report and their views requested. No replies had been received by finalisation of this report.

d). Inclusion of consideration of heritage issues in Schedule 5 'Matters relating to Environmental Impact'

This schedule lists matters to be considered in the preparation and consideration of Development Applications for "advertised development", rural residential, urban and village subdivision. Currently it makes no mention of heritage matters but, in order to ensure clarity and consistency within the LEP it is recommended that an additional point require consideration of the effects of development on Aboriginal cultural heritage and European heritage matters.

Manager - Finance & Administration Comments

Not required.

Public Consultations

Opportunity for public consultations will be provided during the twenty eight (28) day statutory exhibition period for draft LEP amendments.

In regard to the proposed amendments relating to temporary events, the Economic Development Unit has been consulted during the preparation of the amendment and, subsequent to endorsement by Council, the NSW Police Service will also be consulted. During public exhibition of the proposed LEP amendment, known organisers of temporary events will be advised as well as administrators of venues likely to be used, such as the Racecourse, Rugby Grounds, etc.

Following gazettal of the amendment, it is proposed that a pamphlet be produced outlining the requirements for temporary uses. This would be available on Council's web site as well as over the counter and provided to venues. This pamphlet/public information would include the requirements of S68 of the Local Government Act and any requirements introduced by Planning NSW.

Other Group Comments

Representative of City Works Group has advised he has no comment.

Author's Response to Comments from Other Staff

Not required.

Conclusion

Draft Amendment No. 14 to the Lismore Local Environmental Plan represents the annual alterations to the plan which have been found to be necessary during its operation. It also takes the opportunity to implement resolutions of Council regarding heritage matters, which have not been actioned to date because the high resource demands of heritage planning could not previously be accommodated amongst other priorities.

Recommendation (PLA5)

That Council resolve to:

1. Prepare an amendment to Lismore Local Environmental Plan 2000 to amend the Lismore LEP 2000 consistent with the recommendations of this report, pursuant to section 54 of the EP&A Act 1979.
2. Advise Planning NSW that Council intends to use its s65 and s69 delegations and 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 (28) days following consultations with the relevant Government agencies.
5. Amend DCP No.39 (Exempt Development) so that temporary uses/events that do not require consent are listed as exempt development.

Subject/File No: REZONING SUBMISSION – TRINITY DRIVE, GOONELLABAH
(BB:P27369)

Prepared By: Strategic Planner – Bruce Blackford

Reason: Receipt of rezoning application

Objective: Council's resolution to prepare an amendment to LEP 2000

Management Plan Activity: Strategic Planning

Background:

Council is in receipt of an application to rezone Lot 91 DP 1010714 Trinity Drive, Goonellabah from 1(d) Investigation zone to 2(a) Residential. The objective of the rezoning is to permit the subdivision of the land to create ten (10) urban residential allotments and a larger residue lot of 1.088 ha. A plan of the proposed subdivision is included as an attachment.

The land that is the subject of this application represents the remaining 2.6 hectares of the original land parcel that was subdivided to create the existing residential estate at the end of Trinity Drive. The final subdivision of this land has been unable to proceed due to the current 1(d) zoning. The site forms part of a larger area that has been identified in the draft Lismore Urban Strategy as having potential for future urban residential development.

Issues:

Access

The existing access to Ballina Road, via Mountain View Drive and Bruxner Crescent, is not capable of carrying the increased traffic generated by additional development in the area. The draft Urban Strategy identifies the need for an alternative access to be provided to Ballina Road and proposes that this be achieved via Woodlawn Avenue. The requirement for a new access will be generated by subdivision permitted through this rezoning proposal as well as by future development further to the north as envisioned in the draft Strategy. It is desirable that the cost of providing the new access be borne by new development in the area in an equitable manner. This can best be achieved through the preparation of a site specific Section 94 Contributions Plan for the area based upon projected lot yields derived from the draft Urban Strategy. It is recommended that a contributions plan be prepared and adopted by Council prior to final gazettal of the rezoning.

Layout

It is essential that the subdivision and road layout be compatible with the future subdivision pattern of the larger 1(d) area further to the north. The draft Urban Strategy identifies the desirability of dispersing local traffic in this area and discouraging through traffic from other areas. As far as practicable, alternative traffic routes should be provided in the subdivision design so that local traffic is not concentrated along a single route. A means of achieving this is to provide access to the new release area via both Trinity Drive and Ashgrove Drive. This will allow the construction of a loop road in the future to service the proposed release area and so provide motorists with a choice of routes. The layout submitted with the application will facilitate this by extending both Trinity Drive and Ashgrove Road to the northern property boundary.

Sewer

The applicant has provided information demonstrating that the ten (10) urban lots can be connected to the existing sewer. The residue lot with an area of 1.088 ha will have sufficient area for an on-site effluent disposal system.

Manager - Finance & Administration Comments

In regards to the preparation of a site specific Section 94 Plan, it is supported as the cost of providing the required infrastructure will be funded by the proposed and future development which create the demand.

Public Consultations

Opportunity for public consultations is provided during the public exhibition period for draft LEP amendments for which there is a statutory minimum exhibition period of twenty eight (28) days.

Other Group Comments

The City Works Group has two main issues regarding the proposed rezoning:

1. Both Ashgrove Drive and Trinity Drive should be extended to the northern boundary of the subject property to provide future access to adjoining lands.
2. The existing access from Trinity Drive to Ballina Road will not be adequate for future traffic associated with the development of the land identified for rezoning within the Urban Strategy. An alternate access or upgrading of existing roads shall be required to facilitate the development of this area. Alternates need to be investigated and a road layout adopted that will provide adequate levels of service as development occurs. The proposed layout should then be adopted as part of a Development Control Plan for the area and a Section 94 plan prepared for the funding of the works.

These two issues both appear to have been adequately addressed within the report and as such City Works supports the proposed rezoning.

Author's Response to Comments from Other Staff

Not necessary

Conclusion

The proposed rezoning will enable the owners to proceed with a subdivision application to create eleven (11) residential allotments in an area that has previously proved popular with new homebuilders. The site forms part of a larger investigation area that has been identified in the draft Urban Strategy as having good potential for future residential development.

The proposal is consistent with State plans and policies. The application is able to proceed prior to the Director-General's agreement being obtained to the Lismore Urban Strategy as the proposal does not constitute 'significant urban growth' pursuant to clause 38 of the North Coast Regional Environmental Plan 1988. It is recommended that a site specific Section 94 Contributions Plan be prepared prior to the gazettal of the rezoning so that the costs of providing appropriate access to Ballina Road can be apportioned equitably between future developments in the area. Details of the contributions plan will be reported to Council prior to the plan being placed on public exhibition.

Recommendation (PLA2)

That Council resolve to:

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Rezoning Submission – Trinity Drive, Goonellabah

- 1 Prepare an amendment to Lismore Local Environmental Plan 2000 to rezone Lot 91 DP 1010714 Trinity Drive from 1(d) Investigation zone to 2(a) Residential zone pursuant to section 54 of the EP&A Act 1979.
- 2 Advise Planning NSW that Council intends to use its s65 and s69 delegations and 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 Prepare a site specific s94 Contributions Plan for adoption by Council prior to gazettal of the LEP amendment.

Subject/File No: LEP AMENDMENT NO. 11 TO THE LISMORE LOCAL ENVIRONMENTAL PLAN
(S/826)

Prepared By: Development Assessment Planner – Angela Jones

Reason: Inform Council of the outcome of exhibition of the proposed Amendment No. 11.

Objective: Council's Adoption of Amendment No. 11.

Management Plan Activity: Strategic Planning

Background:

At its meeting of August 13, 2002, Council resolved to publicly exhibit draft LEP Amendment No.11. The objective of the amendment was to allow for no more than eight (8) practitioners on Lot 3 DP 595145 and Lot 61 DP 262478, 162 and 166 Ballina Road, Goonellabah, by altering Schedule 4 (clause 28). The draft Amendment was placed on public exhibition for a period of 30 days from Thursday, November 14, 2002 to close of business on Friday, December 13, 2002, with all adjoining landowners notified in writing of the proposal. Prior to the formal exhibition period, relevant Government Agencies were provided with the opportunity to comment on the draft plan.

A copy of the draft amending plan and map is attached.

Public Submissions

Two (2) submissions were received regarding the draft Amendment. The submissions supported the proposed draft Amendment No.11 in principle, raising no significant objection. However, both submissions raised several amenity issues, such as hours of operation and security lighting, which would be associated with any future extensions of the existing medical centre on the subject site. These matters can be addressed during the assessment of any future Development Application to extend the existing medical centre. At this time all adjoining landowners will be notified in writing at which time submissions will be invited from any interested parties.

Manager - Finance & Administration Comments

Not required.

Other Group Comments

Comments from City Works regarding draft Amendment No. 11 were provided in the planning report to Council of August 13, 2002.

City Works had no objection to the proposed amendment, however questioned the access to Ballina Road with the future development of the site. The Roads and Traffic Authority were consulted prior to the public exhibition, raising no objection to draft Amendment No. 11.

Author's Response to Comments from Other Staff

N/A

Conclusion

Considering the information contained in this report, it is recommended that Council adopt the draft plan in the form that it was exhibited and forward it to the Minister with a request that he make the plan.

Recommendation (PLA1)

That Council adopt draft *Local Environmental Plan* Amendment No.11 and forward it to the Minister for Planning with a request that the plan be made.

Subject/File No: SITE INSPECTIONS FOR DEVELOPMENT APPLICATIONS TO BE DETERMINED BY COUNCIL

Prepared By: Manager Planning Services – Helen Manning

Reason: To update and clarify the organisation of Councillors' site inspections

Objective: The efficient assessment and determination of development applications

Management Plan Activity: Development Assessment

Background:

Development Applications to be determined by the full Council usually require site inspections to familiarise Councillors with the site and the issues arising from a development proposed on that site. However, current policies/procedures relating to such inspections date from former Councils and previous administrations, and are vague as to what should be inspected, the purpose of the inspections, who should attend, and the conduct of the inspections.

Policy 1.2.14 'Information Sessions for Councillors' (copy in Attachment to Business Paper) requires that inspections relating to a Development Application be held no later than the Monday immediately preceding the Council meeting at which the DA is to be considered, and for significant strategic planning issues (arterial road proposals, new villages, significant urban expansions) inspections are to be held at least one week before the Council meeting. The Policy gives no further guidance for the organisation of site inspections.

Internal Procedure 'CorS.1.20 Site Inspections for Planning Matters on Business Papers' is concerned mainly with the administrative organisation of the Business Paper in relation to items requiring an inspection. It specifies that inspections are to be carried out between 4.30 and 7pm preceding the Council meeting at which the item is to be considered. It also states that applicants/developers, objectors and "other persons with an interest in the item" are to be requested to attend the inspection.

Over time the conduct of inspections has evolved as follows :

- The Group Manager P & D determined whether site inspections were necessary;
- The Group Manager P & D conducted the inspection; ie welcomed Councillors and members of the public but specified that inspections were for the benefit of Councillors only, outlined the development proposal and the issues arising, and invited questions from Councillors.
- Objectors/supporters and "other persons with an interest in the item" were invited to speak if time permitted and could ask questions after all Councillor questions had been answered.
- If the Group Manager P & D was not available then the most senior officer available conducted the inspection.

Issues Arising & Proposed Solutions

1. What applications require a site inspection?

Site inspections for Councillors should be organised for 'significant development applications' as defined in Policy 1.2.14, ie

- DAs over the value threshold of \$2.5 million (which requires determination by full Council rather than under delegation) unless otherwise advised by the General Manager or Group Manager P & D or if there is consensus among Councillors that no inspection is required. (For example, a recent information session regarding the Lismore Square extension was regarded by some as unnecessary because all Councillors are familiar with the site and there were no controversial issues).
- All quarry DAs when objections have been received.
- All subdivisions over 30 lots.
- DAs generating objections of a significant nature.
- Rural Landsharing Community DAs with substantial objections, substantial planning/ environmental concerns or more than 10 dwellings.

2. Which staff should attend a Councillors' site inspection?

Current practice is that neither the Group Manager P & D nor the Manager Planning Services have detailed involvement in the assessment of applications, but both should be advised of any site inspection to be held and one or the other should attend as part of the protocol for contact between Councillors and staff.

The planning officer co-ordinating the assessment should attend to provide technical information and an overview of the application. That officer should provide a brief agenda to Councillors.

Staff from other Sections who may have issues with the application should also attend to explain their issues to Councillors and answer questions.

The applicant for the development should be invited to attend the inspection, and should be invited to clarify any matter which is unclear in the application. It should be noted that it is the responsibility of the applicant to justify and defend the application if required, and not Council staff.

The landowner (if not the applicant) should also be informed of the inspection and invited to attend.

Clearly the purpose of a site inspection is to provide information to Councillors so as to facilitate decision making. Not so clear is the reason for inviting "objectors and other persons with an interest". There are other, more efficient, mechanisms for community consultation which should firstly have been carried out by the developer as part of the preparation of the application. Supporters/objectors to proposals already have access to staff and Councillors to make their views known, and have the benefit of a public exhibition as well, following which all submissions are reported to Council. Given the preferred time of inspections, in the late afternoon, there is limited time available for familiarising Councillors with the site and relevant issues, and this time is not appropriate for debate and/or negotiation with objectors. It is proposed that the past practice of requesting the presence of supporters/objectors and "other interested people" cease as it serves no apparent purpose.

3. Does Council have the right to invite third parties onto private property without the agreement of the landowner?

No automatic right of entry for the public to private property results from lodgement of a development application and Council is not entitled to invite third parties onto private property without the agreement of the landowner.

4. Who 'chairs' or controls the inspection?

The assessment officer attending should not be expected to conduct the inspection by keeping order (if necessary) while simultaneously providing technical advice. The Mayor or Deputy Mayor should chair the inspection, by introducing staff not already known to Councillors, setting out the ground rules for expected behaviour, and outlining a brief agenda (previously provided by staff). In the absence of Mayor or Deputy Mayor, then the Mayor's Delegate should perform that role, while the assessing officers provide technical advice regarding the application and Council procedures.

5. What information is provided to Councillors at the inspection?

The assessing officer is to objectively outline the application under consideration and the planning issues arising.

Staff from other Sections should expect to outline the issues arising within their technical expertise.

The applicant/landowner may be called on to clarify aspects of the application if necessary and should answer any questions from Councillors or staff.

Public Consultation

Not required

Comments –Finance Section

Not required.

Comments – Other Groups

This matter was reported to MGM, which agreed with the recommendations of this report.

Author's Response to Comments from Other Staff

Not required

Conclusion

Documented procedure relating to site inspections for Councillors dates from previous Councils and administrations. Updating is now required to remove anomalies and reflect current practice in assessment of development applications. The updated Policy follows this report in the Business Paper.

Recommendation (PLA4)

It is recommended that Council adopt Policy 1.2.14 as amended.

Subject/File No: FLOOD ACQUISITION – LISMORE LEVEE SCHEME -
77 TWEED STREET, LISMORE
(P9572)

Prepared By: Manager Client Services – Lindsay Walker

Reason: Richmond River County Council has requested Council's assistance with this property.

Objective: Obtain Council approval to proceed with the acquisition

Management Plan Activity: Property, Flood Mitigation

Background

The abovementioned property, being Lot 1 in Deposited Plan 795770, is situated in the area identified in the current flood mapping as being high hazard.

This property has been subjected to inundation by water in previous large floods and its acquisition under the Lismore Levee Scheme is seen as desirable to orderly planning in the North Lismore area.

The purchase of 77 Tweed Street is consistent with clause 4.5.6 (Future Purchases) of the recently adopted Lismore Floodplain Management Plan. In determining eligibility, Council considered the following matters.

- The dwelling is described in the valuation as being “generally in relatively poor order”.
- The property is eligible for house raising under the Lismore Levee Scheme, however, the dwelling would be approximately 3.7m above ground level should it be raised. Such an elevation would not be acceptable on either aesthetic or social grounds.
- The cost to raise this house would be more than the cost to purchase.

Valuation

This property was valued by the State Valuation Office at \$63,000.00.

Manager - Finance & Administration Comments

Council's share of the purchase price and associated costs (\$22,000.00 on a 1:1:1 basis) is provided in the approved Management Plan.

Manager – City Works

The purchase and removal of this dwelling completely removes people from a flood event.

Raising the house to 3.7m above the surrounding ground creates a whole new set of problems to be overcome by the occupants while only partially mitigating the flood exposure of the occupants.

The recommendation is endorsed.

Public Consultations

Not required.

Other Group Comments

Not required.

Conclusion

Given the poor economic, aesthetic and social outcome which would be achieved if this dwelling were to be raised, it is considered that purchase will lead to a more acceptable outcome for all parties involved.

The purchase of this property is consistent with Council's adopted Lismore Floodplain Management Plan and Clause 22 of the Lismore LEP.

Recommendation (GM66)

- 1 That Council authorises the General Manager or his delegate to purchase 77 Tweed Street, North Lismore, being lot 1 in DP795770.
- 2 That Council contributes its one-third funding contribution for the purchase of lot 1 in DP795770 for an agreed price of \$63,000.00, together with all reasonable legal costs.
- 3 That the General Manager and Mayor be authorised to sign and apply the Common Seal of the Council to the contract for sale and property transfer documents as necessary.

LISMORE CITY COUNCIL – Meeting held February 11, 2003

Subject/File No: SUBDIVISION AND SALE OF COUNCIL LAND IN CENTENARY DRIVE, GOONELLABAH (P26676)

Prepared By: Manager Client Services – Lindsay Walker

Reason: To inform Council of proposed subdivision and sale of land

Objective: To obtain Council's endorsement of recommendation

Management Plan Activity: Commercial Property Management

Background:

Lismore experienced an increase in land sales during the latter part of last year. This activity was not confined only to residential land and Council actively promoted its industrial land during this time.

In addition to the lot sale, which was reported in the October Council meeting, Council has received contracts for one of the two existing lots fronting Centenary Drive, together with these three lots, the subject of this report.

The area proposed for subdivision and sale is lot 73 in DP 876840. This lot has an area of 1.558ha and has frontage to Lancaster Drive and Oliver Avenue. The Lancaster Drive frontage has the benefit of existing bitumen seal while the Oliver Avenue frontage is unformed. The eastern area of the part lot (to the north of the unformed Oliver Avenue) is currently utilised by Council's City Works for the stockpiling of materials. City Works has agreed to ensure that this area remains tidy and does not detract from the development of the eastern section of the lot.

Council has received contracts for each of the lots proposed to be subdivided out of lot 73 . These contracts have the following lot sale prices, inclusive of GST:

Lot 731	\$59,290.00	(\$38.60/m2 approx)
Lot 732	\$47,509.00	(\$38.50/m2 approx)
Lot 733	\$45,238.00	(\$38.50/m2 approx)

Manager - Finance & Administration Comments

The proposed subdivision and sale of this land is supported as:-

- it will generate a reasonable positive cash return to Council,
- the average sale price per square metre of \$38.55 is approximately 12.6% more than the last industrial lot sale price of \$34.24, and
- it supports the continued development of the economy in Lismore, especially at a time when demand for residential, commercial and industrial land is growing.

It is important to note that when these contracts for sale are settled, we will only have a limited number of industrial lots available for sale with a few in the Centennial Industrial Estate and one in South Lismore. Other than the option to develop land fronting the Bruxner Highway in South Lismore, our involvement in future industrial land development appears to be limited to adhoc opportunities at this stage.

Public Consultations

Not required.

Other Group Comments

Not required.

Author's Response to Comments from Other Staff

Not required.

Conclusion

The introduction of three new businesses into this industrial area has considerable merit. The sale prices offered for these lots are higher than the immediately past sales and should be accepted.

Recommendation (GM65)

That Council:

1. Subdivide lot 73 in DP 876840 as shown in the accompanying sketch.
2. Sell each of the lots shown in the accompanying plan.
3. Accept offers to purchase the lots to be created by subdivision at the following sales prices (inclusive of GST):

Lot 731	\$59,290.00
Lot 732	\$47,509.00
Lot 733	\$45,238.00
4. The General Manager be authorised to execute and apply the Common Seal of the Council to the contracts for sale, Memorandums of Transfer for the lots subdivided out of lot 73, Survey Plan of Subdivision, Section 88(b) instrument and/or any other instrument necessary for the transfer of the property.

Subject/File No: PROVISION OF MARKETING SERVICES – LISMORE ECONOMIC DEVELOPMENT, LISMORE TOURISM & LISMORE UNLIMITED (T23001)

Prepared By: Contracts Officer – Chris Allison

Reason: To inform Council of registrations of interest received for the provision of marketing services

Objective: To obtain Council approval to award the Tender

Management Plan Activity: Economic Development/Tourism

Background:

Registrations of interest were recently called for the provision of marketing services for Lismore Economic Development Unit, Lismore Tourism and Lismore Unlimited Opportunities. It was decided that although each of these groups have unique messages for their selected target markets, ideally the messages should all have a consistent and similar theme. By appointing a single marketing consultant it will allow for the effective promotion of Lismore and will meet the various objectives of the participating groups. It is proposed to engage a suitable consultant for a one (1) year period with an option to extend the contract for a further two (2) years.

The Client Services Unit in conjunction with the three groups prepared the registration of interest document.

The registrations of interest were advertised in “The Northern Star” and documents were issued to fifty three (53) companies. Two (2) tenders were received by the stated closing date of Friday, October 15, 2002.

The two registrants were –

Miller Corporate Communications
John Campbell Communication and Marketing

A selection panel of representatives of the three groups assessed the registrations of interest and the applicants were invited to make their formal presentations to the selection panel.

The applicants were interviewed based on the following agenda –

- 20 minute presentation by agency of 2-3 relevant client projects including an overview of the brief, work completed and any outcomes (examples of work should include TV, print and web if possible).
- 20 minute Concept Presentation - agency to prepare and present a proposal for repositioning the Lismore Unlimited brand within the target region.
- 15 minutes Budgeting - the agency process for planning and managing budgets.

In addition several categories of questions/discussion points were be raised including:

- Government Funding Experience
 - Leverage / Sponsorship Experience
 - Financial Stability
 - Planning capability / strategic outlook
-
-

- Account Manager - role
- Conflict of Interest - existing or arising
- Other existing clients and examples of work

In addition, each applicant was sent a copy of the Lismore Unlimited Three Year Marketing Strategy and Lismore Tourism Marketing Strategy.

Each applicant submitted an overview of their company and a proposal for some future activity/strategy.

The registration of interest documentation defined four (4) criteria by which each registrant would be assessed: Capability, Staffing, Experience & Past Performance and Proposed Pricing Structure. The registrants were required to address each of these criteria in their tender. Attachment A shows the weighted result for each criterion.

Based on the evaluation criteria and interview process, John Campbell Communications and Marketing has been chosen by the selection panel as the recommended option. The following is a brief overview of the reasons for this selection.

1.1 Capabilities

Their depth of experience and skills was demonstrated by their past projects.

They have a sound knowledge of the region as well as the local business community. They also have experience with regional clients.

1.2 Staffing

A broad cross-section of skills is provided by their in-house staff, including design, research, media liaison, copywriting and strategic planning.

They offer a shared team leader role dependent on the aspect of the project. These key people have extensive knowledge and experience covering decades of practical implementation within tourism, local government and private enterprise.

1.3 Experience and Past Performance

Provided practical examples of recent projects varying in size, e.g. Gold Coast EDU, Big Sky Country, Thursday Plantation, East Coast Sculpture and New England Tourism.

They are regarded highly by their past and current clients, based on reference checks.

1.4 Proposed Pricing Structure

The proposal offers the best value for the available budget. John Campbell Communications has comparatively low fees and no "on-costs".

It should be noted that the pricing structure provided is a schedule of rates for each of the various components of work required. The successful consultant will be engaged on a "job by job" basis to the annual budget allocation for Lismore Economic Development Unit and Lismore Tourism, approximately \$57,000 per annum. Where the consultant is engaged to undertake works for Lismore Unlimited, separate invoices will be issued and paid directly by Lismore Unlimited.

Manager - Finance & Administration Comments

A joint marketing approach to delivering a 'consistent and similar theme' for Lismore is supported as it increases the pool of funds available for marketing, and theoretically, makes us more attractive to proven service providers.

From a financial perspective, the Consultant will only undertake works to the value provided in the Budget.

Public Consultations

N/A

Other Group Comments

N/A

Author's Response to Comments from Other Staff

N/A

Conclusion

Although only two (2) companies responded, the quality of the applicants was very high with both companies demonstrating a high level of commitment to delivering the required level of service. Both companies are capable of delivering the service, however, John Campbell Communications and Marketing has ranked first in the evaluation criteria.

Recommendation (GM67)

1. The contract for the provision of marketing services be awarded to John Campbell Communications and Marketing for a one year period with an option to extend for a further two years.
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 February 11, 2003

Subject/File No: DECEMBER 2002 QUARTERLY BUDGET REVIEW STATEMENT
(GB: S802)

Prepared By: Principal Accountant – Gary Boyd

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

Objective: To gain Council's approval to amend the 2002/03 budget to reflect actual or anticipated results.

Management Plan Activity: N/A

Background

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

The rationale for this review is to ensure that the 2002/03 Budget reflects the actual and anticipated results, as it will be compared to the proposed budget during the 2003/04 Management Plan process.

General Fund

The 2002/03 Management Plan provided for a budget cash surplus of \$30,000. The September review reported a decrease of \$3,200. This review details a decrease of \$124,000 with the budgeted cash deficit at December 31 2002 being \$97,200.

For Councillors benefit, the detail of this movement is as follows.

Budget Balance Movements for Quarter	Amount \$
Opening Surplus Balance at October 1, 2002	26,800
Add – Increase due to greater than expected Health and Building Services income for the remainder of the year as a result of demand for services tied to the increased activity in the building industry.	93,000
Add – Increased revenue in the Planning Services section relating to development application fees and planning certificates exceeding budget expectations.	48,000
Less – Council sponsorship of the “Northern Stars ... Under the Big Top”, a school age performing arts eisteddfod being held in April 2003. 2,500 children will be participating with approximately 10,000 - 12,000 visitors to Lismore.	(20,000)
Less – Funds for CBD Upgrade. In accordance with Council's resolution relating to the next stage of the CBD upgrade, \$45,000 from general revenues along with other funding sources has been allocated in the budget.	(45,000)
Less – Council's share of the up front funds required to ensure the infrastructure costs are met for Adam Gilchrist Park. It is expected that these funds will be recouped in the next financial year.	(25,000)
Less – Funds allocated to assist with the creation of a Council presence in the CBD at the Gundurimba building.	(5,000)
Less – Insurance costs associated with recently finalised public liability claim. Council's underwriters were HIH and the expected bail out package from the State and Federal governments is less than was expected. Please see below for more detail *	(170,000)
Closing (Deficit) Balance at 31 December, 2002	(97,200)

LISMORE CITY COUNCIL - Meeting held February 11, 2003

December 2002 Quarterly Budget Review Statement

* As Council is aware, a recent public liability case has been finalised. Council's insurers at this time were underwritten by HIH Limited. Staff were anticipating the State and Federal governments to provide a bail out package that would effectively fund all or most of Council's costs not covered.

The following is an extract from a December Statewide Newsletter, Council's current insurer which describes the Federal Government's HIH rescue package.

The Federal Government has recently provided advice to the States on the terms of its "non-negotiable" HIH rescue package for Local Government. It is advised that the offer is designed to assist only those local governments, which, in the absence of the offer, would suffer financial hardship through their exposure to the HIH Group.

To determine the extent of "hardship" caused by the demise of HIH, and the amount of assistance the Federal Government is prepared to offer, there are three formula components that a claiming Council must calculate:

- **Average Total Revenue (ATR)** – add the total revenue of the Council for the relevant financial year in which payment is made, and the two preceding financial years. Divide the total by three to determine Council's ATR.
- A Council must bear that part of the HIH deficiency which is equal to or less than 10% of Council's ATR. This is known as the **Absorbed Loss**.
- The difference between the HIH Deficiency and the Absorbed Loss (if any) is the **Qualifying Loss**.

Council's annual total revenue is approximately \$50 million. The case in question falls well below the 10% threshold of \$5 million and as such Council must fund these costs by its own means. The State Government is yet to announce its package.

Due to the confidentiality clause contained in the settlement of the public liability case, the total costs and related funding are unable to be reported in this document. The amount affecting the budget balance should be the final financial impact incurred. Should Councillors wish to know the full costs and related funding please request this information through the General Manager or Group Manager Corporate and Community Services.

For Council's information, listed below are the details of the activities with significant variances. Please refer to the attachment for individual programs for details of all budget movements.

Corporate Management

Additional legal costs have been incurred in relation to the Steltech / Magellan Street upgrade case. \$43,000 has been transferred from the Magellan Street reserve to fund these costs.

Other legal costs are forecasted to exceed budget. To reduce the impact, an additional \$30,000 in revenue from the finance programme relating to Section 603 certificates has been allocated to the legal budget. The total legal expense budget for 2002/03 now stands at \$173,400.

Swimming Pools

\$505,100 in loan funds of the budgeted \$2,643,000 to be borrowed for the Memorial Baths has been redirected to the Library relocation. As the Memorial Baths project has been delayed it is unlikely that the full amount of loan funds will be required this financial year.

Economic Development Unit

The September 2003 Masters Games budgets have been included in the current financial year. Matching revenue and expense amounts of \$128,000 in accordance with the report recommended by Council in October 2002 have been included.

LISMORE CITY COUNCIL - Meeting held February 11, 2003

December 2002 Quarterly Budget Review Statement

Library Services

In accordance with Council's resolution on July 24 2002, the final budgets for the Library relocation to the Arts and Cultural Precinct have been determined. Staff have been waiting on a number of items before finalising the full capital amount and hence the amount required to be borrowed. The total project budget is now \$1,835,000, including loan funds of \$1,105,000. Repayments on this amount equate to \$118,300 per annum based on current interest rates. Council would be aware of the \$200,000 granted by the State Government towards this project, which was double the amount originally budgeted. This has also been included in the estimates.

Planning Services

Additional grants and contributions totalling \$53,800 have been obtained to aid in the development of a Macadamia Code of Practice. Council is coordinating the development of the Code and acting as the bank for this project and corresponding revenue and expense budgets have been created.

Waste Minimisation

The financial administration and related funds held for the North East Waste Forum (NEWF) have been transferred to Byron Shire Council. Lismore had been responsible for this function since NEWF's inception and it was decided that another member Council should contribute by managing the financials. Revenue, expense and reserve budgets have been amended to reflect the actual amounts and \$324,700 in NEWF funds has been transferred to Byron Shire Council.

Parks and Recreation

Section 94 levies totalling \$20,000 have been made available for an amenities block at Dunoon sportsgrounds.

The replacement of the artificial turf at Hepburn Park by the Far North Coast Hockey Association (FNCHA) has been included in this review. This consists of \$30,000 available in Section 94 levies and \$380,000 as a loan to the FNCHA. This loan has been sourced from Quarry reserves and will be repaid over an agreed term of 10 years, with interest. At present the FNCHA indicate they only require \$380,000 of the maximum \$400,000 Council agreed to lend.

Emergency Services

A capital budget totalling \$150,200 has been allocated for the purchases of land under the voluntary flood prone properties scheme. This has been funded by a capital grant from Richmond River County Council of \$98,800 and unexpended loan funds of \$51,400.

Urban Roads

In accordance with the Council resolution of January 14, 2003 the funding for the \$970,000 CBD upgrade in Molesworth Street has been included. Funding for this project includes \$450,000 in loan funds, \$130,000 from existing capital budgets, \$285,000 from reserves, \$60,000 for Water Fund related works and only \$45,000 is required from the current budget balance.

Reserves transfers for works carried over from 2001/02 include footpaths \$88,900, drainage \$33,700 and roadworks \$347,100. The roadworks include projects for Keen and Wilson Streets and the CBD upgrade.

The RTA has provided a grant for "Safety around Schools" of \$52,700. Similarly Transport NSW has granted \$59,600 for works relating to the construction of a Taxi shelter.

Budget additions for the finalisation of Pineapple Road under the Urban Arterial Road Section 94 Plan have been included. This is funded by FAGs reserves of \$37,700 and Section 94 levies of \$37,700. Costs associated with a study pertaining to a Northern Arterial Ring Road have also been included totalling \$50,000.

LISMORE CITY COUNCIL - Meeting held February 11, 2003

December 2002 Quarterly Budget Review Statement

This is funded on a 50/50 basis between the Contractors Reserve and Section 94 levies as per Council resolution. It is expected that the RTA will provide its half share in 2003/04 when the Contractors Reserve will be repaid.

Bridges

Funds held over in reserves from last financial year have been transferred to this year for capital works on McKinnon Bridge.

Water Fund

Capital works totalling \$60,000 relating to upgrading infrastructure in the CBD and Molesworth St have been transferred from reserves.

Sewerage Fund

Additional net revenue has been recognised and transferred to reserves totalling \$47,000. The Teatree operations at South Lismore have realised sales of oil netting \$52,000. This additional revenue has been allocated as extra expense budget, as the costs of operating the Teatree farm were more than originally budgeted.

Change in Net Assets

The 2002/03 Management Plan showed a surplus in the "Change in Net Assets" of \$1,542,000. The September review increased the surplus by \$1,042,000 to \$2,584,000. This review decreases the result by \$73,000 to show an Increase in Net Assets at the end of December 2002 of \$2,511,000.

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

Manager - Finance & Administration Comments

Included in the body of the report.

Public Consultations

Not required.

Other Group Comments

Not required.

Author's Response to Comments from Other Staff

Not applicable.

Conclusion

A budget deficit situation is not ideal. However, given the extraordinary circumstances surrounding the HIH Group and the legal and insurance costs incurred by Council resulting from this, Council remains in a relatively sound financial position.

Recommendation

1. Council adopt the December 2002 Budget Review Statement for General, Water and Sewerage Funds.
2. This information be submitted to Council's Auditor.

Subject/File No: MANAGEMENT PLAN REVIEW 2002-2003 –
DECEMBER QUARTER 2002
(S4)

Prepared By: General Manager

Reason: Requirement of the Act

Objective: Information and Annotation of Councillors

Management Plan Activity:

Background:

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

This report includes information that relates to the performance of programmes and activities highlighted in the Plan for completion during the quarter ended December 2002.

Recommendation:

That the report be received and its contents noted.

GROUP: GENERAL MANAGERS
Management Plan Review
Period ending December 2002

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

Communications and Community Relations

- **Communications Strategy** – progressive implementation, including:-
 - Proactive media planning and discussion with staff in over fifty (50) issues, e.g Drought issues, Riverbank re-development Molesworth St Upgrade.
 - Published two editions of *Community Link*
 - Published Statutory return (annual report)
- **Internet** – Published Summer iteration of website and co-ordinated continued development of content for Internet and Intranet.
- **Intranet** – Launch of new internal Intranet site to increase staff communications and efficiency.
- **Community Relations** –
 - Planning for Flood Awareness Week.
 - Community liaison/consultation re Needle and Syringe Programme and Molesworth St.
- **Issue management** – maintained daily pro-active media schedule, including maintenance of positive media profile on issues and exceptionally high media coverage of events (greater than 98%)
 - Liaison with external stakeholders re radiation oncology campaign
- **Statutory** - Annual Report production for February release
- **Customer Service** – Commencement of Customer Service Committee and review of acknowledgement letter procedures.
- Implementation of customer service recommendations.

Client Services

- Exchanged five contracts for the sale of land in Council's industrial estate
- Working closely with the levee committee to ensure riverbank and parkland is completed to high standard
- Continue refurbishment of B Block for the City Library
- Continue managing LCC v Steltech case
- Ensure three swimming pools continue to operate
- Oversee leasing of Council's car fleet
- Continue to pursue a solution for opening of Skyline Road

Human Resources

- Human Resources Information System (HRIS) Project Scoping and Business Case development commenced
- Continued to consult and negotiate over the implementation of staffing arrangements flowing from various organizational change processes approved by the General Manager
- Review of new staff induction program commenced
- HR Intranet site development continued
- Recruitment for two trainee positions in Engineering and Roads progressed
- Continuing strong response to advertised positions indicates LCC attracting potential candidates. Some shortage in specialist areas eg. EH&B
- Liaison with Financial Services to refine communication between the HR and Finance sections continued
- Strategies to address Council's Workers Compensation costs continued

Management Plan Review – General Manager’s Group: Period ended Dec 2002

Workshop , Fleet Management and Sign Shop

- 2 new backhoe / loaders delivered to LCC workshop (1 x Roadwork’s & 1 x Lismore Water). Induction of all operators completed.
- 1 new Sewer Service Crane Truck delivered. Induction of all operators completed.
- Advertise and close tender for replacement of 3 only 6x4 tipper trucks (V196, V197, V198).
- Advertise for the replacement of the Quarry stockpile / sales loader (V207).
- Submit recommendation to Council for the purchase of replacement Waste Collection Truck (V191) and placed purchase order after Council approval.
- Delivery is continuing for the replacement of the majority (75%) of the car fleet from ‘Fleet Leasing’ companies as per the decision of MGM – **Ongoing**.
- Preparations still ongoing for the separation of the Plant Fund into relevant Departments. Guidelines are still in draft form.
- Fleet Manager’s new Position description completed and implemented.
- Fleet Manager’s new office built at workshop site.
- Workshop Manager’s new Position description completed, advertised and closed.
- Refill Lismore Lake to agreed level and fill rate.
- Council Machinery sent to several Bush Fires, requested by Rural Fire Service.
- Starting with “Skills Assessments” of workshop staff.
- Workshop & Sign shop electronic security upgraded after break-in and minor theft.
- New signs for CBD by-pass of Woodlark Street.

Economic Development / Tourism

- Nimbin Tourism Officer - The Premier's Department has provided substantial funding towards the employment of a tourism officer at Nimbin. We have been working with the Nimbin Community Development Association towards this end. Application has been made under the Department of State and Regional Development's Main Street Program for further funding.
- NOROC Regional Economic Development Committee - The EDU has become more involved with this committee over recent months. Attendance at meetings has been improved and the committee is making headway in determining regional priorities and pursuing them.
- LEDAB - A new Chairman has been appointed by the Lismore Economic Development Advisory Board. Simon Irwin (Regional Manager for APN) has stepped into that role following the resignation after five years of tireless service from Brian Henry.
- Radiation Oncology Unit - the EDU together with Russell Kelly and the General Manager, have been lobbying for the establishment of a Radiation Oncology Unit at Lismore.
- Lismore Unlimited/Molesworth Street Upgrade - Lismore Unlimited has appointed and new manager that many Councillor's would have now met. Peter Fraser took up the position late last year. Council has been working closely with Lismore Unlimited in the planning of the upgrade of Molesworth Street.
- Investment Facilitation - this continues to be a steady and strong level of investment enquiry at the Economic Development Unit.
- Visitor Information Centre - John Alwyn-Jones (Director of Tourism NSW) opened the new Internet Cafe at the Lismore Visitor Information Centre. This new facility was set up on a very cost effective basis by Annie Hart. The computers were sourced from superseded Council stock and the unit now provides
- Lismore Square - Council, at its December meeting, approved a new development application for the expansion of Lismore Square. Work has commenced on the subsidiary DA for the expansion of the Coles supermarket. Hopefully the larger expansion will flow on from this over upcoming months. Council has completed all the necessary steps that it has needed to take to facilitate this large and exciting project.

GROUP: CORPORATE & COMMUNITY SERVICES
Management Plan Review
Period ended December 2002.

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

Finance & Administration

- *Payment Options* – the planned introduction (February 2003) of Australia Post agencies for payment of rates has been deferred as Lgov has recently advised that they are calling for 'expressions of interest' from financial institutions to provide a state wide collection service. It is expected that this could result in much lower transaction costs (by as much as 25%), than those negotiated on an individual Council basis.
- *Incentive/Discount Scheme* – a preliminary report has been compiled detailing the pros & cons of a number of options. Further evaluation of the cost of a discount scheme is required prior to consideration by management.
- *Major Capital Works Strategy*- it was intended to complete a report linking budgeted resources allocated as a percentage of depreciation expense by the end of November, however this has been delayed till later this financial year.
- *Insurance* – the Petersen case was settled in October and as the claim relates to insurance coverage with HIH, a letter has been sent to the DLG advising that Council will be submitting a claim from the 'HIH bailout package', when final criteria from the State and Federal governments are finalised.

Information Services

- *Council Informer (Intranet)* – launched on Melbourne Cup day with key staff trained – this is a tool that has enhanced internal communication, providing staff with easy access to Council information, procedures and forms.
- *Enhancement to Systems* – development on CIVIL (our core system) has been focused on implementing new modules a) Environment Protection Facility (septic licences) and b) e-mailing and faxing of cheque remittances instead of printing and posting remittances (an estimated saving of \$300 per cheque run).

Community Services

- *Child Care Centres* – both Gingerbread and Koala have had new three year licences granted, with all three Centre's experiencing better than expected attendance figures .
- *Art Gallery* – with the opening of additional cameo exhibition spaces such as the window space facing Molesworth Street and the old bank vault opening, the Gallery now organises on-site a minimum of seven displays per month ie. 84 per year. The Gallery is also organising exhibitions off site to bring art to people in divers venues.
- *Kadina Park* – stage 1 works are continuing and include construction of an informal sports field, concrete pathways, a youth activity/retreat, a basketball/netball court, picnic and BBQ facilities and landscaping – scheduled for completion in early 2003.
- *Goonellabah Recreation Centre* - following the completion and collation of over 250 resident surveys, Council at the December meeting gave in principle approval for concept plans for the Centre, including a skate park. Concept designs, costings and a business plan will now be developed and then externally assessed.
- *Art in the Heart* – refurbishment works on the new library are nearing completion, with installation of the lift not expected till March 2003. A grant of \$13,000 was awarded from NSW Planning (living Centres Program) for refurbishment work on the library building – this is on top of the \$200,000 from State Library previously advised.
- *Youth Activities* – the Graffiti Traineeship Program funded by the Attorney General's Department, has resulted in the successful painting of the Nimbin Water reservoir. It is proposed to extend this program to sections of Lismore, focusing on public space adversely affected by graffiti and vandalism.

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Management Plan Review – December 2002 Quarter

GROUP: PLANNING AND DEVELOPMENT

Management Plan Review
Period ending December 2002.

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

Planning Services

Urban Development Strategy: Reported to Council's December meeting. Council resolved to hold workshop early in 2003.

Villages Development Strategy Mapping completed, requires final quality control check prior to exhibition. To be exhibited after gazettal of LEP Amt 10 which alters village zoning boundary at Nimbin. Exhibition proposed mid-January to mid-March 2003.

Implement Adopted Strategies Rural Housing Strategy: draft LEP amendment to introduce controls over rural land sharing communities has been with Parliamentary Counsel for considerable time and will be followed up. Strategic Planner has met with planning consultants preparing locality development guidelines and rezoning applications for rural residential development.

Review & Update Planning Instruments Amendment No. 9 Art in the Heart rezoning : gazetted 22 November. Media release distributed, radio interview done.

Amendment No. 10 Annual General Amendment: gazetted 8 November.

Amendment No. 11: Goonellabah Medical Centre. On exhibition until mid-December.

Monitoring of Development Applications Average Processing time/application 37.7 days for the quarter (standard-40 days)

Building

Revise and Enhance Fire Safety Essential Services Program and Register City-wide fire safety program still to be developed.

However, inspections are still undertaken as premises are brought to Council's attention. Program development should be able to be commenced in first quarter 2003.

Risk Management Plan for Swimming Pool Fencing and Public Buildings, Places of Entertainment, Caravan Parks See comments as above

Monitoring of Development Applications Average Processing time/application 19.66 days for the quarter (standard-25 days)

Management Plan Review – Planning and Development: Period ended December 2002

Environmental Health Development of Contaminated Lands Policy	Draft Policy publicly exhibited for one month in October with final adoption as Council Policy in November.
Implement Reviewed On-site Management Strategy	On-site Sewage Management Working Group has concluded consultation phase and strategy has been redrafted. Draft copy has been finalised and distributed to all consultants for comment. Report to Council in first quarter 2003.
<u>Environmental Strategies</u> Implement Media Plans for Contamination Management in Organics Stream	2 x organics newspaper adverts ran in Echo during November. TV commercials were organised to run over Christmas period, traditionally time of high contamination rates in organics bins.
Develop & Implement schools Waste Education Program 'Resources on Tour' to Encourage Participation across All Cultural Groups	Approximately 30 teachers and parent helpers and 300 students from 8 local schools participated in half-day tour of Council's waste facility during November. From feedback received following tour program, demand far exceeds capacity to deliver to all schools at present.
Annual Report on Composition of Waste, Diversion Rates and Contamination Status in Lismore	Biggest waste audit yet ran for two weeks from 18 November. Almost 400 bins from residents and businesses were sorted and weighed into 45 categories Early indications suggest that Council is back on track regarding contamination levels, with noticeable improvement in both quantity and quality of organics bins. Intended to be reported to March 2003 meeting.

GROUP: BUSINESS AND ENTERPRISE
Management Plan Review
Period ended December 2002

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

Northern Rivers Waste

- Richmond Valley Council has not yet called tenders for Waste Collection Services Contract
 - Council has engaged URS Consultants to prepare a Strategy for the extension of landfill to the west of Wyrallah road Waste Facility. The strategy is to be submitted to EPA and DUAP for consideration and approval of a possible extension of the landfill in 2003-4.
 - Council at its December 2002 council meeting approved the purchase a new Robotic Arm Garbage Truck to replace Vehicle 191.
 - Council received an Award at the Local Government Environmental Awards night held in Sydney in October 2002 "Doing the Right Bin".
 - Council engaged the services of Geolink to provide options for the disposal and treatment of Leachate draining from the Landfill to meet EPA requirements as stated in Council's Landfill Environment Management Plan (LEMP).
-

Management Plan Review Business and Enterprise: Period ended December 2002

Lismore Memorial Gardens (LMG)

- Revised draft business plan prepared for the LMG.
- Evaluation of the Memorial Gardens concept plan for more detailed implementation.
- “Pre-need” products are being well adopted within the community.

Northern Rivers Quarry & Asphalt (NRQ&A)

- End of year maintenance completed.
- Statutory approvals for the consolidation of the staff amenities on the site obtained.
- Development of water management controls on site completed.
- Risk Assessments carried out.
- Ongoing development of the aggregate pre-coating plant which is producing high quality product.
- Direct involvement of the manager and staff in the operation of the tea tree farm.

Lismore Regional Airport

- Discussions with potential Coffs Harbour – Lismore – Brisbane link continuing. Awaiting issue of CASA approvals.
- Commence marketing plan for the airport based upon existing media plan.
- Removal of trees along Airport Drive.
- Commenced sale of a further hangar site.

Property

- Strong sales of land at the Centenary Industrial Estate.
- Commence discussions with other partners at the Blue Hills Estate to explore feasibility of undertaking next stage.

Lismore Water

- Nimbin Water Supply augmentation is delayed owing to the preparation of a “Yield Study” for this supply. DPWS will be installing weir gauging equipment to determine actual flows.
- Active participation in the water supply management process through the implementation of water restrictions and water education initiatives.
- The inflow/infiltration program is on schedule for the proposed completion date.
- Compliance with EPA licences is within 80% tolerance.
- Clunes Wastewater Project – The final options report prepared by GeoLink was reviewed by staff. The final report is due March 2003.
- Significant work has been undertaken on the UV Disinfection Facility at East Lismore Sewage Treatment Plant. Awaiting approval for funding from DLWC so that the tender can be let.
- The Turf Farm appeal is set down for February 6, 2003.
- Water mains replacement program is proceeding as scheduled.
- Tenders for the mains renewal program were let out as scheduled.
- Urgent wetland upgrade works at South Lismore were completed in December.

GROUP: CITY WORKS
Management Plan Review
Period ended December 2002.

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

Parks & Recreation:

- Nimbin toilet block upgrading - complete.
- Grass cutting and path sweeping programmes on schedule.
- Garden maintenance programme remain slightly behind schedule.
- Continue construction of new playground in Oakeshott Street.
- Sporting field renovations continue at Hepburn Park, Crozier Oval, Nielson Park, Caniaba Street Reserve and Richards Oval.
- Painting of mobile grandstands at Riverview Park.
- Ground refurbishment works at Spinaze Park, Tullera.
- Undertake relocation of large palm at Heritage Park levee site.
- Implement several clean-up jobs as directed by the General Manager.
- Commence construction of ticket gate and hospitality area – Crozier Oval.

Urban Roads:

- Slow point construction complete at Clunes.
- Woodlark Street Bypass complete.
- Cycleway construction – Bruxner Highway (Kadina Street to James Road).
- Footpath repair programme continuing.
- Kerb and gutter replacement – Hillcrest Avenue and Snow Street.
- Commencement of reseal programme - 60% complete.
- Works undertaken in accordance with REF for University access roads and Ballina Street.
- Completion of heavy patching programme associated with State Roads reseals.
- Completion of Rotary Drive bus bay construction.
- Completion of shoulder widening - Ballina Street (Clarice Street to First Avenue).
- Completion of shoulder widening - Second Avenue (Avondale Avenue to Bright Street).

Rural Roads:

- Completed: Koonorigan Road construction - Stage 2, Caniaba Road construction - Stage 2, Ballina Road (SH16) kerbside lane rehabilitation (between Rous Road and William Blair Avenue) – RTA contract works, Southern Cross University Access Road Nos. 1 and 2.
- Commenced Kellas Street reconstruction.
- Completed gravel maintenance in the following areas: Bexhill, Bishops Creek, North Woodburn, Swan Bay, Dungarubba, Tuckurimba, McKees Hill.
- Reseals completed on Dunoon, Nimbin, Coraki, Wyrallah and Rous Roads.
- Cowlong Road shoulder maintenance completed.

Bridges:

- Completed deck replacement on Southwell Bridge, Blue Knob Road (MR142).
- Completed foundation slab for emulsion tank.
- Completed construction of boat ramp adjacent to Ballina Street Bridge.
- Completed box culvert on University Link Road No. 2.
- Completed box culvert at intersection of Wyrallah Road and Broadwater Road.

Emergency Services:

- Flood Levee construction on schedule.
- Pump station at Hollingsworth Creek complete and operational.
- Next stage of levee system (RSL Club to Club Lane) – Design complete/ready for tender.

- SES crews were busy with local storm events.

Bush Fire Services:

- Dry conditions continued to be of concern. Major fires prior to Christmas kept crews busy.
- Lismore crews continue to be called for out-of-area assistance at Glenn Innes and Grafton.
- Recent training courses prove beneficial - new members assisting with the recent fires.
- The Control Centre extension complete and fully operational.

Traffic, Enforcement, Street Lighting and Road Safety:

- Transition of dog registrations over to Companion Animal Act complete.
- On-street/off-street parking enforcement continues.
- Pedestrian railings installed on corner of Dalley Street and College Road, East Lismore.
- Chicane installed on footpath at corner of Ballina Street and Wyrallah Road.
- Stage 1 of Wade Park Road Safety Park complete.
- RRISK Seminars complete.
- Bus shelter installed at Rotary Drive.
- Mobility Plan launched.
- Road Safety Strategic Plan in final stages of completion.
- Camera test unit installed in monitoring room.
- Under awning lighting in CBD complete.
- CBD Bypass complete.

Survey, Design and Subdivision Control:

- Phyllis Street, South Lismore – drainage - Wilson Street to eastern boundary of School.
- Rotary Drive, Lismore – widening - Bent Street to Dixon Place.
- Dibbs/Bright Streets, East Lismore – Intersection widening.
- Kyogle St, South Lismore – reconstruction - Wilson Street to eastern boundary of School.
- Blakebrook Quarry, Blakebrook – stockpile quantity survey.
- Molesworth Street Beautification – various options - Magellan to Woodlark Streets.
- Lismore Urban Street Map Update.
- Victoria Street Levee - Carpark.
- Design work has kept ahead of construction programme.

Development Control:

Design Plans Assessed:

- Residential Subdivision – Kookaburra Terrace, Goonellabah.
- Residential Subdivision – Palmvale Drive, Goonellabah.
- Residential Subdivision – Greenwood Drive, Goonellabah.
- Residential Subdivision – Karissa Drive, Goonellabah.
- Rural Residential Subdivision – Dunoon Road, Tullera.
- Rural Residential Subdivision – Perradenya Estate, Caniaba.
- Rural Residential Subdivision – Whispering Valley Drive, Richmond Hill.
- Commercial Development – Medical Centre, Laurel Avenue, Lismore.
- Commercial Development – Parish Centre, Leicester Street, Lismore.

Jobs Under Construction:

- Residential Subdivision – Cecil Street, Nimbin.
- Residential Subdivision – Joy Street, Goonellabah.
- Residential Subdivision – Waratah Way, Goonellabah.
- Residential Subdivision – Karissa Drive, Goonellabah.
- Residential Subdivision – Dymock Drive, Goonellabah.
- Rural Residential Subdivision – Cowlong Road, McLeans Ridges.

LISMORE CITY COUNCIL - Meeting held February 11, 2003

**MINUTES OF THE TRAFFIC ADVISORY COMMITTEE MEETING HELD DECEMBER 18,
2002 AT 10.00 AM.**

(WMacD:VLC:S352)

Present: Mr Bill Moorhouse (*Chairperson*), Councillors Ken Gallen, John Chant and John Hampton, Messrs Thomas George, MP, Greg Sciffer (*Roads and Traffic Authority*), Snr Const Rob Clark (*Lismore Police*), together with Mrs Wendy Johnson (*Road Safety Officer*), Messrs Bill MacDonald (*Traffic and Law Enforcement Co-Ordinator*) and Chris Soulsby for Item Nos. 11 and 12.

Apologies: Apologies for non-attendance on behalf of Cr Merv King and Mr John Daley (*Lismore Unlimited*), were received and accepted and leave of absence granted.

Minutes of Traffic Advisory Committee Meeting – November 20, 2002

Members were advised that the Minutes of the meeting held on November 20, 2002 were adopted by Council at its meeting of December 10, 2002, excluding Item Nos. 1, 2 and 10.

The Committee noted Council's resolution with regard to these items.

Disclosure of Interest: Nil

Business Arising:

1. **Meeting of 20/11/02 (Item 1) - Intersection of Conway / Carrington Streets**
Concerns had been raised about the proposal to close the intersection.
TAC194/02 **RECOMMENDED** that this proposal be further discussed at the next public meeting to be held early in the New Year. (R7307,R7303)

2. **Meeting of 20/11/02 (Item 2) – Road Safety / Parking Issues in Nimbin Village**
Mr MacDonald advised that he had spoken with Mr Rob Allan from the Nimbin Chamber of Commerce and Mr Allan had agreed to take the issue of delivery vehicle parking to the meeting of the Chamber that was held on December 17, 2002 with the intention of identifying a suitable area for a 'No Parking' zone. Unfortunately the meeting was unable to do so.
It was agreed that an area on the western side of Cullen Street, north of the new blister, would be identified and referred back to the Chamber for further consideration.
TAC195/02 **RECOMMENDED** that a 'No Parking' zone be installed on the western side of Cullen Street after further consultation with the Nimbin Chamber of Commerce. (02-11141,02-11142:S353,R1701)

Correspondence:

3. **BC Stevens;** drawing attention to the increasing volume of traffic using the intersection
It was noted that the 'top end access' to the University was nearing completion. This would have a significant impact on traffic volumes along Dalley Street and would reduce the immediate need to upgrade the intersection of Dalley Street and Military Road.
TAC196/02 **RECOMMENDED** that this area be monitored after the opening of the new access road to assess the need for any further action. (02-13001:R7426,R5201,R7456,R6232)

4. **Goonellabah Progress Association**; seeking Council's assistance to control/calm traffic using Pearce Avenue, Goonellabah, between Homestead Avenue and DA Olley Drive.
It was felt that the roads in question were no different to many other residential subdivision roads in Goonellabah and being 'dead end' roads, were predominately subject to local traffic. Snr Const Clark confirmed that if offenders could be identified, quite often a "knock on the door" was all it took to resolve the issue.
- TAC197/02** **RECOMMENDED** that the Association be advised that pavement markers or line-marking was not considered necessary. However, the Local Area Command would pursue the matter if number plate details of particular offenders could be supplied. (02-13331:R6496)
5. **McConaghy Holdings Pty Limited**; submitting an application for a Construction Zone to be applied to the southern side of Uralba Street between Brewster Street and the driveway entrance to the loading dock of Lismore Square during the proposed rehabilitation works.
It was noted that the signs had already been installed due to the commencement of the extensions. The Committee confirmed its support for the Construction Zone as installed.
- TAC198/02** **RECOMMENDED** that the installation of the Construction Zone be noted. (02-13352:R6058)
6. **Ms H Salter and A & N Blanksby**; requesting that a reduced speed limit of 80 kph be applied to the de-restricted section of Rous Road.
It was noted that a N-limits survey had been carried out by the RTA of Rous Road with the result that the general State limit was the most appropriate given that roadside development was predominately rural and compliance with a lower limit would be minimal. Snr Const Clark advised that Rous Road was being targeted by the Local Area Command and included in regular patrols. Whilst the maximum general speed limit was 100 kph, the "drive to road conditions" rule still applied.
- TAC199/02** **RECOMMENDED** that the writers be advised that the existing speed limit was the most appropriate bearing in mind the existing roadside development and the results of the survey carried out by the RTA. (02-13950:R6610,S352)
7. **Ms J Thompson**; drawing attention to the need to improve motorists' safety on Richmond Hill Road near the intersection with the Bruxner Highway.
- TAC200/02** **RECOMMENDED** that the existing double white centre line on Richmond Hill Road be extended through the 80 kph section up to Ballina Road where road width permitted. (02-14103:R1012)
8. **N Cooper**; seeking traffic calming measures be applied in the vicinity of the crest and T-section of Esyth Street, Lismore, due to the narrow road alignment and inadequate pedestrian facilities.
Sight distance to the intersection of Esyth and Cathcart Streets for west-bound traffic coming over the crest of Esyth Street was considered adequate. It was noted that there were existing warning signs prior to the crest and additional signs would have little benefit.

8. **N Cooper** (Cont'd)
There was an existing footpath along the northern side of Esyth Street adjacent to the crest but this finished either side of the crest and needed to continue down to Cathcart Street in one direction and towards Wyrallah Road in the other. This would allow the opportunity for pedestrians and cyclists to be removed from the pavement when negotiating this narrow road. A steep bank along the southern side of the street made it difficult to widen the road.
- TAC201/02** **RECOMMENDED** that the issue of extending the footpath at Esyth Street in both directions be referred to the Manager – Roads & Infrastructure for inclusion in a future footpath programme. (02-14099:R7437)

9. **L Beggs**; drawing attention to the excessive speed of through traffic on Cameron Road, McLeans Ridges, and requesting that a 60 kph speed zone be applied to the road.
- TAC202/02** **RECOMMENDED** that a speed limit survey be carried out in order to determine the most appropriate speed limit for Cameron Road with the results being brought back to the Committee for further consideration. (R4503)

General Business:

10. **B-Double Application**
The Committee considered an application from K Cocciola to permit B-Doubles to use local roads to access the Lismore Saleyards.
A B-Double permit already existed for Wilson Street, between Elliott Road and the railway level crossing. It was proposed to extend this permit to include -
- Wilson Street, from the railway level crossing to Terania Street
 - Terania Street, from Wilson to Tweed Streets
 - Tweed Street, from Terania Street to Alexandra Parade.
- Heavy vehicle transport already used this route without incident.
- TAC203/02** **RECOMMENDED** that approval be granted for B-Doubles to use the Wilson Street, Terania Street and Tweed Street sections as indicated above. (R6232,R6233,R6942)

11. **No. 35 Just Street, Goonellabah - Residential Subdivision Proposal**
The Committee discussed proposed traffic issues pertaining to the Development Application for the creation of 103 new lots at the above location.
Mr Chris Soulsby was present for this item.
Plans were tabled showing the proposed subdivision which was to be developed in five stages. Whilst the Dudley Drive link onto McIntosh Road had been proposed for many years, there were concerns that the way in which the stages were to be constructed (ie, from the McIntosh Road end), would unnecessarily impact on the residents of McIntosh Road. It was acknowledged that there were reasons for doing this, related to sewer main construction. If there was a way of constructing a service road off Oliver Avenue via Just Street this would alleviate the above concerns but it was not clear if this could be achieved.
As the bus route would most likely be via the Just Street/Dudley Drive loop, it was felt that bus laybys should also be considered as part of the development.
- TAC204/02** **RECOMMENDED** that the Developer be made aware of the concerns relating to access from McIntosh Road.
- TAC205/02** **FURTHER RECOMMENDED** that the Developer approach the Bus Operator to ascertain the most suitable locations for bus bays and these be included in the construction. (D020771)

12. **Nimbin Hospital – Proposed Alterations / Additions**
The Committee discussed traffic issues pertaining to the proposed upgrading works at the Nimbin Hospital.
Mr Chris Soulsby was also present for this item.
Plans were tabled showing the proposed upgrade of the Hospital and the layout of parking both on-site and adjacent to the northern boundary of Cecil Street. It was noted that the number of driveways off Cullen Street would be reduced which would increase the amount of on-street parking once these driveways were removed. Lighting within, to and from all carpark areas needed to be in accordance with the appropriate pedestrian lighting standards.
- TAC206/02** **RECOMMENDED** that the Developer be required to remove any existing driveways not required as part of the new development.
- TAC207/02** **FURTHER RECOMMENDED** that all outside pedestrian lighting be installed above the minimum standard required. (D020830)
13. **Cullen Street, Nimbin – ‘No Stopping’ Zone in Front of new Blister**
It would appear that at times motorists park their vehicles adjacent to the new blister on the western side of Cullen Street, resulting in insufficient space for through traffic without crossing the centre line.
- TAC208/02** **RECOMMENDED** that ‘No Stopping’ signs be installed around the blister. (R1701)
14. **Ballina Street – Pedestrian Refuge**
A plan of the proposed upgrade of the pedestrian refuge on Ballina Street near the Keen Street intersection was tabled for general discussion.
The plan included the narrowing of the kerb blister on the northern side of Ballina Street and the widening of the centre median out to 2.0m. Some line-marking adjustments were also involved.
- TAC209/02** **RECOMMENDED** that the proposal be accepted and the RTA requested to fund the upgrade at the earliest opportunity. (R6002)
15. **Conway Street – Right-Turn and Refuge Proposal**
Plans showing a proposed right-turn bay and pedestrian refuge in front of the Farmer Charlie’s Complex at Conway Street were tabled. Three different options were displayed and it was agreed that Option 1 resulted in the least impact on existing parking facilities. This proposal allowed the retention of 45° angle parking on both sides of Conway Street with a loss of only several bays where the pedestrian refuge was proposed.
- TAC210/02** **RECOMMENDED** that the facilities as proposed in Option 1 be installed as soon as funding became available. (R7307)

This concluded the business and the meeting terminated at 12.00 Noon.

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:-

1. Sale of lot 25 Bristol Circuit, Goonellabah

Council has negotiated an offer of \$49,500.00 for the purchase of lot 25 in DP 855155, being vacant land at Bristol Circuit, Goonellabah. This price is consistent with previous sales of \$48,000 for lot 24, and \$46,000 for lot 16.

This resolution to execute the contract for sale and transfer documents follows Council's previous resolution of July 2001 in which it was resolved to sell lot 25 (P25535).

2. Sale of lot 26 Bristol Circuit, Goonellabah

Council has negotiated an offer of \$49,500.00 for the purchase of lot 26 in DP 855155, being vacant land at Bristol Circuit, Goonellabah. This price is consistent with previous sales of \$48,000 for lot 24, and \$46,000 for lot 16.

This resolution to execute the contract for sale and transfer documents follows Council's previous resolution of July 2001 in which it was resolved to sell lot 26 (P25534).

3. Sale of lot 46 (as boundary adjusted) Centenary Drive, Goonellabah

Council created lots 46 and 47 by registration of DP 790672 in June 1989. These two lots have frontage to Centenary Drive, Goonellabah, in Council's industrial subdivision.

While several prospective purchasers have considered these two lots in the past, they have always been found to have too much slope or be of an unsuitable area.

Council has now been offered \$96,600 (plus GST) for lot 46.

The contract makes provision for an option to purchase lot 47 in the future and a minor boundary adjustment between the two lots.

Council's planners have issued consent for the boundary adjustment and the offer requires Council endorsement.

Recommendation:

- That Council authorises the General Manager or his delegate to conclude the sale of lot 46 (as boundary adjusted in consent 2002/960) in DP 790672, being land at Centenary Drive, Goonellabah at the negotiated price of \$96,600 plus GST.
- The General Manager and Mayor be authorised to sign and apply the common seal of the Council to the contract for sale and transfer documents as necessary.

4. Sale of part lot 73 in DP 876840

Background

Following the recent increase in interest in industrial land, Council has found that it has a shortage of available land stock. In consultation with several local agents, a proposal for the subdivision of the saleable area of lot 73 Lancaster Dive was developed.

This proposal created three lots being lot 731, 732 and 733 having areas of 1535m², 1234m² and 1175m² respectively.

All three of these lots have been sold and contracts issued. Council received a sale price of \$35.00 per square metre (plus GST) for each of these lots.

Recommendation:

- That Council authorises the General Manager or his delegate to conclude the sale of lots 731, 732 and 733 in the enclosed subdivision of lot 73 in DP 876840, being lots fronting Lancaster Drive, Goonellabah at a price of \$35.00 per square metre, exclusive of GST.
- The General Manager and Mayor be authorised to sign and apply the common seal of the Council to the contract for sale and transfer documents as necessary.

5. Sale to Oldham – Lot 1 in subdivision of Lot 28 at Lismore Airport

Contract for sale and transfer.
(03-136: P27932)

6. Council and FNC Hockey Inc. – Loan Agreement

Loan of \$400,000 to upgrade synthetic field and associated facilities.
(03-742: P25886)

7. Deed of Release – Estate Late Heather Moore

Recovery of legal costs from the Estate for an action brought against Council.
(03-778: PLCMOO/00)

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE CITY OF LISMORE HELD IN THE COUNCIL CHAMBER, GOONELLABAH ON TUESDAY, DECEMBER 10, 2002 AT 6.05PM.

Present: Acting Mayor, Councillor King; Councillors Baxter, Chant, Irwin, Crowther, Gallen, Hampton, Roberts, Suffolk, Swientek and Tomlinson, together with the General Manager; Group Managers- Corporate & Community Services, City Works, Planning & Development, Business & Enterprise; Manager-Client Services, Manager-Finance & Administration, Manager-Community Services, Manager-Communications & Community Relations, Manager-Planning Services, Fleet Manager, Recreation Planner, Strategic Planner, Administrative Services Manager and Team Leader-Administrative Support.

Apologies/ Leave of Absence: Nil
Leave of absence was granted to Councillor Gates on August 13, 2002.

304/02 **Minutes:** The Minutes of the Ordinary Meeting held on November 12, 2002, were confirmed.
(Councillors Hampton/Irwin)

PUBLIC ACCESS SESSION:

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

Jeff Larsson re DA02/668 – Proposed Transitional Group Home, Borton Road

(See Minute No. 311/02)

Mr Larsson thanked Council for the community consultation carried out and requested that if a new development application is lodged, the community's concerns be taken into consideration prior to approval. (D02/688)

Damian Chapelle re DA02/668– Proposed Transitional Group Home, Borton Road

(See Minute No. 311/02)

Mr Chapelle of Walker Newton Chapelle advised that prior to a new development application being lodged, he would negotiate with Council to ensure the proposal addressed the concerns of all parties. (D02/688)

Steve Atkinson on behalf of Adam Gilchrist re Adam Gilchrist Park – Caniaba

(See Minute No. 312/02)

Mr Atkinson ran a short video presentation by Adam Gilchrist who is keen to develop the park at Caniaba into a first class turf wicket cricket venue.

Mr Atkinson explained Adam's commitment to supporting fundraising for upgrading the oval. (P27619)

Bill Sexton re Draft Lismore Urban Strategy

(See Minute No. 313/02)

Mr Sexton, representing five landowners on the Dunoon Road plateau, advised they had been trying for 20 years to have their land rezoned for residential use but the issue of speedway noise had prevented this occurring.

He outlined benefits of residential development so close to the city and said the owners would work with Council to mitigate the speedway noise.

(S650)

Peter Fraser re Northern Rivers Herb Festival – 2002 Research Report

Mr Fraser, the new Manager of Lismore Unlimited, outlined his experience with the Carnival of Flowers at Toowoomba, saying carnivals are big business and they need an ongoing commitment from councils to remain viable.
(S822)

CONDOLENCES:

Family of the Late Mrs Lillian Eutick

“Let us hold high the lamp of service for the welfare of our hospitals” – these words are the motto of the United Hospitals Auxiliaries and Lillian Eutick epitomised that motto.

Mrs Eutick was a woman who loved helping people and loved to make friends. It was for this reason that she dedicated more than 53 years of her life to the Lismore Base Hospital Auxiliary. Lillian took great joy in telling how she went to her first hospital auxiliary meeting with her mother at St. George in Sydney, and this was before she started kindergarten and has been doing that ever since.

Mrs Eutick joined the Lismore Branch of UHA in 1948, a membership of which she was rightly proud, and after 53 years, Lillian had only just stepped down as its president after an unmatched 27 consecutive years in that position.

Along the way, Lillian was awarded the Order of Australia medal for her selfless work as well as the unqualified praise of her many co-workers and friends. From selling tickets to organising stalls, sewing hospital linen and running the fortnightly euchre nights, Mrs Eutick has been a tireless worker for our hospital. Under her guidance and leadership, well in excess of half a million dollars has been raised to buy equipment ranging from foetal monitors to food trolleys.

Lillian’s dedication wasn’t to the bricks and mortar that form the buildings of Lismore Base, it was to the people who make up the community of Lismore, the everyday families, the mums and dads, the old and the young. That is the debt of gratitude that we as a community owe to Lillian.

Lillian will be sadly missed.

Family of the Late Mark Colin Huett

Mark Huett died tragically on November 23, 2002 as the result of a motor vehicle accident.

Mark was the husband of Megan, currently employed as Parks & Recreation Support Officer 3 days a week, and the father of Bret, Amber and Jeremy.

Megan has been employed by Council since April, 1979, full-time in Treasury till July 1985 and then part-time in Planning and City Works.

Mark was employed for many years at Macadamia Magic and his colleague spoke at the funeral of his achievements and the high regard his workmates held for him.

Family of the Late Gino Pagura

Gino Pagura set sail from Genoa, Italy and arrived in Sydney on March 15, 1925 at 19 years of age. Before leaving Italy he bought an English language book to take on board the ship. He studied this book and on his arrival worked on the Sydney Harbour Bridge and Lithgow Steelworks. In the early 1930’s he moved to Lismore and began to work on banana plantations at Fernside. He also became an interpreter for the Italians. Roy Armstrong, President of the BGF noticed that Gino could speak English and offered him a job with the BGF loading the trains where he became the Operations Manager and also a Director of the BGF Board.

In the late 1930's he moved to Main Arm where he and his brother leased a banana plantation in the 1940's. He then married and bought a farm at Goonengerry and built a sawmill which was destroyed by fire in 1953. He then sold timber to other mills and grew bananas.

In 1960 Gino then started to sell World Book encyclopaedia and in 1973 moved to Goonellabah, semi retired, still selling encyclopaedia well into his 70's.

Gino was a highly respected member of the wider community and particularly those Italian immigrants of his era to whom he became mentor and leader. He passed away at Caroonna on September 21 aged 96.

- 305/02 The Mayor moved that Council's expressions of sympathy be conveyed to the families of Lillian Eutick, Mark Huett and Gino Pagura and the motion was carried with members standing and observing the customary moment's silence.
(S75)

DISCLOSURE OF INTEREST:

S459

Councillor Suffolk declared an interest in the report DA02/668 – Transitional Group Home, Borton Road, Tullera.

Councillor Chant declared an interest in the report Replacement of Council Plant – V191 – Garbage Collection Truck.

MAYORAL MINUTES:

CBD Customer Service

- 306/02 **RESOLVED** that the minute be received and Council encourage the General Manager in his endeavour to improve customer service facilities in the CBD.
(Councillors King/Crowther) (S4)

Urgent Need for Establishment of a Radiation Oncology Service in Lismore

- 307/02 **RESOLVED** that the minute be received and –
- 1 That Council publicly reiterate its support for the NRAHS to establish two radiotherapy machines in Lismore to treat our 185,000 regional population not serviced by the Sydney, Mid-North Coast or Queensland facilities.
 - 2 That each of the Councils in the NRAHS catchment be encouraged to formally endorse this campaign for radiation oncology services in Lismore.
 - 3 That NOROC be requested to reinforce the call for establishment of this essential service in Lismore.
 - 4 That each Council supporting the initiative be asked to make appropriate representations to State Minister Knowles and Federal Minister Patterson.
- (Councillors King/Crowther) (S149)

NOTICE OF MOTIONS:

Drought Relief

- 308/02 Formal notice having been given by Councillor Tomlinson it was **RESOLVED** that Lismore City Council urge the State and Federal Governments to provide urgent and immediate assistance by way of cash grants to dairy and beef producers in the area to maintain core breeding stocks so that the culling of herds will no longer be necessary.
(Councillors Tomlinson/Roberts) (02-13445: S381)

Recognition for Jyllie Jackson and Others – Lantern Parade

- 309/02 Formal notice having been given by Councillor Irwin it was **RESOLVED** that -
- 1 Lismore City Council congratulate Jyllie Jackson and the *Light n Up team* for winning the inaugural Family and Community Services Stronger Families and Communities Strategy Inaugural “*CanDo Award*” for NSW. The Council looks forward to receiving and installing the signs to be provided for installation at our city gateways.
 - 2 Council recognise the significant contribution the Lantern Parade makes to our community by bringing people together and by providing skills and training for unemployed citizens through its *Work for the Dole* project.
 - 3 Council will display the award in the Council's foyer for a period of time negotiated with Jyllie Jackson in recognition of the whole community who have embraced the activities of the *Light n Up* workshop, supporting and participating in the many workshops.
- (Councillors Irwin/Roberts) (02-12972: S823)

SUSPENSION OF STANDING ORDERS:

- 310/02 **RESOLVED** that standing orders be suspended and Council now deal with the undermentioned matters:-

- DA02/668 – Transitional Group Home, Borton Road
- Adam Gilchrist Park – Caniaba
- Draft Lismore Urban Strategy
- Northern Rivers Herb Festival – 2002 Research Report

(Councillors Irwin/Suffolk)

DA 02/668 – Proposed Transitional Group Home, Borton Road, Tullera

- 311/02 **RESOLVED** that –
- 1 Council note the advice received today that the proponent has withdrawn DA 02/668 and accordingly Council take no action on the report in the business paper.
 - 2 That Council consider the option of using facilitated workshops involving all stakeholders regarding development applications which generate considerable community concerns.
 - 3 The developer be encouraged to consult with the local community prior to the lodgement of the new development application.
- (Councillors King/Irwin)
(D02/668)

Adam Gilchrist Park – Caniaba

- 312/02 **RESOLVED** that the report be received and -
- 1 That Council support the concept of developing Adam Gilchrist Park as a high standard turf wicket cricket oval incorporating complementary practice wicket facilities, provided the community of Caniaba is supportive.
 - 2 That Council provide advance funding of up to \$25,000 to enable construction of the centre and practice wickets early in 2003, subject to these funds being recouped by October 2003 and subject also to Rous Water providing an equal cash advance.
 - 3 That the Council's support for this proposal be dependent on a formal undertaking by Adam Gilchrist that he will commit to fundraising events as proposed in the business plan, such that the cost of capital improvements will not be the responsibility of Lismore City Council.

- 4 That the General Manager negotiate an agreement which will enunciate the rights and responsibilities of all stakeholders and in conjunction, report to Council in February 2003 on the most suitable mechanism for the future management of Adam Gilchrist Park, both in respect of this proposal and all other activities.

- 5 That Council indicate its preferred management structure is through a Section 355 committee.

(Councillors Roberts/Irwin)

(P27619)

Draft Lismore Urban Strategy

313/02

RESOLVED that the report be received but to ensure all matters and submissions are fully considered Council conduct a workshop early in the New Year before adopting the Lismore Urban Strategy.

(Councillors Irwin/Roberts)

(S650)

Northern Rivers Herb Festival - 2002 Research Report and Funding for 2003/05

Events

A MOTION WAS MOVED that the report be received and -

- 1 Council note all information contained in the 2002 Northern Rivers Herb Festival Research Report.

- 2 Council give "in principle" agreement to financially supporting the Northern Rivers Herb Festival to the sum of \$28,000 per annum (CPI adjusted) for 2003, 2004 and 2005.

(Councillors Irwin/Tomlinson)

AN AMENDMENT WAS MOVED that the report be received and -

- 1 Council note all information contained in the 2002 Northern Rivers Herb Festival Research Report.

- 2 Council give "in principle" agreement to financially supporting the Northern Rivers Herb Festival.

(Councillors Suffolk/Hampton)

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

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

314/02

RESOLVED that the report be received and –

- 1 Council note all information contained in the 2002 Northern Rivers Herb Festival Research Report.

- 2 Council give "in principle" agreement to financially supporting the Northern Rivers Herb Festival

(Councillors Suffolk/Hampton)

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

Dissenting Vote:

Councillor Irwin, Roberts and Tomlinson.

(S822)

RESUMPTION OF STANDING ORDERS:

315/02

RESOLVED that standing orders be resumed.

(Councillors Crowther/Hampton)

REPORTS:

DA 02/668 – Proposed Transitional Group Home, Borton Road, Tullera

(See Minute No. 311/02)

Adam Gilchrist Park – Caniaba

(See Minute No. 312/02)

DA 02/399 – Lismore Shoppingworld Pty Ltd, 2 McKenzie Street, Lismore

316/02 **RESOLVED** that the report be received and –

- A That Council, as the consent authority, approve the development subject to the recommendation contained in the report from Consultant Planner, Malcolm Scott, appended to this report.
- B That Council grant delegated authority to the General Manager - subject to the concurrence of the Development Assessment Panel, to approve variations of a minor nature and/or arithmetic nature to conditions of consent applied to this application except where a particular condition has been specifically identified as requiring Council consent if it is to be varied.

(Councillors Crowther/Hampton)

Voting Against: Councillor Swientek. (D02/399)

Lismore Swimming Pool

A MOTION WAS MOVED that the report be received and noted and the General Manager proceed to carry out the decision of the July meeting of Council which was to enter into negotiations with the University about the possibility of a joint venture for a major swimming complex and report back to Council when the outcome of the negotiations is known.

(Councillors Irwin/Roberts)

AN AMENDMENT WAS MOVED that the report be received and -

- 1 That to facilitate an achievable solution to providing improved swimming pool facilities for the local community, Council acknowledges that the General Manager will focus on developing a proposal which meets the essential criteria for a public swimming pool and one which is affordable in the context of Council's forward capital works program.
- 2 That the General Manager report to the Council on this matter not later than March 2003.

(Councillors Swientek/Suffolk)

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

Voting Against: Councillors Crowther, Irwin, Roberts and Tomlinson,

317/02 **RESOLVED** that the report be received and –

- 1 That to facilitate an achievable solution to providing improved swimming pool facilities for the local community, Council acknowledges that the General Manager will focus on developing a proposal which meets the essential criteria for a public swimming pool and one which is affordable in the context of Council's forward capital works program.
- 2 That the General Manager report to the Council on this matter not later than March 2003.

(Councillors Swientek/Suffolk)

Voting Against: Councillors Irwin, Roberts and Tomlinson, (S834,P6768)

At this juncture Councillor Baxter left the meeting.

Goonellabah Recreation Centre

318/02

RESOLVED that the report be received and –

- 1 That Council approve in-principle the preferred inclusions presented in this report for the proposed Goonellabah Recreation Centre.
- 2 That Council notify Vantage Project management of its continued commitment to the project and seek to formalise the land swap proposal.
- 3 When the Section 94 Community Facilities Plan is reviewed it is to reflect the proposed facility and an appropriate proportion from developer contributions.
- 4 Develop concept designs, costings and a business plan for the proposed facility.
- 5 Conduct a Council workshop to present and discuss the above information once it is completed and to further explore the opportunities available to advance this project

(Councillors Swientek/Irwin) (P22522)

Draft Lismore Urban Strategy

(See Minute No. 313/02)

Review of 6(a) (Recreation) Zoned Land

319/02

RESOLVED that the report be received and pursuant to S54 of the Environmental Planning & Assessment Act, Council -

- 1 Prepare a draft local environmental plan which
 - (a) Places appropriate zoning over land required for open space/recreation/habitat protection purposes as listed in the attachments to this report, and
 - (b) Alters the zoning of land currently identified for open space/recreation/habitat protection purposes but no longer required for that purpose.
- 2 Prepare and exhibit the draft local environmental plan in accordance with the Best Practice Guidelines published by the Department of Urban Affairs & Planning in January 1997 titled "LEPs and Council Land", (or with any subsequent advice from the Department).
- 3 Commence the process leading to possible sale of Council land, in accordance with the Local Government Act 1993 and the Best Practice Guidelines published by the Department of Urban Affairs & Planning in January 1997 titled "LEPs and Council Land", (or with any subsequent advice from the Department).
- 4 Highlight privately owned properties required for future recreation on Council's property system via the 'memo' function.
- 5 Prior to any action being taken on this issue Councillors be advised as to why 11 Toona Court is for sale.

(Councillors Roberts/Irwin) (S849)

At this juncture Councillor Baxter returned to the meeting.

Water Crisis Management

A MOTION WAS MOVED that the report be received and -

- 1 That Council adopt a credit scheme to be applied to water accounts in the first quarter of 2003. The scheme be based upon a credit of \$0.36 per Kilolitre for each metered water account within the Lismore LGA that achieves a reduction in consumption of 50% or more compared to the equivalent water account in 2002.
- 2 That Council publicise this scheme and include details of accessing the scheme with the water accounts distributed in the first quarter of 2003.
- 3 That Council advertise the scheme in the Northern Star and the Northern Rivers Echo.

4 That Rous Water be requested to assess the implications and cost/benefits of introducing a water consumption reduction scheme based on reduction thresholds, throughout the region.

5 That Rous Water, NSW Health and the constituent Councils be requested to commence an education campaign on safe use of greywater.

(Councillors Swientek/Gallen)

On submission to the meeting the MOTION was DEFEATED.

Voting Against: Councillors Irwin, Roberts, Tomlinson, Chant, Hampton and Crowther.

A FORESHADOWED MOTION WAS MOVED that the report be received and -

1 That Council take the appropriate steps to implement and promote a charging scheme that increases the kl cost of water by 20% for at least the period during which water restrictions are in place.

2 That additional funds generated through increased charging be directed to implementing water reduction strategies (demand management initiatives) such as retrofitting and tank installation incentives, and development of industry-based water reduction plans.

3 That Council ask Rous Water to consider approaching constituent Councils with a view to their implementing a similar program.

(Councillors Roberts/Tomlinson)

On submission to the meeting the FORESHADOWED MOTION was DEFEATED.

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

(S301)

Refund of Section 64 Fees for Properties Purchased under the Flood Acquisition Scheme

320/02 **RESOLVED** that the report be received and –

1 That the legal advice be noted.

2 That S64 funds be only used for water supply and sewerage headworks and for no other purpose.

(Councillors Hampton/Crowther) (S744,S106)

Replacement of Council Plant – V191 – Garbage Collection Truck

321/02 **RESOLVED** that the report be received and That Council purchase one (1) only

Freightliner FL80 truck with the **MacDonald Johnston** Collection / Compactor unit (*Utilising the option of 8/02 build truck*) as tendered (T23005) from **Southside**

Agencies of Lismore for the cost of **\$287,337.00** (*includes GST \$26,125*)

and

Accept the 'Private Offer to Purchase V191' from **COSIMAR P/L of Lismore, NSW**, for the amount of **\$60,500.00** (*includes \$5,500.00 GST component – Non ITC*).

Change-over cost to Council will be **\$226,837.00** (*with GST*) (*\$200,712.00 after ITC*).

(Councillors Crowther/Gallen) (T23005)

Tenders for Renewal of Sewer Mains – Various Locations in Lismore

322/02 **RESOLVED** that the report be received and –

1 The contract for the renewal of sewer mains in various locations, Lismore is awarded to Pipe Replacement Solutions Pty Ltd for the amount of \$171,453 (Portion 1) and \$146,149 (Portion 2) 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.

(Councillors Crowther/Swientek) (T23003)

Purchase of Land - 10 Baillie Street

323/02

RESOLVED that the report be received and –

- 1 That Council authorises the General Manager or his delegate to purchase 10 Baillie Street, North Lismore, being Lot B in Deposited Plan 32087 together with Lot 2 in Deposited Plan 205056.
- 2 That Council contributes its one-third funding contribution for the purchase of Lot B in DP 32087 and Lot 2 in Deposited Plan 205056 for an agreed price of \$80,000.00 together with all reasonable legal expenses, from its Voluntary Acquisition Funding and such contribution be contingent upon matching one-third funding being provided by both Richmond River County Council and the Department of Land and Water Conservation.
- 3 That the General Manager and Mayor be authorised to sign and apply the Common Seal of the Council to the contract of sale or property transfer documents, as necessary.

(Councillors Hampton/Crowther) (P316)

Reclassification of Council Properties from Community to Operational

324/02

RESOLVED that the report be received and –

- 1 That Council pursuant to s34 of the Local Government Act 1993 give Public Notice of its intention to reclassify as operational land the properties known as:
 - a) 1 Lancaster Dr (Lot 58 DP 805421)
 - b) 44 Molesworth St (Lot 20 DP629445) and
 - c) 97 Caniaba St (Lot 2 DP 596421).
- 2 That Council, following the 28 day period of notice given under s34 of the Local Government Act 1993, pursuant to section 54(1) of the Environmental Planning and Assessment Act Council resolve to exhibit the draft LEP in accordance with its resolution to comply with the Best Practice Guideline published by Planning NSW in January 1997 titled "LEPs and Council Land – Guideline for Councils using delegated powers to prepare LEPs involving land that is or was previously owned or controlled by Council" for those properties known as:
 - a) 1 Lancaster Dr (Lot 58 DP 805421)
 - b) 44 Molesworth St (Lot 20 DP629445) and
 - c) 97 Caniaba St (Lot 2 DP 596421).

(Councillors Roberts/Baxter) (P22538,P1723,P20088)

Northern Rivers Herb Festival - 2002 Research Report and Funding for 2003/05 Events

(See Minute No. 314/02)

Request for Naming of Sportsgrounds

325/02

RESOLVED that the report be received and –

- 1 That Council endorse the proposed naming of sportsgrounds as follows:
 - a) The field commonly known as Neilson Park E2 be renamed the "Bill Harris Field".
 - b) The larger cricket field at Caniaba Street Reserve be named the "Lyn Larsen Oval".
 - c) The smaller field at Caniaba Street Reserve be named the "Marie Lee Oval".
- 2 The proposed namings be advertised and placed on public exhibition for 30 days in accordance with Council's policy for the Naming of Public Places.
- 3 That a further report detailing any public submissions be considered by Council before a final approval is given.

(Councillors Roberts/Irwin) (P17883,P7349, P1729)

Roads Advisory Committee

- 326/02 **RESOLVED** that the report be received and Mr C Waddell be appointed to the Roads Advisory Committee for the remainder of this term.
(Councillors Tomlinson/Hampton) (S745,S36)

COMMITTEE RECOMMENDATIONS:

Traffic Advisory Committee 20/11/02

- 327/02 **RESOLVED** that the minutes be received and the recommendations contained therein be adopted excluding Items 1, 2, 3(2), 10, 12 and 14.
(Councillors Gallen/Hampton)

Item 1 – Intersection of Conway/Carrington Streets

- 328/02 **RESOLVED** that this item be referred back to the next Traffic Advisory Committee meeting.
(Councillors Gallen/Hampton)
(R7307,R7303)

Item 2 – Road Safety/Parking Issues in Nimbin Village

- 329/02 **RESOLVED** that the writer be advised in accordance with the recommendation and that the problems associated with trucks double parking have been referred back to the Traffic Advisory Committee for further consideration.
(Councillors Roberts/Irwin)
(02-11141,02-11142:S353,R1701)

Item 3 (TAC177/02)– NSW Bus & Coach Association

A MOTION WAS MOVED that Council give priority to the works mentioned when considering the provision of additional parking.
(Councillors Gallen/Crowther)

AN AMENDMENT WAS MOVED that this matter be received and noted.
(Councillors Irwin/Tomlinson)

On submission to the meeting the amendment was DEFEATED.

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

- 330/02 **RESOLVED** that Council give priority to the works mentioned when considering the provision of additional parking.
(Councillors Gallen/Crowther)
Voting Against: Councillors Irwin, Roberts, Tomlinson and Swientek.
(02-12533: P9988)

Item 10 – M J Thurlow

A MOTION WAS MOVED that as a general principle Council accommodate road closure applications for Christmas parties.

(Councillors Roberts/Irwin)

On submission to the meeting the MOTION was DEFEATED.

Voting Against: Councillors Gallen, King, Chant, Baxter, Hampton and Suffolk.

- 331/02 **RESOLVED** that where practical Council accommodate road closure applications for Christmas parties but on this occasion do not support the road closure application.
(Councillors Irwin/Roberts)
(02-12902: R7108,R6473)

Item 12 – Southern Cross University
332/02 **RESOLVED** that approval be granted for the University to implement the proposed “Restricted Parking Area”.
(Councillors Roberts/Gallen)
(02-13119: P2782)

Item 14 – Tullera Rural Fire Service
333/02 **RESOLVED** that the matter be noted.
(Councillors Roberts/Irwin)
(02-13203:R3407,S346)

DOCUMENTS FOR SIGNING AND SEALING:

334/02 **RESOLVED** that the following documents be executed under the Common Seal of Council:-

Council Lease to Eneskay Pty Ltd & Kelvin – Site 12 Lismore Airport
Lease of hangar for period of 5 years from 1/7/02 to 30/6/07.
(02-13748: P27932)

Richmond Valley Council – Agreement

Agreement between Lismore City and Richmond Valley Councils for responsibility of repairs, maintenance and management of Pelican Creek Bridge up to and including the eastern abutment, commencing on 1/11/02.
(02-13219: R4751,R4806,S314)
(Councillors Crowther/Hampton)

MATTER OF URGENCY:

2003 Local Government Election
335/02 **RESOLVED** that this matter be admitted to the business paper as a matter of urgency.
(Councillors Irwin/Gallen)

336/02 **RESOLVED -**

- 1 That Lismore Council write to the Premier and John Della Bosca, the Special Minister for State, advising them of our strenuous objection to the proposal by the State Electoral Office in regard to tallying local government election results in 2003.
- 2 That this letter indicate that we believe that they cannot be aware of what the Electoral Office intends, as it will have a significant impact on the electoral process and seems to contradict their personal commitments to supporting regional and rural NSW.
- 3 That the letter seek an early response.
(Councillors Irwin/Gallen) (S13)

This concluded the business and the meeting terminated at 11.00 pm.

CONFIRMED this 11TH day of FEBRUARY 2003 at which meeting the signature herein was subscribed.

ACTING MAYOR

MINUTES OF THE EXTRAORDINARY MEETING OF THE COUNCIL OF THE CITY OF LISMORE HELD IN THE COUNCIL CHAMBER, GOONELLABAH ON TUESDAY, JANUARY 14, 2003 AT 6.03PM.

Present: Acting Mayor Councillor King; Councillors Baxter, Chant, Crowther, Gallen, Hampton, Irwin, Roberts, Suffolk and Swientek together with the General Manager; Group Managers- Corporate & Community Services, City Works, Acting Group Manager-Business & Enterprise (P Klepzig); Manager-Finance & Administration and Manager-Communications & Community Relations.

1/03 **Apologies/** An apology for non-attendance on behalf of Councillor Tomlinson was received and accepted and leave of absence granted.

Leave of
Absence:

Leave of absence was granted to Councillors Irwin (January 20-25, 2003) and Chant (January 15-20, 2003).
(Councillors Swientek/Hampton)

Leave of absence was granted to Councillor Gates on August 13, 2002.

PUBLIC ACCESS SESSION:

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

Mr Barry Robinson, President, Lismore Unlimited

Mr Robinson outlined the history of the consultative process to date and urged Council to proceed with the upgrade at an early date.

Mr David Gooley

Mr Gooley advised that whilst he supported an upgrade of the street he opposed the reduction in the 2 hour limit and any loss of car parking in the street.

REPORT - Upgrade of Molesworth Street

2/03 **RESOLVED** that the report be received and –

- 1 Council confirm it is committed to upgrading the Lismore CBD streetscape and its shopper amenity, as an economic development strategy.
- 2 Council note Lismore Unlimited supports Upgrade Option C with angled centre parking and a 1 hour parking limit in Molesworth Street.
- 3 That further community and business feedback be sought and reported to the February Council meeting before any changes to the existing Molesworth Street carparking arrangements are made.
- 4 That to ensure the project is completed prior to Easter, Council endorse the commencement of preliminary works described in the report as Steps 1 to 3 on the understanding that such works are required for all upgrade options.
- 5 The report to the February Council meeting -
 - a) address the issue of providing better signage to the carparks;
 - b) include information on how street furniture and other unfunded items will be met;
 - c) address the issue of parking for bicycles, taxis and the disabled.

(Councillors King/Chant) (R7322)

This concluded the business and the meeting terminated at 7.15 pm.

CONFIRMED this 14TH day of JANUARY, 2003 at which meeting the signature herein was subscribed.

ACTING MAYOR

