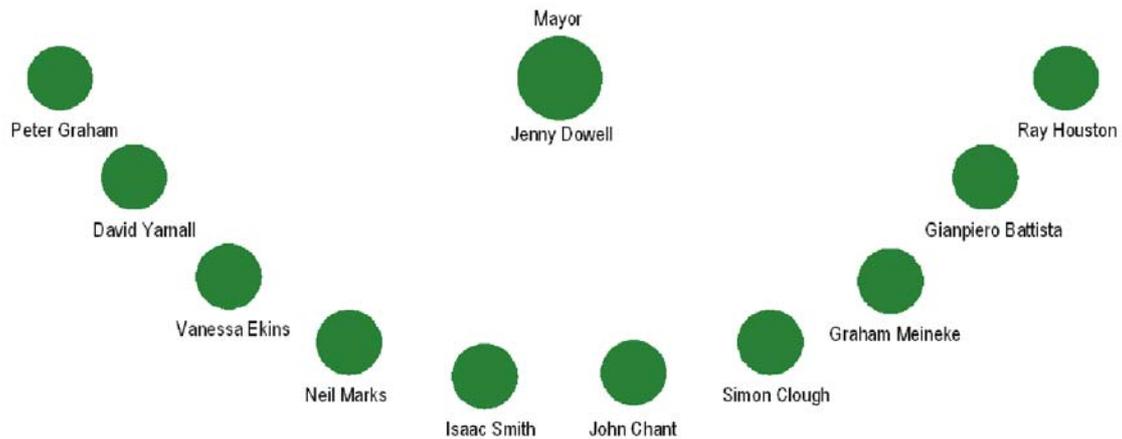


# Notice of Council Meeting



## Ordinary Meeting

An ORDINARY MEETING of LISMORE CITY COUNCIL will be held at  
the COUNCIL CHAMBERS, Oliver Avenue, GOONELLABAH on  
Tuesday April 14, 2009  
and members of Council are requested to attend.

Paul G. O'Sullivan  
**General Manager**

April 7, 2009



# Agenda

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Opening of Meeting and Prayer (Mayor)

Apologies and Leave of Absence

Confirmation of Minutes

Ordinary Meeting held on March 10, 2009.

Disclosure of Interest

Public Access Session

Amber Hall – Notice of Motion – Banning of circus animals in Lismore

Public Question Time

Condolences

Mayoral Minutes

Notice of Rescission Motions

Notice of Motions

Councillor Houston – Development of Community Garden/Farm

Councillor Smith – Voluntary House Purchase Scheme for High Risk Properties

Councillor Ekins - Inclusion of Item for Councillor Reports in Business Paper

Councillor Clough – Displaying Aboriginal Flag in Council Chambers

Councillor Smith – Sealing of Military Road

Councillor Clough – Footpath and Cycleways Funding

Councillor Battista – Ban on Circus Animals in Lismore

Altering Order of Business

(Consideration of altering the order of business to debate matters raised during Public Access).

Reports

Adoption of Amendment No. 40 to Lismore Local Environmental Plan – Land Reclassification ..... 8

Security Beat Patrol Review ..... 24

Request for Tender – Health Services ..... 29

Asset Management Policy ..... 32

Delegations to the General Manager (S6) ..... 34

Conduct Review Committee Membership ..... 38

Lismore Masters Games Steering Committee membership ..... 41

Investments held by Council – March 2009 ..... 50



Applications for closure of unformed public road –.....	53
off Stony Chute Road, Nimbin .....	53
Nimbin Road, Goolmangar – Federal Blackspot Funding Program.....	56
Performance Monitoring 2008/09 – General Manager .....	<b>Error! Bookmark not defined.</b>
Committee Recommendations	
Documents for Signing and Sealing	
Financial Assistance - Section 356	
Questions Without Notice	
Confidential Matters – Committee of the Whole	



# Strategic Plan Summary

## Lismore regional city

STRATEGIC PRIORITY	AIMS	INITIATIVES
Economic Development	Build Lismore's reputation as a regional city for residents, businesses, education providers, health services and government.	<ul style="list-style-type: none"> <li>▶ Champion education</li> <li>▶ Promote health facilities</li> <li>▶ Support regional agriculture</li> <li>▶ Promote cultural life</li> <li>▶ Promote Lismore as a legal centre</li> <li>▶ Support for sport</li> </ul>
	Increase regional economic development, tourism and job creating investments.	<ul style="list-style-type: none"> <li>▶ Promote regional development</li> <li>▶ Develop tourism</li> <li>▶ Support businesses</li> <li>▶ Pursue CBD revitalisation</li> <li>▶ Assist in job creation</li> <li>▶ Assist in creating new income opportunities</li> </ul>
Quality of Life	Make Lismore a safe, healthy and caring community in which to live.	<ul style="list-style-type: none"> <li>▶ Increase social cohesion</li> <li>▶ Support villages</li> <li>▶ Provide community services</li> <li>▶ Encourage sustainable development</li> <li>▶ Promote recreation and leisure</li> </ul>
Leadership by Innovation	Lead the region by demonstrating innovative practices in governance, customer service, communication, consultation, virtual amalgamation and financial management.	<ul style="list-style-type: none"> <li>▶ Lead the region</li> <li>▶ Increase revenue from grants</li> <li>▶ Improve customer service</li> <li>▶ Consult the community</li> <li>▶ Update technology</li> <li>▶ Provide user pays services</li> <li>▶ Privatise selected services</li> <li>▶ Share assets and resources</li> </ul>
Natural Environment	Preserve and rehabilitate Lismore's natural environment.	<ul style="list-style-type: none"> <li>▶ Provide sustainable land use planning</li> <li>▶ Improve catchment management</li> <li>▶ Conserve and repair the environment</li> </ul>
Infrastructure	Further enhance Lismore's transportation, parking and pedestrian networks.	<ul style="list-style-type: none"> <li>▶ Improve transport systems</li> <li>▶ Improve roads, cycleways and footpaths</li> <li>▶ Assist with public transport</li> <li>▶ Assist airport operations</li> <li>▶ Support fleet operations</li> </ul>
Water and Waste Cycle	Educate our community and lead the state in water and waste-cycle management.	<ul style="list-style-type: none"> <li>▶ Manage stormwater drainage systems</li> <li>▶ Manage water and sewage</li> <li>▶ Manage the waste stream and reduce waste</li> </ul>

## Notice of Motion

**Cr Ray Houston** has given notice of his intention to move at the next meeting of Council:

1. That Council provide 'in principle' support for the development of a Community Garden/Farm to be located on Council land.
2. A letter be drafted to the Australian Department of Health and Ageing advising them of Council's support.

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### Councillor Comment

The proposal by the Rainbow Community Farm group to create a community garden is well considered and designed and of unquestionable benefit to the community, in particular to groups such as the young, the aged and the disabled (both physically and mentally).

Such projects which provide a broad opportunity for social inclusion have been shown to reduce use of mainstream services, create more cohesive communities and to lower crime rates in areas where they have been established.

Lismore would be following the lead of other North Coast and NSW communities, as well others across Australia and the world in providing such a facility.

### Staff Comment

#### Program Manager – Community Services

Rainbow Region Community Farm (RRCF) Inc. has approached Council to secure a site in Lismore for a proposed Community Farm to promote healthy eating and active lifestyles. RRCF is auspiced by Northern Rivers Social Development Council, and has received \$180,000 from the federal Department of Health and Ageing for the project. RRCF has worked with Council staff for the past two years in an effort to identify a suitable site. However, due to RRCF's requirements and the limited amount of mostly flood-prone lands available, a suitable site is yet to be identified. RRCF require a large, preferably flat site for demonstration areas, individual plots, public toilets and an administration structure. This has proved difficult to achieve due to flood issues and DCP requirements in lands located in and around the CBD area.

Council staff will continue to liaise with RRCF and are currently investigating a number of potential sites. Elements such as flooding, soil, stormwater, wastewater disposal, amenity and accessibility, and relationship to future projects are reviewed with respect to each site. A report will be presented to Council once a preferred site has been identified. The Notice of Motion is supported to provide an indication of Council support to the funding body.

## Notice of Motion

**Cr Isaac Smith** has given notice of his intention to move at the next meeting of Council:

1. That Council commit to the continuation of the voluntary house purchase scheme for the acquisition of high risk properties in identified floodways of North Lismore.
2. That the 2008/09 Budget allocation of \$114000 for Flood mitigation be committed to the continuation of the program.
3. That Council commit to an annual allocation of \$100,000 for continued acquisitions of high risk properties until the program is completed.
4. That Council recognise the opportunity for Richmond River County Council to assist in the delivery and finalization of this program.

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### Councillor Comment

As a Councillor on Richmond River County Council, I am aware of the current policy adopted by Lismore in 2002 for the Voluntary Purchase Scheme which has enabled a reduction in the high risk to North Lismore residents from floods in identified floodways.

Richmond River County Council has a number of eligible property owners awaiting to progress their sale under this scheme.

The reinstatement of this Voluntary Purchase scheme will greatly reduce the risk to our North Lismore residents in high floodways.

### Staff Comment

#### Program Manager – Assets and Support Services

The voluntary house purchase scheme is a strategy outlined in the floodplain management plan. This plan is now out of date and currently under review by the recently reconvened Floodplain Management Committee. It would be premature to commit to such a scheme before the review is complete.

#### Program Manager – Finance

In regards to the 2008/09 Budget, an allocation of \$114,00 has been provided for flood mitigation works with the obvious priority being the Lismore Flood Levee and associated works. Based on total available funds and existing commitments, there is approximately \$50,000 available for uncommitted flood mitigation works.

Staff are working with Richmond River County Council to confirm the exact commitment to these funds.

Richmond River County Council has been advised of this situation and requested to seek approval before proceeding with any future works requiring a contribution from Council due to the limited funds.

As to the annual commitment of \$100,000 for continued acquisition of flood prone properties, this should be treated as a submission to the 2009/10 Budget as there is currently no funding provision, and it has not been incorporated into the forward capital works program.

## Notice of Motion

**Cr Vanessa Ekins** has given notice of her intention to move at the next meeting of Council:

Council amend the code of meeting practice to allow the inclusion of an item in the monthly business paper for Councillor Reports.

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### Councillor Comment

I suggest this item is placed prior to questions without notice. I expect the verbal reports will take no more than 15 minutes in total and I expect that Councillors elected to county councils, PAG chairs and NOROC representatives will briefly inform other councillors about issues of importance or interest.

The purpose of the motion is for Councillors who have been delegated to other bodies by Council to briefly inform their colleagues about their activities.

### Staff Comment

#### General Manager

The Notice of Motion is not supported. This would be inconsistent with the Councillors Expenses and Facilities Policy which required delegates to conferences to provide a written report on conferences attended.

A Council meeting is not an appropriate vehicle for the presentation of verbal 'information reports'. A Council meeting is specifically called to enable Council to make decisions of a policy, strategic or financial nature as described in Section 377 of the Local Government Act. Furthermore, a Council meeting, and indeed any other formal meeting, is required to circulate in advance an agenda which includes written reports of the matters to be considered, unless a matter of extreme urgency is submitted for determination.

The promulgation of information arising from County Councils, NOROC and PAG meetings may be achieved by way of a précis report and incorporated in a memorandum circulated by the appropriate Councillor.

## Notice of Motion

**Cr Simon Clough** has given notice of his intention to move at the next meeting of Council:

1. That Council display the Aboriginal flag in the front of the Council Chambers.
2. That the Aboriginal flag have equal prominence with the Australian and Lismore flag.

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### Councillor Comment

As we open all Council meetings with recognition of Aboriginal custodianship of the land, it is appropriate that we honour the Aboriginal flag.

I have spoken to Auntie Bertha Kapeen, Chair of the Bundjalung Elders Council, and she is supportive of the flag being displayed in the front of the Council Chambers.

I regard this as another positive step toward reconciliation.

### Staff Comment

#### Aboriginal Community Development Officer

Council Chambers has in the last two years been well utilised by members of the Aboriginal Community. During this time it has been mentioned to me on numerous occasions "that it would be good to see the Aboriginal Flag alongside the other flags". The suggestion is timely, as next month will mark Sorry Day and Reconciliation week. Further, the LCC participants of the Aboriginal Cultural Education Program (ACEP) will, as an assessment task, be drafting LCC's Reconciliation Action Plan (RAP). It is expected that flying the Aboriginal flag will be incorporated into this plan and the implementation of the Aboriginal flag in Chambers will consequently become a retrospective measurable target within this RAP. The Aboriginal Flag as a permanent fixture will act as a reflection of this Council's commitment to acknowledge and respect its Aboriginal history and community members and further will be in place for significant dates within the Aboriginal Community e.g. NAIDOC

## Notice of Motion

Cr Isaac Smith has given notice of his intention to move at the next meeting of Council:

That Council move the sealing of Military Road to the top of the road sealing projects to be undertaken.

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### Councillor Comment

While the points allocation system works well for almost all gravel roads in the Lismore City Council area, it has failed to correctly assess the need for bitumen sealing on Military Road.

This section of road is less than 400m long and connects with one of Lismore's busiest parks (Wade Park), the biggest Soccer Club on the North Coast (Lismore Thistles), and the Remote Control Flying Club.

Being the biggest Soccer Club in the area, Thistles have recorded game weekends (Fri-Sun) where around 1,000 cars have used the road. As this is not a through road, this means 2,000 vehicle uses in a very short period of time. This level of usage has not been properly recorded when assessing the road's average traffic volume.

Being a popular venue for regional carnivals, there is also occasions where many players and teams, at times in buses, are forced to use a substandard road to access the club. It is a poor representation of Lismore when visitors have to drive down a potholed road to get to the club.

Because of the seasonal usage and regional significance, I believe this road has not been classed correctly under our points structure. I have looked at the other roads being classified and this is the exception. Being such a small section of road, it would only cause a minor delay to other upgrades, yet it would provide a significant benefit to a large number of residents.

### Staff Comment

Executive Director – Infrastructure Services

The points system for the initial sealing of gravel roads developed by the then Roads Policy Advisory Group was targeted at rural gravel roads.

Military Road is quite different to a rural road. It provides access to a sporting facility rather than rural landuse. Therefore traffic volumes can be quite high but only for relatively short durations. Users of the road include visiting teams from throughout the Northern Rivers Region and beyond.

The estimated cost to upgrade Military Road to a sealed standard is \$90,000. Last year it was rated as Priority No. 8. Since this time two projects have been funded. There are no higher priority works valued less than \$360,000.

At the Roads Workshop held on February 23, 2009 a proposal was raised to investigate using the Gravel Roads Sealing funds to supplement gravel road maintenance. This proposal should be discussed at the next Infrastructure Assets Policy Advisory Group meeting before Council makes a decision on the sealing of Military Road.

(ED09/949, ED09/1900, EF09/631)

## Notice of Motion

Cr Simon Clough has given notice of his intention to move at the next meeting of Council:

That Council allocate 10% of its "Roads to Recovery" funding to the provision of footpath/ cycleways.

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### Councillor Comment

Lismore is not a wealthy community and footpath/ cycleways enable the elderly, the young, the disabled and those with prams, etc to access necessities. Council also needs to be providing infrastructure that discourages the use of fossil fuels.

### Staff Comment

Executive Director – Infrastructure Services

Council has been advised the 2009/10 Roads to Recovery funding is \$913,400, an increase of approximately \$130,000 compared with the 2008/09 allocation.

Council's adopted cycleway programme includes:

- 14.6km proposed off-road cycleways
- 5.4km proposed on-road cycleways
- 13.1km widening existing paths.

The estimated cost of the programme is \$4.4M (2007 dollars).

Council, over the last several years, has allocated approximately \$250,000 to cycleways. The continuation of this programme is encouraged. It is desirable to establish a recurrent budget allocation to encourage the RTA to provide matching funding on an ongoing basis.

The Council Workshop held on February 23, 2009 highlighted the shortfall in road funding. It was clearly shown that maintenance and rehabilitation of existing road assets is a higher priority than creating new infrastructure such as cycleways. For this reason, the Notice of Motion is not supported.

(CI09/1828, ED09/1968, EF09/631)

## Notice of Motion

**Cr Gianpiero Battista** has given notice of his intention to move at the next meeting of Council:

That Council move to introduce a total ban on circus animals in the whole of Lismore Local Government Area.

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### Staff Comment

Program Manager – Environmental Health and Building Services

In order for Councillors to consider this matter the following information is provided. There are limited existing methods within Council, by which activities involving circus animals are regulated.

In regard to circus activities with animals, the RSPCA is the lead agency, whereby they have legislated authority to ensure the wellbeing and welfare of animals is paramount.

There is no specific legislation for local government in regard to circuses or whether wild animals are able to perform.

In regards to animals generally, council must adhere and implement legislative requirements in regard to the:

- Threatened Species Conservation Act and;
- Companion Animals Act, i.e. dogs and cats.

In addition under the Environmental Planning and Assessment Act (E.P. & A. Act) all circuses are required to gain development consent within the local government area. However, any policy restricting circuses with animals would be applied to council land only. Any such Councils policy would not apply to an application to hold a circus with animals on private land as it is not prohibited in the Local Environment Plan.

Corporate Compliance Coordinator

The adoption of this Notice of Motion will not be sufficient in itself to ban all circuses which contain animals and as such may not be capable of implementation, as drafted.

# Report

<b>Subject</b>	<b>Adoption of Amendment No. 40 to Lismore Local Environmental Plan – Land Reclassification</b>
<b>File No</b>	S975:EF09/1957
<b>Prepared by</b>	Strategic Planner
<b>Reason</b>	Close of Public Exhibition Period and Public Hearing
<b>Objective</b>	Council's Adoption of Amendment No. 40 to the Lismore LEP
<b>Strategic Plan Link</b>	Quality of Life
<b>Management Plan Project</b>	Implement adopted Council Land Use Strategies

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## Overview of Report

At its meeting on May 13, 2008, Council resolved to prepare a draft amendment to the Lismore Local Environment Plan 2000 to reclassify certain public lands from community land to operational land, exhibit the draft amendment for a period of 28 days and arrange a Public Hearing. The draft LEP Amendment was subsequently exhibited and no submissions were received. The Public Hearing was held on March 2, 2009. Three (3) submissions were made to the Public Hearing. This report recommends that Council proceed with Amendment No. 40.

## Background

At its meeting on May 13, 2008 Council resolved to prepare a draft amendment (No. 40) to the Lismore Local Environmental Plan 2000 (LEP) to reclassify certain public lands from community to operational land within the meaning of the *Local Government Act* 1993. Before discussing the particulars of this reclassification it is useful to consider the reasons for classifying public lands and the implications of each classification.

### Community and Operational Classification

The *Local Government Act* 1993 requires all land vested in a Council (except a road or land to which the *Crown Lands Act 1989* applies) to be classified as either "community" or "operational". The classification will generally be achieved by a Local Environmental Plan.

The purpose of classification is to identify clearly that land which should be kept for use by the general public (community) and that land which need not (operational). The major consequence of classification is that it determines the ease or difficulty with which land may be alienated by sale, lease or some other means.

Land classified as community land must not be sold (except for the purpose of enabling that land to become, or be added to, a Crown reserve or land that is reserved or dedicated under the *National Parks and Wildlife Act* 1974). Community land must not be leased or licensed for more than 21 years and may only be leased or licensed for more than five (5) years if public notice of the proposed lease or licence is given and, in the event that an objection is made to the proposed lease or licence, the Minister's consent is obtained. No such restrictions apply to land classified as operational land.

Community land ordinarily comprises land such as a public park. Operational land ordinarily comprises land held as a temporary asset or as an investment, land which facilitates the carrying out by a Council of its functions or land which may not be open to the general public, such as a works depot or a Council garage.

The use and management of community land is to be regulated by a plan of management and the plan of management must categorise it as one or more of the following:

- (a) a natural area (this is further categorised as one or more of bushland, wetland, escarpment, watercourse, foreshore or a category prescribed by the regulations),
- (b) a sportsground,
- (c) a park,
- (d) an area of cultural significance,
- (e) general community use.

In accordance with Section 31(2A) of the *Local Government Act 1993*, any land acquired by Council that is not classified as community or operational is, at the end of the period of three (3) months, taken to have been classified under a local environmental plan as community land.

### LEP Amendment No. 40

The following table lists the parcels of land proposed for reclassification from community to operational under the draft amendment and the reasons that Council acquired the land. With the exception of the first two (2) properties, that is, 144 Caniaba Street and 36 Orion Street, Council resolved to classify the land as operational but the administrative process to achieve this was not finalised. With regard to the first two (2), at the time of purchase Council did not resolve to classify the land as operational. The sheet numbers refer to the amendment maps included at the end of this report.

Sheet	Address & Lot/DP	Name	Reason for Purchase
1	144 Caniaba Street, South Lismore Lot 1 DP1036569	Land adjoining the South Lismore Levee	The land was identified as being required for, and is part of, the South Lismore floodway and levee system. The acquisition was reported to Council on July 10, 2001.
2	36 Orion Street, Lismore Lot 1 Sec 33 DP 758615	Public Car Park adjoining Trinity College	The land was purchased from the Roman Catholic Church and has been developed as a public car park in conjunction with the development of the Trinity Catholic College sports and swimming pool complex. The acquisition was reported to Council on February 10, 2004.
2	126 Woodlark Street, Lismore Lot 32 DP 622328	John Crowther Car Park	This land adjoins the John Crowther Car Park. It was previously a car sales yard and was purchased by Council for car parking. The acquisition of the land was reported to Council on August 12, 2003.

2	43 Keen St, Lismore Lot 2 DP 532545	Clyde Campbell Car Park	The land was purchased under the Lismore Voluntary Purchase Project (floodplain management program) as it is in a floodway. The acquisition of the land was reported to Council on July 8, 2003.
2	126 Magellan Street, Lismore Lot 11 DP 859167	Harold Fredericks Car Park	The land comprises Harold Fredericks Car Park, which was purchased by Council from the Department of Education and Training following Ministerial approval notified to Council on October 1, 1999.
2	18 King Street, Lismore Lot 9 DP 565871	CBD parking	This land was purchased to provide additional car parking spaces in the CBD and near the cultural precinct. The acquisition of the land was reported to Council on November 13, 2007.
3	550B and 550C Nimbin Road, Blakebrook Lots 200 & 201 DP1013944	Access road to Blakebrook Quarry	The land is a former Crown road reserve purchased from the State Government on November 2, 2000. It forms part of the access road to Blakebrook quarry.

4	<p>20 Simeoni Drive Goonellabah Lot 6 DP 1011282</p> <p>21 Gordon Blair Drive, Goonellabah Lot 631 DP 810600</p> <p>2 Simeoni Drive, Goonellabah Lot 4 DP 1011282</p> <p>44 Oliver Ave, Goonellabah Lot 3 DP 1011282</p> <p>44B Oliver Ave, Goonellabah Lot 5 DP 1011282</p>	Goonellabah Sports & Aquatic Centre	<p>These lots were purchased for the (then) Lismore Recreation and Sports Centre. The acquisition of the lots was reported to Council January 24, 2006. The land is included in the 3(a) Business Zone in the Lismore LEP 2000. The reclassification of this land will allow part of this land to be sold as intended.</p>
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5	130 Gundurimba Rd, Lismore  Lot 2  DP 701097	Land adjoining Lismore Recycling & Recovery Facility (LRRF)	This land was purchased for its strategic location in relation to the LRRF and East Lismore Sewage Treatment Plant (STP). The acquisition was reported to Council on February 8, 2005. A house is located on a 2ha severed part of the land and this was purchased to provide a buffer distance and 'remove' the nearest neighbour from future landfill activities. The majority of the land comprises river flats below the STP. Purchasing the land gave Council the opportunity to cease discharge of the treated water from the STP, develop a re-use scheme similar to those that exist at the South Lismore and Nimbin STPs and improve drainage to the creek to improve flood impacts to East Lismore.
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The Department of Planning was notified of Council's resolution to amend the LEP and Council received a "Written Authorisation to Exercise Delegation" with respect to s65 (1) (issuing of a certificate to exhibit the draft plan) and s69(1) (reporting to the Minister) from the Director-General.

## Comments

### Financial Services

Not required.

## Other staff comments

Council's Property Officer has been consulted in the preparation of this report.

## Public consultation

### LEP Amendment Public Notification

In accordance with its authorisation to exercise delegations, Council exhibited draft LEP Amendment No. 40 from December 5, 2008 to January 23, 2009. As the amendment involved Council owned land the exhibition was consistent with the Department of Planning's requirements set out in the *Best Practice Guideline for LEPs and Council Owned Land*. There were no submissions received.

### Public Hearing

Section 29 of the *Local Government Act 1993* requires Council to arrange a Public Hearing under section 68 of the *Environmental Planning and Assessment Act 1979 (EP&A Act)* in respect of any proposal to reclassify community land as operational land. The purpose of a Public Hearing is to give the community an opportunity to make submissions to an independent party, either in person or in writing, about the proposed reclassification. The chair of the Public Hearing also prepares a report that must be considered by Council.

Two (2) verbal submissions and one (1) written submission were received at the Public Hearing. As required by the *Local Government Act 1993*, the report on the Public Hearing was made available to the public within four (4) days of its receipt by Council. A copy of this report is separately attached. The purpose of the report is to present for Council's consideration the views of the public who participated in the hearing, not to recommend whether to reclassify any parcel of land. The report makes the following conclusions:

There were no submissions made to the Public Hearing in relation to seven (7) of the parcels. In relation to the other seven (7), the submissions raised concerns about potential future changes of use or ownership that might occur if the land were to be reclassified to 'operational', with subsequent inappropriate development or loss of public access. In relation to potential changes of use, this will be governed by Council's planning instruments regardless of land classification, and even community land can be developed with (community) buildings or other structures, if Council follows the proper processes and the proposed development is consistent with the LEP and the 'community' classification. Similarly, 'operational' land can be used for car parking, and retain its function as a floodway while retaining it for other uses such as markets. It is noted that such uses on community land generally must be specifically authorised in a Plan of Management.

## **Car Parks**

All three (3) submissions to the public hearing raised the classification of car parks as an issue of concern. It has been Council's practice since 1993 to classify all car parks as 'operational' land. The PCYC raised specific concerns about the public car park adjoining Trinity College, in particular, the nine (9) car parks immediately in front of the club's northern side. However these are located within the Orion Street road reserve, not on the land that is the subject of the reclassification. Should this road reserve be closed it automatically becomes operational, unless Council resolves otherwise.

Changing the classification of car parks to operational is consistent with the way council manages other car parks and it will not inhibit the land being co-used for other uses such as markets, subject to compliance with the Lismore LEP. In addition, classifying car parks as operational does not prevent Council from preparing a plan or plans of management for one or more of its car parks.

## **Land adjoining the South Lismore Levee**

It is appropriate for this land to be classified as operational to allow Council to manage it in accordance with the original purpose of its purchase, that is, South Lismore floodway and levee system. The land is zoned Riverlands (zone 1(r)) under the current Lismore LEP. Its flood risk categorisation as 'floodway' restricts the use to which the land can be put.

## **Land adjoining Lismore Recycling and Recovery Facility (LRRF)**

The entire lot is intended to be added to the existing adjoining land holdings for this facility, which are classified operational. It is appropriate for the lot to be classified as operational to allow Council to manage it in accordance with the original intentions for its purchase, that is, provide a buffer from the landfill activities for the residence on the 2 ha severed part of the lot, allow for future expansion needs of the LRRF, develop a re-use scheme for the discharge from the East Lismore STP and improve drainage to Monaltrie creek to improve flood impacts on East Lismore. Portions of the land are intended to be planted for environmental purposes including connections to the Lismore Rainforest Botanic Gardens.

## **Statutory Considerations**

There are no inconsistencies between draft Amendment No. 40 and any State Environmental Planning Policy, s117 Direction, Regional Strategy or the North Coast Regional Environmental Plan.

## **Section 62 consultations**

Section 62 of the *EP&A Act* provides that in the preparation of a draft local environmental plan, Council shall consult with such public authorities as, in its opinion, will or may be affected by the draft plan. It was considered that no public authorities would be affected by the draft plan.

## **Conclusion**

There were no submissions received in respect to the access road to Blakebrook Quarry and the Goonellabah Sports and Aquatic Centre (GSAC) and adjoining land. The submissions on the remaining parcels raised concerns about potential future changes of use or ownership that might occur, with subsequent inappropriate development or loss of public access. Apart from the land adjoining the GSAC there is currently no intention by Council to dispose of any of the lots that are to be reclassified.

It is appropriate that all the parcels are reclassified from 'community' land to 'operational' land in accordance with Council's original intentions for the purchase, use and disposal (land adjoining GSAC) of the land. It is recommended that Council proceed with the reclassification of public land under LEP Amendment No. 40, a copy of which is attached to this report.

## Recommendation (PLA1)

That Council:

- 1 Adopt Amendment No. 40 to the Lismore Local Environmental Plan 2000 as attached to this report; and
- 2 Use its delegations under s69 of the *Environmental Planning & Assessment Act* 1979 to forward the amendment to the Minister for Planning with a request that he make the Plan.

## **Lismore Local Environmental Plan 2000 (Amendment No 40)**

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*.

KRISTINA KENEALLY, M.P.,  
Minister for Planning

**Lismore Local Environmental Plan 2000 (Amendment No 40)****1. Name of plan**

This plan is *Lismore Local Environmental Plan 2000 (Amendment No 40)*.

**2. Aims of plan**

This plan aims to reclassify certain Council-owned land from community land to operational land within the meaning of the *Local Government Act 1993* to enable the future development, lease or disposal of the land.

**3. Land to which plan applies**

This plan applies to certain land situated in the City of Lismore, being:

- (a) 550B and 550C Nimbin Road, Blakebrook,
  - (b) 21 Gordon Blair Drive, 44 and 44B Oliver Avenue, 2 and 20 Simeoni Drive, Goonellabah,
  - (c) 130 Gundurimba Road, 43 Keen Street, 18 King Street, 126 Magellan Street, 36 Orion Street and 126 Woodlark Street, Lismore, and
  - (d) 144 Caniaba Street, South Lismore
- as shown edged heavy black on the map marked "Lismore Local Environmental Plan 2000 (Amendment No 40) Sheets 1 to 5" deposited in the office of the Lismore City Council.

**4. Amendment of Lismore Local Environmental Plan 2000**

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

## Schedule 1 Amendments

(clause 74)

### [1] Schedule 6, Part 3

Insert the heading "**Blakebrook**" and insert in numerical and alphabetical order of street number and name under the heading "Blakebrook":

550B Nimbin Road	Lot 200 DP 1013944, as shown edged heavy black on the map marked <i>Lismore Local Environmental Plan 2000 (Amendment No 40) Sheet 3</i>	Nil.
550C Nimbin Road	Lot 201 DP 1013944, as shown edged heavy black on the map marked <i>Lismore Local Environmental Plan 2000 (Amendment No 40) Sheet 3</i>	Nil.

### [2] Schedule 6, Part 3

Insert in numerical and alphabetical order of street number and name under the heading "**Goonellabah**":

21 Gordon Blair Drive	Lot 631 DP 810600, as shown edged heavy black on the map marked <i>Lismore Local Environmental Plan 2000 (Amendment No 40) Sheet 4</i>	Nil.
44 Oliver Avenue	Lot 3 DP 1011282, as shown edged heavy black on the map marked <i>Lismore Local Environmental Plan 2000 (Amendment No 40) Sheet 4</i>	Nil.
44B Oliver Avenue	Lot 5 DP 1011282, as shown edged heavy black on the map marked <i>Lismore Local Environmental Plan 2000 (Amendment No 40) Sheet 4</i>	Nil.
2 Simeoni Drive	Lot 4 DP 1011282, as shown edged heavy black on the map marked <i>Lismore Local Environmental Plan 2000 (Amendment No 40) Sheet 4</i>	Nil.
20 Simeoni Drive	Lot 6 DP 1011282, as shown edged heavy black on the map marked <i>Lismore Local Environmental Plan 2000 (Amendment No 40) Sheet 4</i>	Nil.

### [3] Schedule 6, Part 3

Insert in numerical and alphabetical order of street number and name under the heading "**Lismore**":

130 Gundurimba Road	Lot 2 DP 701097, as shown edged heavy black on the map marked <i>Lismore Local Environmental Plan 2000 (Amendment No 40) Sheet 5</i>	Nil.
43 Keen Street	Lot 2 DP 532545, as shown edged heavy black on the map marked <i>Lismore Local Environmental Plan 2000 (Amendment No 40) Sheet 2</i>	Nil.
18 King Street	Lot 9 DP 565871, as shown edged heavy black on the map marked <i>Lismore Local Environmental Plan 2000 (Amendment No 40) Sheet 2</i>	Nil.
126 Magellan Street	Lot 11 DP 859167, as shown edged heavy black on the map marked <i>Lismore Local Environmental Plan 2000 (Amendment No 40) Sheet 2</i>	Nil.
36 Orion Street	Lot 1 Sec 33 DP 758615, as shown edged heavy black on the map marked <i>Lismore Local Environmental Plan 2000 (Amendment No 40) Sheet 2</i>	Nil.
126 Woodlark Street	Lot 32 DP 622328, as shown edged heavy black on the map marked <i>Lismore Local Environmental Plan 2000 (Amendment No 40) Sheet 2</i>	Nil.

**[4] Schedule 6, Part 3**

Insert in numerical and alphabetical order of street number and name under the heading “**South Lismore**”:

144 Caniaba Street	Lot 1 DP 1036569, as shown edged heavy black on the map marked <i>Lismore Local Environmental Plan 2000 (Amendment No 40) Sheet 1</i>	Nil.
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**[5] Schedule 7 Definitions**

Insert in the appropriate order in the definition of ***the map***:

Lismore Local Environmental Plan 2000 (Amendment No. 40) – Sheets 1 to 5.




Subject Land
Sheet 1 of 5  
 SCALE 1 : 8,600      LOCALITY OF SOUTH LISMORE      PARISH OF SOUTH LISMORE      COUNTY OF ROUS

**ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**  
**CITY OF LISMORE**  
 Amendment No 40  
**LISMORE LOCAL ENVIRONMENTAL PLAN 2000**

DRAWN BY C Coates      DATE 18/3/2009 SUPERVISING DRAFTSPERSON PLANNING OFFICER H Manning COUNCIL FILE No. S975 DEPT. FILE No. G08/00065-1 CERTIFICATE PLAN NUMBER CERTIFICATE ISSUED UNDER S.65 E.P.A. ACT 3 October 2008 GOVT. GAZETTE OF	STATEMENT OF RELATIONSHIP WITH OTHER PLANS  THIS PLAN AMENDS LISMORE LOCAL ENVIRONMENTAL PLAN 2000.  CERTIFIED IN ACCORDANCE WITH THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 AND REGULATIONS AS AMENDED  <div style="text-align: right;">           AUTHORISED            COUNCIL EMPLOYEE      DATE         </div>
---	---



Sheet 2 of 5



SCALE 1 : 4,201

LOCALITY OF LISMORE

PARISH OF LISMORE

COUNTY OF ROUS

**ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979  
CITY OF LISMORE  
Amendment No 40  
LISMORE LOCAL ENVIRONMENTAL PLAN 2000**

DRAWN BY C Coates      DATE 18/3/2009

SUPERVISING DRAFTSPERSON

PLANNING OFFICER H Manning

COUNCIL FILE No. S975

DEPT. FILE No. G08/00065-1

CERTIFICATE PLAN NUMBER

CERTIFICATE ISSUED  
UNDER S.65 E.P.A. ACT 3 October 2008

GOVT. GAZETTE OF

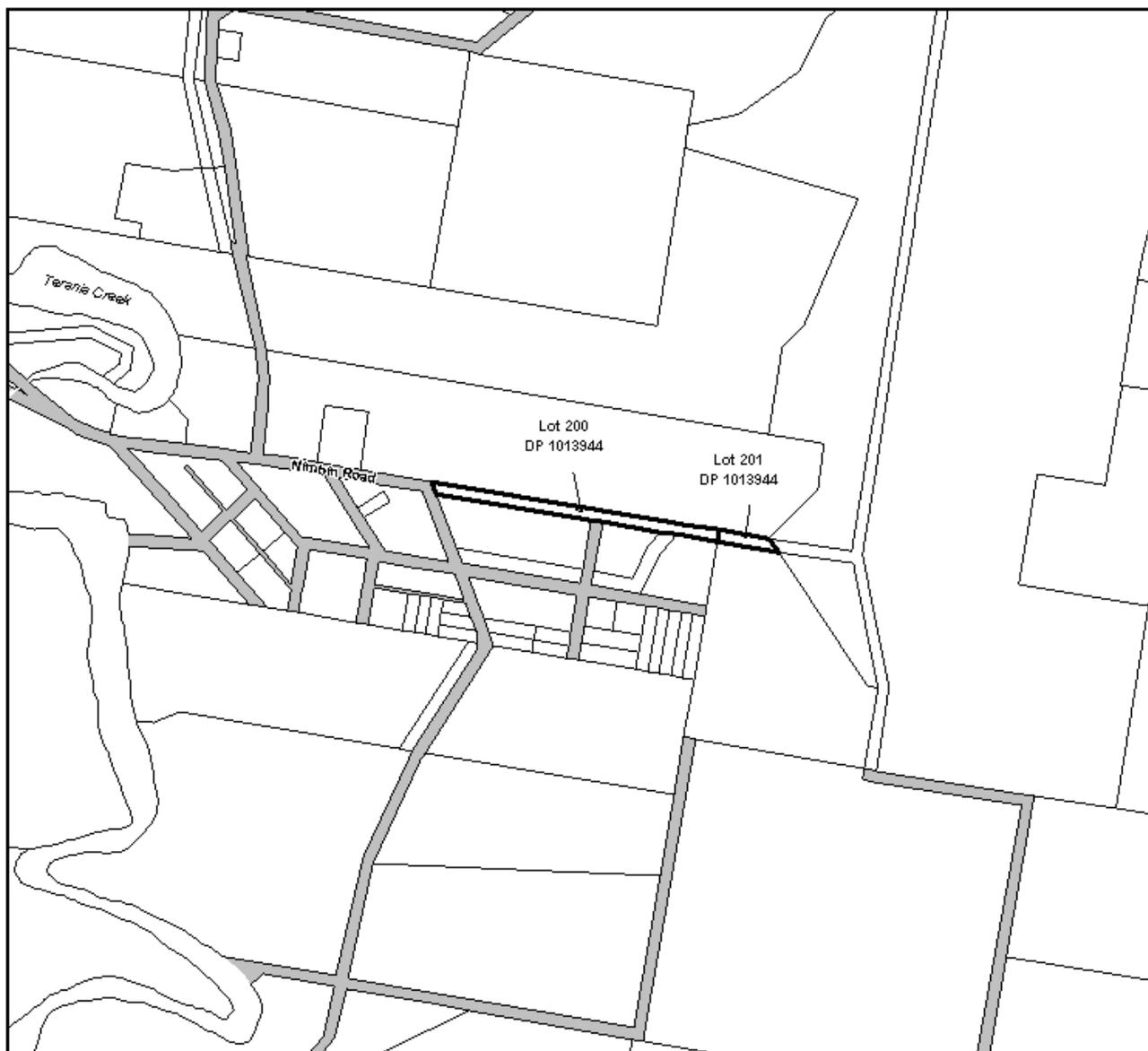
STATEMENT OF RELATIONSHIP WITH OTHER PLANS

THIS PLAN AMENDS LISMORE LOCAL ENVIRONMENTAL PLAN 2000.

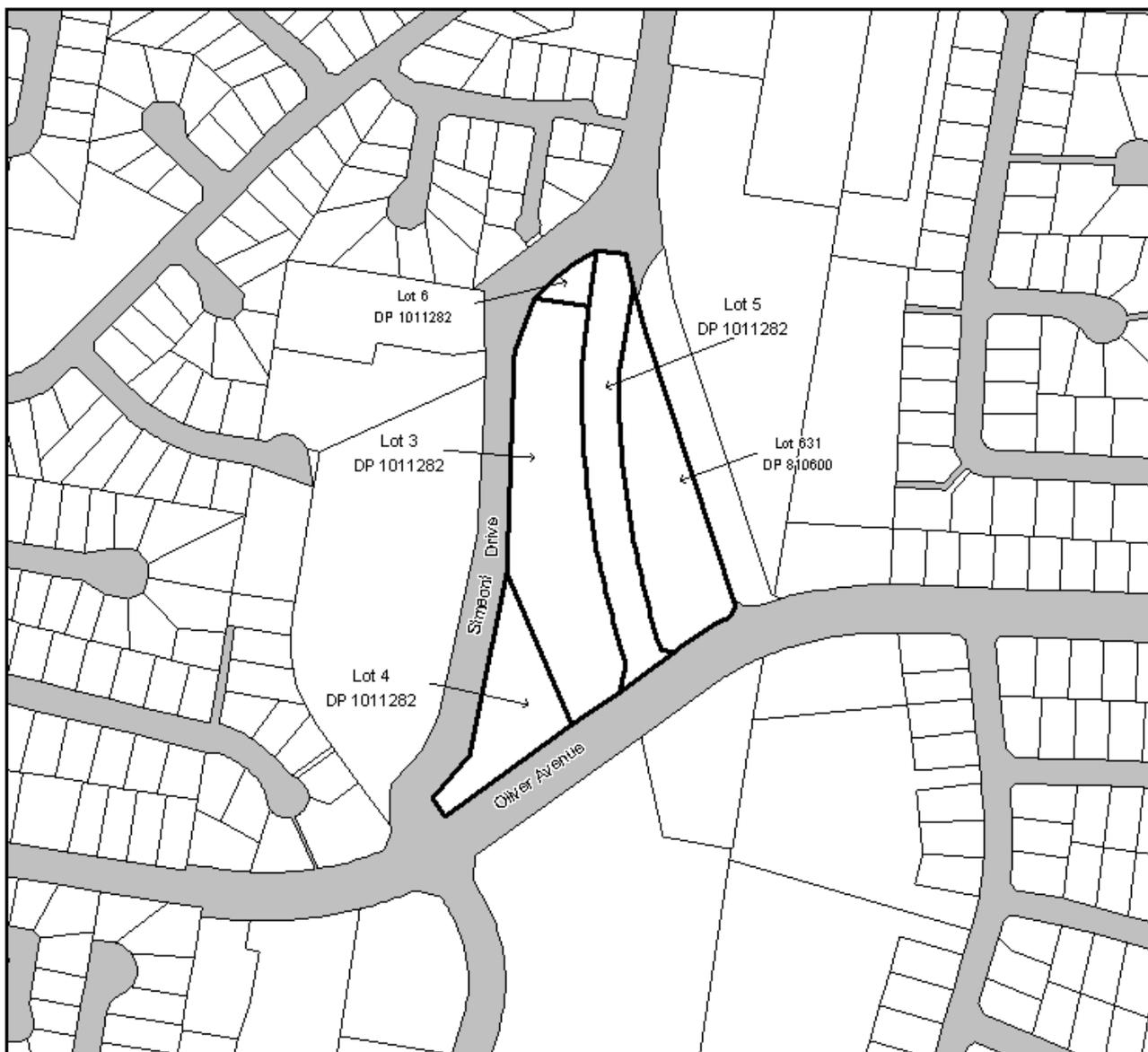
CERTIFIED IN ACCORDANCE WITH THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 AND REGULATIONS AS AMENDED

AUTHORISED  
COUNCIL EMPLOYEE

DATE



		 Subject Land	Sheet 3 of 5
SCALE 1:10,000		LOCALITY OF BLAKEBROOK	PARISH OF BLAKEBROOK
<b>ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979</b> <b>CITY OF LISMORE</b> Amendment No 40 <b>LISMORE LOCAL ENVIRONMENTAL PLAN 2000</b>			
DRAWN BY C Coates		DATE 18/3/2009	STATEMENT OF RELATIONSHIP WITH OTHER PLANS
SUPERVISING DRAFTSPERSON			THIS PLAN AMENDS LISMORE LOCAL ENVIRONMENTAL PLAN 2000.
PLANNING OFFICER H Manning			
COUNCIL FILE No. S975			
DEPT. FILE No. G08/00065-1			
CERTIFICATE PLAN NUMBER			CERTIFIED IN ACCORDANCE WITH THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 AND REGULATIONS AS AMENDED
CERTIFICATE ISSUED UNDER S.65 E.P.A. ACT 3 October 2008			
GOVT. GAZETTE OF			
		AUTHORISED COUNCIL EMPLOYEE	DATE



Sheet 4 of 5



SCALE 1 : 3,543

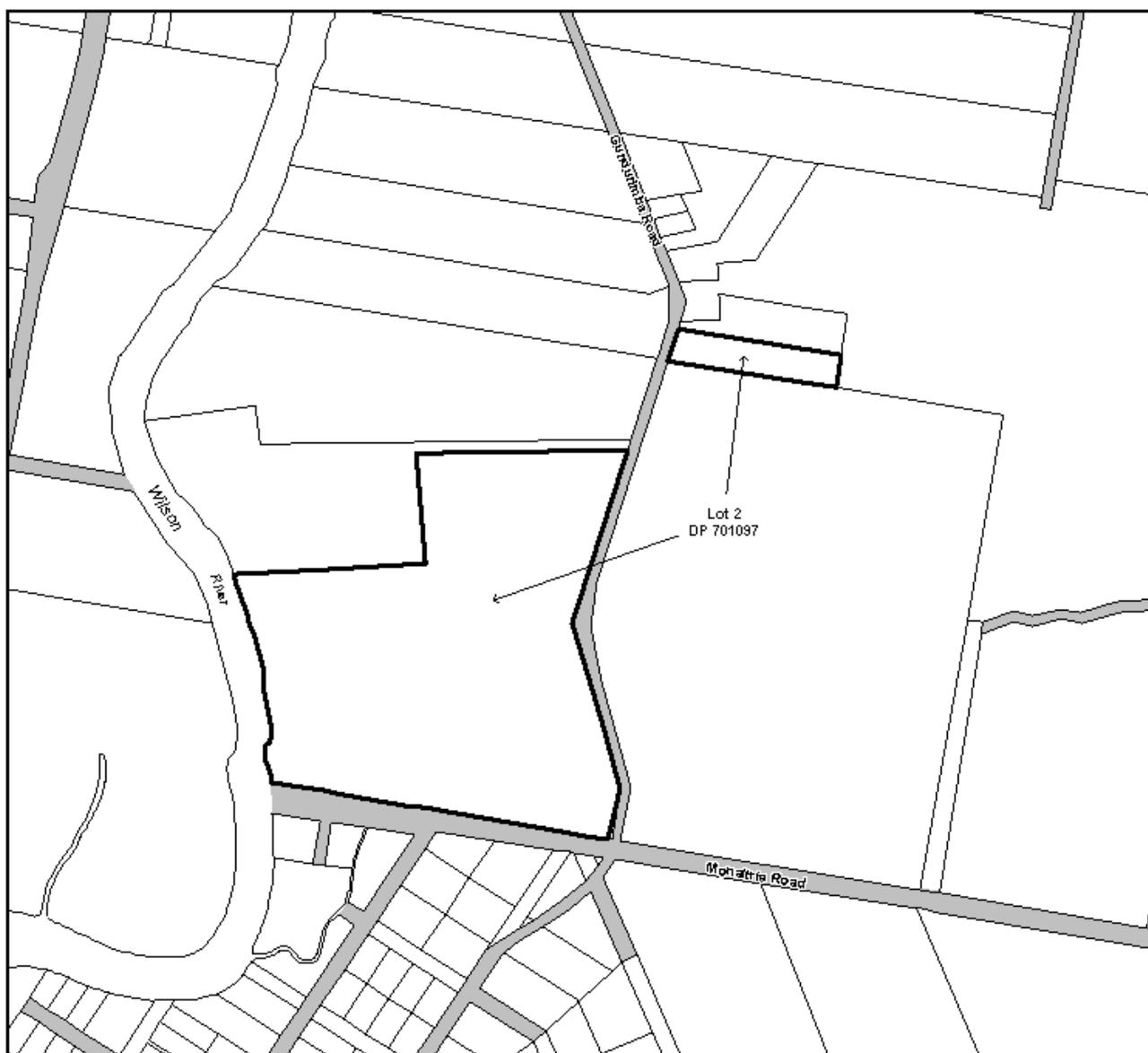
LOCALITY OF GOONELLABAH

PARISH OF LISMORE

COUNTY OF ROUS

**ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979  
CITY OF LISMORE  
Amendment No 40  
LISMORE LOCAL ENVIRONMENTAL PLAN 2000**

DRAWN BY C Coates	DATE 18/3/2009	STATEMENT OF RELATIONSHIP WITH OTHER PLANS  THIS PLAN AMENDS LISMORE LOCAL ENVIRONMENTAL PLAN 2000.
SUPERVISING DRAFTSPERSON		
PLANNING OFFICER H Manning		
COUNCIL FILE No. S975		
DEPT. FILE No. G08/00065-1		
CERTIFICATE PLAN NUMBER		CERTIFIED IN ACCORDANCE WITH THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 AND REGULATIONS AS AMENDED
CERTIFICATE ISSUED UNDER S.65 E.P.A. ACT 3 October 2008		
GOVT. GAZETTE OF		
		AUTHORISED COUNCIL EMPLOYEE
		DATE



Subject Land

SCALE 1 : 8,600
LOCALITY OF MONALTRIE
PARISH OF LISMORE
COUNTY OF ROUS

Sheet 5 of 5

**ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**  
**CITY OF LISMORE**  
**Amendment No 40**  
**LISMORE LOCAL ENVIRONMENTAL PLAN 2000**

DRAWN BY C Coates      DATE 18/3/2009	STATEMENT OF RELATIONSHIP WITH OTHER PLANS
SUPERVISING DRAFTSPERSON	THIS PLAN AMENDS LISMORE LOCAL ENVIRONMENTAL PLAN 2000.
PLANNING OFFICER H Manning	
COUNCIL FILE No. S975	
DEPT. FILE No. G08/00065-1	
CERTIFICATE PLAN NUMBER	CERTIFIED IN ACCORDANCE WITH THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 AND REGULATIONS AS AMENDED
CERTIFICATE ISSUED UNDER S.65 E.P.A. ACT 3 October 2008	AUTHOURISED COUNCIL EMPLOYEE
GOVT. GAZETTE OF	DATE

# Report

<b>Subject</b>	<b>Security Beat Patrol Review</b>
<b>File No</b>	S696:EF09/1715
<b>Prepared by</b>	Manager Economic Development
<b>Reason</b>	Council resolution to consult with the Central Business District (CBD) business community on the effectiveness of the Security Beat Patrol.
<b>Objective</b>	Council to take a proactive role in the management of the Security Beat Patrol
<b>Strategic Plan Link</b>	Economic Development through support of business and CBD revitalisation
<b>Management Plan Project</b>	Economic Development

## Overview of Report

This Report provides the findings of the Security Beat Patrol review and makes recommendations for retention of the service with some improvements to the program.

## Background

Lismore City Council's *CitySafe* Program was introduced in 1999. The Program included the installation of safety cameras within the CBD area, an upgrade of street lighting and the commencement of permanent Security Beat Patrols within the CBD each week day afternoon and Thursday, Friday and Saturday nights.

The *CitySafe* Program is part of a larger integrated program between Council, Police and the business community which aims to minimise harm and increase safety of the Lismore Community and its visitors to the Lismore CBD.

The Program is funded by a combination of the Special Business Rate Variation Levy (SBRVL) and general rates. The SBRVL has been levied annually since July 1, 1998 on business properties in the area bounded by Woodlark, Molesworth, Magellan and Keen Streets. The income received by Council is indexed in line with rate pegging.

The 2008/09 budget for the *CitySafe* Program totals \$230,300 which principally entails recurrent costs associated with the CBD safety cameras and security patrols in the CBD. The contribution via the SBRVL amounts to \$146,800 with the balance coming from Council's funds. Total annual budget for the Security Beat Patrols (day and night patrols) is \$144,800.

The Program is managed by the *CitySafe* Committee, comprising representatives from the NSW Police Force, Lismore Chamber of Commerce, Council's Traffic and Emergency Services Co-ordinator (Chairperson) and Council's Crime Prevention Officer.

In the past decade of the *CitySafe* Program's operation, the crime rate in Lismore's CBD in the four key areas of stealing, malicious damage, robbery and assault, has reduced – see Attachment 1, page 18. This is especially significant as the population of Lismore and the number of visitors to the CBD has grown significantly for the corresponding period.

## Consultation with the business community on the Security Beat Patrol

A survey of business and property owners who contribute to the SBRVL CitySafe Program was conducted between November 19 and December 3, 2008. The survey was designed to find out business and property owners' views on: crime in the CBD, the effectiveness of the Security Beat Patrol, and the level of safety when the Beat Patrol is in operation – see Attachment 1, pages 17 to 20.

501 questionnaires were posted out to contributors to the SBRVL CitySafe Program. 87 responses were received representing a response rate of 17.5%. A very high percentage of respondents (87.5%) requested a copy of the Evaluation Report and provided contact details for this purpose.

Below are the summarised findings:

- a) 61% of business respondents stated they felt safer with the DAYTIME Beat Patrol around, with 16% responding in the negative
- b) 69% rated the DAYTIME Beat Patrol as highly effective or effective, with 14% responding in the negative
- c) 42% of the business respondents stated they felt safer with the NIGHTTIME Beat Patrol around, with 27% responding in the negative; 31% of respondents were “unsure”  
\* This unusual result may be attributable to business proprietors spending little time in the CBD once trading has ceased for the day.
- d) 58% rated the NIGHTTIME Beat Patrol as highly effective or effective, with 13% in the negative
- e) 85% of respondents affirmed the belief that the Security Beat Patrols are an essential part of an integrated crime prevention strategy in Lismore's CB, with 6% responding in the negative

For full survey results, see the Evaluation Report, Attachment 1.

**Overall, the results confirm that property owners and business people contributing to the SBRVL CitySafe Program support the Program and want the continuation of the Security Beat Patrol program.**

In the area of effectiveness, 42 suggestions for improvement were received (representing almost 50% of respondents and a high interest in providing feedback), with the following three themes arising:

- i) Greater powers to apprehend and arrest for the security beat patrol officers
- ii) Extended hours for the Security Beat Patrol service
- iii) Better promotion of the Security Beat Patrol service

For further details, see Attachment 1, pages 15 to 16.

On March 11, 2009, a special meeting of the CitySafe Committee was held, augmented by Council's senior management and principals from the contract security firm. The overarching intent of the CitySafe Program was re-examined and it was reaffirmed that first and foremost, the purpose of the security presence was to enhance the safety of those shopping, working in or visiting the CBD. It was confirmed that the security presence provided under the CitySafe Program did not diminish the responsibility of individual property and business owners to have their own security strategies in place for their individual businesses/premises.

The objectives of this special meeting were twofold:

1. Review CitySafe operations in light of the results of the Security Beat Patrol survey.
2. Based on the three recurring themes for suggested improvements, propose measures to improve both perception and physical provision of security patrols within the Lismore CBD.

i) **Greater powers to apprehend and arrest for the security beat patrol officers**

It was noted that security officers do have the power of arrest on occasions when they have witnessed an offence or where police assistance has been requested, however additional powers under current legislation are not available.

The possibility to split patrol personnel to cover a greater area was also discussed. It was pointed out that the safety of individual security officers could be compromised if this was implemented. There may also be less preparedness for officers to become involved in some incidents without the presence of physical back up and/or having a second officer to act as a witness, should the incident be pursued legally.

It was agreed that the concept of combined CBD foot patrols, i.e. combining CitySafe security foot patrols with those of the Lismore Police, had some merit and would be pursued with the NSW Police.

ii) **Extended hours for the Security Beat Patrol service**

Hours of operation are currently based on available funding and best advice/intel provided by the local Police and the Chamber of Commerce. To extend the existing hours of operation would require an increase in the Special Business Rate.

iii) **Better promotion of the Security Beat Patrol service**

It was agreed that the CitySafe Program could be better promoted, commencing with the publication of the quarterly CitySafe newsletter before Easter 2009.

Agreement was also reached to develop a new information pack outlining the services provided under the CitySafe banner to be distributed to new and existing businesses in the inner CBD area prior to June 30, 2009

### **Security Beat Patrol versus Town Centre Manager**

Whilst Council was surveying inner CBD business people and property owners on the effectiveness of the Security Beat Patrol, a private petition was received by Council on the related issue of Town Centre Management. The petition was worded "I ... (name of person and business) strongly support replacement of the daytime CBD Beat Patrols with a properly resourced Town Centre Manager".

In all, 14 petitions were received:

- 11 petitions were in the affirmative, and
- 3 petitions were re-worded into the negative, i.e. "I ... strongly DO NOT support replacement of the daytime CBD Beat Patrols with a properly resourced Town Centre Manager". Interestingly, without exception, these respondents did not see the issue as an "either/or" situation. Their additional comments on the petition made it clear that they viewed the issue as "one as well as the other", but not at the sake of losing street security.

Adding in these 14 petitions that passed comment on replacing the Daytime Security Beat Patrol to Council's survey results, you still only get 21% that believe the service is ineffective or totally ineffective, compared with 63% that believe it's effective or highly effective.

**Whichever way you look at it, the combined results of the private petition with the Council survey indicate that the resounding majority support the continuation of the daytime security beat patrol.**

## Town Centre Management for Lismore City's heart

Following up on the support for the Town Centre Management displayed in the private petition, over two workshops on November 12 and 19, 2008, the SBRVL Lismore Promotion Program Advisory Group discussed the relative merits of Town Centre Management and its suitability for Lismore. The Group resolved to recommend to Council:

- a) To support to the introduction of Town Centre Management in Lismore, commencing as soon as practicable
- b) That the Town Centre Manager be a contract position for an initial trial period, until 30 June 2010
- c) That a Working Group drawn from the SBRVL Lismore Promotion Program Advisory Group be established tasked to:
  - i. scope the role of Town Centre Management in Lismore
  - ii. write the position description for the Town Centre Manager
  - iii. define the territory for the Town Centre Manager
  - iv. develop the business plan & determine success factors
  - v. develop the governance model that comprises the key stakeholder groups
- d) That the SBRVL Lismore Promotion Program guarantees funding for the position for the trial period

At a Council meeting on 9 December 2008, it was resolved that "Council approve the funding of the Town Centre Management position from the SBRVL Promotion Fund for a trial period (until 30 June 2010) as generally outlined in the report and as per the recommendations of the SBRVL Advisory Group." (248/08)

Staff from Council's Economic Development Unit and Human Resources have facilitated the interview and selection process for this contract position.

**It is expected that the contract Lismore City Centre Manager will commence within the next month, funded by the Lismore Promotion Fund.**

## Comments

### Financial Services

Based on the recommendation, no change is required to the SBRVL for the CitySafe Program in 2009/10. Should extended hours for the Street Beat Patrols be pursued in the future, Council could seek an increase in the SBRVL via a general rate increase (Special Variation to General Income) process.

## Other staff comments

### Manager - Assets and Support Services

I am supportive of the recommendations contained within this Report.

### Traffic and Emergency Services Co-ordinator

The results of the survey strongly reflect the NSW Police Force's view that the CitySafe Program and the various elements, including the Security Beat Patrol, has a positive impact on reducing crime in Lismore's CBD and hence the wide support from the business community.

## Public consultation

Undertaken via the Security Beat Patrol survey.

## Conclusion

The results of the Security Beat Patrol survey confirm that property owners and business people contributing to the SBRVL CitySafe Program widely support the Program and want the continuation of the Security Beat Patrol program – both the day and night services.

Feedback from survey respondents highlight the potential for improvement in three main areas:

- a) Greater powers to apprehend and arrest for the security beat patrol officers,
- b) Extended hours for the Security Beat Patrol service, and
- c) Better promotion of the Security Beat Patrol service.

Actions for an improved foot patrol service and perception by Lismore CBD businesses are being actively pursued and will be implemented in accordance with the improvement plan.

Independent of this process, Lismore businesses have recommended the creation of a City Centre Manager for a trial period until 30 June 2010. This has been supported by Council and funded through the Lismore Promotion Fund.

## Recommendation

1. That Council note the Evaluation Report and continue with the Security Beat Patrol service.
2. That the survey respondents, Chamber of Commerce and the SBRVL Advisory Group members be advised of Council's resolution and sent a copy of the survey results.

# Report

<b>Subject</b>	<b>Request for Tender – Health Services</b>
<b>File No</b>	T200917
<b>Prepared by</b>	Manager Human Resources and Organisational Development
<b>Reason</b>	To advise Council that the Request for Tender process produced a limited response, therefore the need for additional service providers remains.
<b>Objective</b>	To request Council's endorsement of a course of action that will enable a satisfactory outcome for Council while meeting the requirements of the Local Government Act.
<b>Strategic Plan Link</b>	Leadership by Innovation
<b>Management Plan Project</b>	Human Resources and Organisational Development

## Overview of Report

A tender process undertaken by Council staff 'T2009–17 'Provision of Health Services' attracted inadequate responses. Staff now seek Council's endorsement to proceed with a selective tender process.

## Background

On January 13, 2009, tenders were called for suitably qualified person(s)/organisations to undertake the provision of a range of Health Services to the Human Resources Department. Advertisements were placed in both local and State newspapers for the following services:

- Consultant Medical Doctor Services
- Physiotherapy Services
- Chiropractic and Osteopathic Services
- Rehabilitation Services
- Audiometric Testing Services
- Psychologist Services
- First Aid Kit Services

On January 29, 2009, tenders were opened and a schedule of providers prepared for assessment. A Tender Evaluation Panel was convened comprising three Human Resources Officers. The panel received information from the Recruitment Officer on pre-employment health assessment requirements and has reported to management on the assessment of responses. Council's Contracts Administration Officer has been involved at each stage of the tender process.

The Panel has met on three occasions and has concluded the following services **can be finalised**:

Service	Organisation
<b>Chiropractic and Osteopathic Services</b>	<b>James Duffy Chiropractic</b>
<b>First Aid Kit Services</b>	<b>Alpha First Aid and Accidental Health (Combined service to be offered due to kit locations.)</b>
<b>Psychologist Services</b>	<b>Interact Injury Management</b>
<b>Rehabilitation Services</b>	<b>Interact Injury Management</b>

The following services still require finalisation due to the inadequate response. Research by staff and follow up discussions suggests that local suppliers may be able to provide services that **are still outstanding**:

Service	Organisation
<b>Consultant Medical Doctor Services</b>	<b>Goonellabah Medical Centre, Lismore Clinic</b>
<b>Audiometric Testing Services</b>	<b>Advanced Hearing Specialist</b>
<b>Physiotherapy Services</b>	<b>Physio Plus</b>

## Comments

Financial Services

Not required.

## Other staff comments

### **Contracts Administration Officer**

Due to the limited responses to the tendering process for the supply of health services as listed in the report's second table, under the Local Government (General) Regulation Clause 178(4)(a) and 178(3)(e) staff will directly contact and request quotes from suitable suppliers.

## Public consultation

Not applicable.

## Conclusion

The tender process has not delivered an ideal range of responses, however, this is to be expected due to the specific nature of the services and the fact that Council is located in a regional area where specialist health services are somewhat limited. Approval by the Council for the General Manager to proceed to directly contact local providers who are capable of fulfilling Council's requirements is the appropriate next step.

## Recommendation

That:

1. Having received inadequate responses for the provision of health services, Council, in accordance with Clause 178(3)(e) of the Local Government (General) Regulation, resolve to enter into a selective quotation process for those health services still requiring finalisation.
2. In accordance with Clause 178(4)(a) of the Local Government (General) Regulation, the reasons that Council will not invite fresh tenders are:
  - Council has already conducted a request for tender process and received inadequate responses.
  - Council has identified a number of organisations that can deliver the required service.
  - Reasonable competition can be expected in the proposed selective quotation process because there are a number of providers with which Council is proposing to liaise.
3. In accordance with Clause 178(4)(b) of the Local Government (General) Regulation, the reasons that Council is proposing to enter into a selective quotation process with the identified organisations is that they are reputable organisations within the industry, and Council through its own investigations has established that they have the capability to provide the required services.
4. The General Manager be authorised to execute the Contracts, once finalised.

# Report

<b>Subject</b>	<b>Asset Management Policy</b>
<b>File No.</b>	ST:VLC:EF09/2075,ED09/1494,ED09/1509
<b>Prepared by</b>	Manager - Assets and Support Services
<b>Reason</b>	To advise Council a proposed Asset Management Policy.
<b>Objective</b>	Council to adopt the Policy.
<b>Strategic Plan Link</b>	Infrastructure
<b>Management Plan Project</b>	Asset Management

## Overview of Report

Council does not currently have an Asset Management Policy to guide its asset management activities. Such a policy will be important in developing an overall asset management strategy and subsequently asset management plans for the various asset classes that Council has. A model policy has been developed by the Institute of Public Works Engineers Australia (IPWEA) and this has been modified for use at Lismore. The draft policy was considered by the Infrastructure Assets PAG during 2008 and is now reported to Council for adoption.

## Background

Lismore City Council has restructured part of its operations to provide an increased focus on asset management. This is to contribute to the long-term management of Council's infrastructure in an effective and efficient manner and to meet statutory obligations. A key component of Council's asset management activities will be the formation of an Asset Management Policy

At its meetings of May 15 and August 7, 2008, the Infrastructure Assets PAG considered both the model policy developed by the IPWEA and a draft policy prepared by Council staff. The matter was not progressed further due to the local government elections held in September 2008.

A copy of the draft policy is enclosed as Attachment A. The policy is based on the IPWEA document and there is little change, other than in Section 4.2. This section outlines the principles that Council will apply to asset management and in particular Councillors' attention is drawn to the points that deal with backlog of works.

Council has already assessed that there is a substantial backlog of works in its sealed roads network and it is almost certain that similar backlogs will be identified in other asset groups as Council continues its work to identify, quantify and prepare strategies and plans to manage its assets. It is therefore important that any policy and asset management plans acknowledge these facts and provide a mechanism to deal with them adequately.

## Comments

### Financial Services

The adoption of an Asset Management Policy is an important first step as it sets the framework for the development of strategies and action plans, and also guides Council decision making, to best manage

assets.

### Manager Operations

The goal of Infrastructure Asset Management Plans is to determine the required level of service, in the most cost effective manner, through the management of Infrastructure assets for present and future users. Hence, the adoption of an Asset Management Policy is strongly supported from the Operations Section, being an important step in the development of Infrastructure Asset Management Plans.

### Other staff comments

Not required.

### Public consultation

No general public consultation has been undertaken, however, PAG members have been provided the opportunity of input through the normal PAG reporting process.

### Conclusion

Council needs to have an Asset Management Policy to guide its asset management activities. The IPWEA has developed a model policy and staff have prepared a policy for Council based on the IPWEA model. It is recommended that the policy be endorsed and adopted.

### Recommendation (IS16)

That the Asset Management Policy, as attached to the report, be endorsed and adopted.

# Report

<b>Subject</b>	<b>Delegations to the General Manager (S6)</b>
<b>File No</b>	EF09/1075
<b>Prepared by</b>	General Manager
<b>Reason</b>	Requirement of Local Government Act
<b>Objective</b>	To review delegations
<b>Strategic Plan Link</b>	Leadership by Innovation

## Management Plan Project

### Overview of Report

Section 380 of the Local Government Act 1993 requires that Council review all its delegations during the first 12 months of each term of office. This report is presented to satisfy this requirement.

### Background

The following information outlines the position of Council with respect to the delegations to the General Manager. These are the only matters pertinent to this report – Council has not historically exercised any other delegations.

#### General power of the council to delegate:

*377 A council may, by resolution, delegate to the general manager or any other person or body (not including another employee of the council) any of the functions of the council, other than the following:-*

- *the appointment of a general manager*
- *the making of a rate*
- *a determination under section 549 as to the levying of a rate*
- *the making of a charge*
- *the fixing of a fee*
- *the borrowing of money*
- *the voting of money for expenditure on its works, services or operations*
- *the compulsory acquisition, purchase, sale, exchange or surrender of any land or other property (but not including the sale of items of plant or equipment)*
- *the acceptance of tenders which are required under this Act to be invited by the council*
- *the adoption of a management plan under section 406*
- *the adoption of a financial statement included in an annual financial report*
- *a decision to classify or reclassify public land under Division 1 of Part 2 of Chapter 6*
- *the fixing of an amount or rate for the carrying out by the council of work on private land*
- *the decision to carry out work on private land for an amount that is less than the amount or rate fixed by the council for the carrying out of any such work*
- *the review of a determination made by the council, and not by a delegate of the council, of an application for approval or an application that may be reviewed under section 82A of the Environmental Planning & Assessment Act 1979*
- *the power of the council to authorise the use of reasonable force for the purpose of gaining entry to premises under section 194*

- a decision under section 356 to contribute money or otherwise grant financial assistance to persons
- a decision under section 234 to grant leave of absence to the holder of a civic office
- the making of an application, or the giving of a notice, to the Governor or Minister
- this power of delegation
- any function under this or any other Act that is expressly required to be exercised by resolution of the Council.

**Comment:** The above exceptions are reasonably numerous and generally relate to matters which could broadly be described as policy issues as opposed to management issues.

As Councillors are aware, the broad thrust of the Act is to have Councillors determining policy and the General Manager implementing those policies.

Council cannot delegate any function to a staff member other than the General Manager.

### **Functions of General Manager:**

- 335 1) *The general manager is generally responsible for the efficient and effective operation of the council's organisation and for ensuring the implementation, without undue delay, of decisions of the council.*
- 2) *The general manager has the following particular functions:*
- *the day-to-day management of the council*
  - *to exercise such of the functions of the council as are delegated by the council to the general manager*
  - *to appoint staff in accordance with an organisation structure and resources approved by the council*
  - *to direct and dismiss staff*
  - *to implement the council's equal opportunity management plan.*
- 3) *The general manager has such other functions as may be conferred or imposed on the general manager by or under this or any other Act.*

Functions which are designated to the General Manager [(2) and (3) above] cannot legally be exercised by Council.

### **Delegations by the General Manager:**

- 378 1) *The general manager may delegate any of the functions of the general manager, other than this power of delegation.*
- 2) *The general manager may sub-delegate a function delegated to the general manager by the council to any person or body (including another employee of the council).*
- 3) *Sub-section (2) extends to a function sub-delegated to the general manager by the Council under section 377(2).*

**Comment:** *The manner in which the General Manager will carry out the day-to-day management of the Council is not specified, but is monitored through performance assessment processes. The General Manager has given staff appropriate delegations to carry out the day-to-day activities of council.*

### **Exercise of functions conferred or imposed on council employees under other Acts:**

- 381 1) *If, under any other Act, a function is conferred or imposed on an employee of a council or on*

*the mayor or a councillor of a council, otherwise than by delegation in accordance with this section, the function is taken to be conferred or imposed on the council.*

- 2) *Such a function may be delegated by the council in accordance with this part.*
- 3) *A person must not, under any other Act, delegate a function to:*
  - *the general manager, except with the approval of the council*
  - *an employee of the council, except with the approval of the council and the general manager.*

**Comment:** *This is essentially a “housekeeping” clause designed to ensure that the effect of the Act or the desire of Council cannot be circumvented by other Acts.*

## Why have delegations?

*It reflects the intent of the LGA:*

i.e. the separation between policy-making functions of the governing body and the implementation of policy by staff.

*Allows the governing body to function better:*

The Councillors focus on important policy and strategic decisions and avoid having to determine matters of an operational or managerial nature.

*Makes the best use of skilled human resources:*

The Council achieves a greater return on its human resource investment by giving staff greater responsibility and autonomy in their respective skill areas.

*Productivity:*

An enhanced suite of delegations to staff can lead to greater levels of motivation and productivity.

*Maximises overall administrative efficiency:*

Delegation helps achieve optimum use of available human resources and achieve the highest possible rate of productivity at the lowest administrative cost. The cost of decision-making is reduced through eliminating costly and time-consuming formalised reporting to the Council.

*Produces more responsive, informed and effective decisions:*

The Council can be more responsive to its external environment when decisions are made by staff closest to, and with the most detailed knowledge of, issues and problems.

## Form of Delegation:

Advice was taken from Solicitor Lindsay Taylor of Lindsay Taylor Lawyers in preparing the recommended form of delegation which is currently a component part of the General Manager's contract of employment. Its endorsement will continue Council's long-standing practice of issuing broad delegations to its General Manager. It allows the General Manager flexibility to carry out his duties whilst ensuring that decisions will be made in accordance with Council policies.

## Comments

## Financial Services

Not required.

## Other staff comments

Not requested.

## Public consultation

Not requested.

## Recommendation

Pursuant to section 377 of the Local Government Act 1993, Council revoke all delegations of functions from the Council to the General Manager whenever made and delegates to the General Manager all of the functions of the Council under any Act or law that may be lawfully so delegated subject to the following conditions and limitations:

- a) The delegate may not exercise a function under delegated authority if:
  - i) the exercise of the function involves the adoption or amendment of a policy of the Council, or would be inconsistent with the aims and objectives of any existing Council policy;
  - ii) in the case of a function (other than to bring, defend, appear in or settle proceedings), the matter to which the function relates is the subject of actual, threatened or apprehended proceedings in a court or other tribunal or is the subject of a public inquiry under any Act; or
  - iii) Council by resolution, direct that a particular matter be referred to Council for decision, in which event this delegation shall not apply to such particular matter unless and until such direction or resolution is revoked by further direction or resolution.
- b) Only debts of \$5,000 or less may be written off by the General Manager.
- c) The delegate must ensure that the conditions and limitations in paragraphs (a) and (b) apply to functions sub-delegated to Council staff by the General Manager where appropriate.

# Report

<b>Subject</b>	<b>Conduct Review Committee Membership</b>
<b>File No</b>	EF09/640
<b>Prepared by</b>	Corporate Compliance Coordinator
<b>Reason</b>	Council resolution and legislative requirements
<b>Objective</b>	To appoint conduct reviewers
<b>Strategic Plan Link</b>	Leadership by Innovation
<b>Management Plan Project</b>	Councillors

## Overview of Report

Council has re-advertised for Code of Conduct Reviewer. Council need to determine which applications it will accept. The report provides a number of options for the selection process.

## Background

Council at its meeting on the 10/02/09 considered a report on the proposed membership of its Conduct Review Committee. Council resolved that:

1. *Council will re-advertise for expressions of interest for people to apply for the Code of Conduct Committee and the current and any further applicants be requested to provide referees.*
2. *Council continue to pursue with surrounding Councils the options of joint conduct reviewers.*

Following this resolution, Council re-advertised in the Northern Star and the Northern Rivers Echo. Council obtained from Ballina, Kyogle and Richmond Valley contact details of their "Reviewers" and each was written to and invited to nominate. Byron Council had one reviewer who was external to the area and the decision was made not to approach them. The original nominees were contacted to advise them of Council's decision and to seek referee details.

All nominations have been separately enclosed with the business paper along with the copy of the Expression of Interest.

## Nominations

In response the following additional applications were received:

Peter Boughey-	Conduct Reviewer Richmond Valley Council
Ken Clarke-	Conduct Reviewer Richmond Valley Council
Gary Faulks-	Conduct Reviewer Ballina Shire Council
Maureen Follers-	Conduct Reviewer Richmond Valley Council
Lisa Frisken-	Conduct Reviewer Richmond Valley Council
Nicholas Harrison-	
Geof McNamarra-	Conduct Reviewer Kyogle Council

The existing nominees were Bronwyn Connolly, Keith Graham, David Spain and Lindsay Taylor.

Prior to discussing the selection process the following comments are made about the applicants.

- Keith Graham and Geoff McNamarra did not supply referee details.
- Nicolas Harrison is the only new applicant not already part of another Councils Conduct Review Committee.

## **Selection Options**

1. Part of Council's resolution of the 10 February 2009 involved the option of joint conduct reviewers with surrounding Councils. Therefore one approach Council could adopt is to first accept all nominations from those reviewers already appointed by surrounding Councils then select the other nominations to complement those appointments.
2. Council could examine all applicants and select a pool of reviewers; the minimum number recommended by the Department of Local Government is three. There is no maximum number suggested.

The Expression of Interest talked about a number of criteria that Council would have regard to. These being:

1. Knowledge of the legislative policy and procedural framework within which Local Government operates;
2. A capacity to analyse complex issues in a politically sensitive environment;
3. Experience in and a commitment to applying the principles of procedural fairness in decision making;
4. Analytical, investigation and communication skills; and
5. A high level of discretion and confidentiality.

- Two applicants, Keith Graham and Geoff McNamarra did not submit referees and thus should not be considered.
- The qualitative as opposed to quantitative nature of the criteria makes it difficult to score the applicants in absolute terms.
- The applications from Lisa Frisken and David Spain have not specifically addressed the selection criteria and Council is left to infer their skills in this area.
- Gary Faulks is an ex-General Manager, and whilst eminently qualified, some in the community may consider him to be biased in any dealings in such matters.
- Peter Boughey conveys a strong moral sense of right and wrong but is perhaps weaker in the investigative skill set.
- Ken Clarke has a solid resume of working in government.
- Nicholas Harrison is very strong in the legal, investigation and analysis side, but has limited local government knowledge.
- Maureen Follers has a broad general knowledge of the criteria requirements but limited specialised skills.
- Bronwyn Connolly and Lindsay Taylor have excellent qualifications and practical experience in this field.

3. Council also has the option of interviewing the applicants prior to making any appointments.

**Preferred Approach – Option 1**

Traditionally Councils have struggled to achieve effective joint arrangements. The bulk appointment of the surrounding Council's Reviewers would be a small step forward in this ongoing process.

Should Council adopt this approach, it then needs to determine if it wants to appoint any or all of the remaining applicants. All of those applicants have a strong legal background.

There was an indication at the last meeting by Councillors that the two applicants external to the City were acceptable. This view is supported by management. These two being Bronwyn Connolly and Lindsay Taylor.

Should this be adopted, Council would have a pool of eight with four being solicitors.

There would be benefits if one of the three local legal practitioners is appointed but questionable if all three are required. Having reviewed the selection criteria and the information, Nicholas Harrison is ranked as the first preferred applicant.

**Alternative Approach – Option 2**

Should Council wish to select a wider pool of reviewers from the applications submitted the recommended applicants would be:

Peter Boughey, Ken Clarke, Nicolas Harrison, Bronwyn Connolly and Lindsay Taylor.

**Comments**

Financial Services

Not requested.

**Other staff comments**

Not requested.

**Public consultation**

Council has twice advertised for nominations.

**Recommendation**

1. That Council support the concept of joint conduct reviewers with surrounding Councils and appoint Peter Boughey, Ken Clarke, Gary Faulks, Maureen Follers and Lisa Frisken as Conduct Reviewers for this Council.
2. In addition Council appoint Bronwyn Connolly, Nicholas Harrison and Lindsay Taylor as Conduct Reviewers for Lismore City Council.
3. David Spain and Keith Graham be thanked for their interest in submitting a nomination.
4. David Wolfe be thanked for his past involvement in the role of a Code of Conduct Reviewer.

# Report

<b>Subject</b>	<b>Lismore Masters Games Steering Committee membership</b>
<b>File No</b>	S984:EF09/1900
<b>Prepared by</b>	Events Co-ordinator
<b>Reason</b>	Council needs to endorse the new committee.
<b>Objective</b>	Council needs to select membership for the current Council term.
<b>Strategic Plan Link</b>	Economic Development
<b>Management Plan Project</b>	Develop and Support Cultural Sporting and tourism Activities

## Overview of Report

This report provides details of the nominations for the Lismore Masters Games Organising Committee (LMGOC) membership for the current Council term.

## Background

Council needs to select community members for the Lismore Masters Games Organising Committee for the current Council term. To this end adverts for nominations were issued in the Northern Rivers Echo on February 12 and 19, 2009. The nominations received have been compiled in this report.

Nominations are:

<p><b>Ms Therese Crollick</b></p>	<ul style="list-style-type: none"> <li>• <b>Original member of the Masters Games committee on since 1999</b></li> <li>• <b>Chair of the committee from 1<sup>st</sup> Games until present</b></li> <li>• <b>Organiser of the swimming competition for all Lismore Games</b></li> <li>• <b>President of local Masters Swim Club</b></li> <li>• <b>President of Queensland Masters Swimming</b></li> <li>• <b>Safety and Publicity officer for Far North Coast Canoe Club</b></li> <li>• <b>Merchandise Manager for the swimming organising committee at Pan Pac Games.</b></li> </ul>
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<b>Dr Dave Arthur</b>	<ul style="list-style-type: none"> <li>• Has worked as part of the team organising the event since its inception fulfilling many roles within the committee.</li> <li>• Senior lecturer in sport business at Southern Cross University</li> <li>• Is a business analyst having worked in the industry for 18 years as a consultant and commentator.</li> </ul>
<b>Mr Peter Cordery</b>	<ul style="list-style-type: none"> <li>• Has been involved from its initial meeting from its inception being Vice-Chairperson for the duration</li> <li>• Has represented Southern Cross University during this time and is well aware of the benefits and importance of the event to the City of Lismore as well as surrounding regions.</li> </ul>
<b>Mr Tony Clarke</b>	<ul style="list-style-type: none"> <li>• Has been involved on a continual basis since 1999</li> <li>• Currently hold the position of Executive Officer at North Coast Academy of Sport</li> <li>• Has been involved in organisation of the Gold Coast Pan Pac's Masters Games.</li> </ul>
<b>Mr Dave Graham</b>	<ul style="list-style-type: none"> <li>• Expertise and experience is in the area of event management, has worked for over 19 years in the area as the sports, special events and marketing.</li> <li>• Currently employed by the Australian University Sports as part of their events management team</li> <li>• Event Manager of the Northern University Games in 1995.</li> </ul>
<b>Mr Greg Downes</b>	<ul style="list-style-type: none"> <li>• Has 19 years experience in Local Government.</li> <li>• Has experience in event management teaching experience in Sport Management with Southern Cross University (Darrel Chapman Fun Run)</li> <li>• Has a degree in Economics and a Masters degree in International Sport Management.</li> </ul>

## Comments

Financial Services

Not required.

## Other staff comments

Not required.

## Public consultation

Advertised in Lismore City Council's 'City News' in the Northern Rivers Echo, February 12 and 19, 2009.

## Conclusion

All the nominees have been included for consideration by Councillors. All have the appropriate qualifications and motivations for being involved.

## Recommendation

That Council appoint Therese Crollick, Dave Arthur, Peter Cordery, Tony Clarke, Dave Graham and Greg Downes to the Lismore Masters Games Steering Committee for the 2009 and 2011 Lismore Masters Games.

## Attachment – Nominations

Marie Everingham

**From:** Leanne Clark  
**Sent:** Tuesday, 17 February 2009 11:43 AM  
**To:** Records  
**Subject:** RE: Membership of Masters Games committee

LISMORE CITY COUNCIL	
17 FEB 2009	
File No:	5984
Letter No:	09-1242 L Clark
Complaint:	
File out with:	JB
Completes	13

Hi

can this be registered and returned, there was an ad in the echo last week asking for nominations.

Cheers  
 Leanne

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**From:** Records  
**Sent:** Monday, 16 February 2009 8:22 AM  
**To:** John Bancroft; Leanne Clark  
**Subject:** FW: Membership of Masters Games committee

File 5984

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**From:** THERESE CROLLICK [mailto:therese.crollick@bigpond.com]  
**Sent:** Saturday, 14 February 2009 3:30 PM  
**To:** Records  
**Subject:** Membership of Masters Games committee

To: Lismore City Council General Manager -

I wish to apply for continued membership of the Lismore Masters Games committee, my qualifications to support this application are listed here -

Original member of the Masters Games committee and on every organising committee since the first Games.  
 Chair of the committee from the first Games until the present  
 Organiser of the swimming competition for all Lismore Games  
 President of local Masters swim club - Duck Creek Mountain Masters  
 President of Queensland Masters swimming  
 Safety and Publicity officer for Far North Coast canoe club  
 Merchandise manager for the swimming organising committee at the Pan Pac Games(1998,2000,'02,'04)  
 Have organised swim coaching camps for Masters swimmers ('01,'02,'03)

Thank you for considering this application  
 Therese Crollick

**Marie Everingham**

**From:** Leanne Clark  
**Sent:** Tuesday, 17 February 2009 12:20 PM  
**To:** Records  
**Subject:** FW: Lismore Masters Games Steering Committee

LISMORE CITY COUNCIL	
17 FEB 2009	
File No:	5984
Letter No:	DA-1241
Complainant:	L. Clark
File out with:	AB
Complete:	Result:

Hi

can I have this registered and returned, please,

Cheers  
 Leanne

**From:** Dave Arthur [mailto:darthur@scu.edu.au]  
**Sent:** Thursday, 12 February 2009 12:02 PM  
**To:** Records  
**Subject:** Lismore Masters Games Steering Committee

**Whoever it may Concern**

I wish to apply to become a member of the Lismore Masters Games Steering Committee.

I have worked as part of the team organising the event since its inception fulfilling many roles within the committee. I am a senior lecturer in sport business at Southern Cross University as well as a respected sport business analyst having worked in the industry for 18 years as a consultant and commentator.

If you require further information please do not hesitate to contact me. I can also supply a detailed cv on request.

cheers  
 dave

**Dr Dave Arthur**  
 Sport Business  
 Graduate College of Management  
 Southern Cross University  
 m. +61 (0)412 585 655  
 e. [david.arthur@scu.edu.au](mailto:david.arthur@scu.edu.au)  
 s. davearthur

Marie Everingham

From: Peter Cordery [peter.cordery@scu.edu.au]  
 Sent: Wednesday, 18 February 2009 4:05 PM  
 To: Records  
 Subject: Lismore Masters Games Steering Committee nomination

LISMORE CITY COUNCIL	
19 FEB 2009	
File No	5984
Letter No	09-1380
Arg. Off	R. Bennett
Complaint	ACK
See out with	JB

To: the General Manager, Lismore City Council I wish to nominate for membership of the above committee. I was a participant in the initial meeting in relation to this event in the mid-1990s and have been on the committee from its inception, being Vice-Chairperson for the duration.

While I have represented Southern Cross University during this time I am well aware of the benefits and importance of the event to the City of Lismore generally as well as surrounding regions.

I am committed to the success of the sixth Games scheduled for September of this year and look forward to continuing my involvement in this important event and its Steering Committee.

Regards,  
 Peter Cordery

Peter Cordery  
 Business Manager, Corporate Services  
 Southern Cross University  
 PO Box 157 Lismore NSW 2480 AUSTRALIA  
 Ph. +61 02 6620 3696 Fax. +61 02 6620 3692

"This e-mail is solely for the named addressee and may be confidential. You should only read, disclose, transmit, copy, distribute, act in reliance on or commercialise the contents if you are authorised to do so. If you are not the intended recipient of this e-mail, please notify the sender by e-mail immediately and then destroy any copy of this message."

## E-mail Message

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**From:** Records [EX:/O=LISMORE CITY COUNCIL/OU=LISMORE/CN=RECIPIENTS/CN=LISMORE]  
**To:** Leanne Clark [EX:/O=LISMORE CITY COUNCIL/OU=LISMORE/cn=Recipients/cn=leannec], John Bancroft [EX:/O=LISMORE CITY COUNCIL/OU=LISMORE/cn=Recipients/cn=JohnB]  
**Cc:**  
**Sent:** 23/02/2009 at 9:52 AM  
**Received:** 23/02/2009 at 9:52 AM  
**Subject:** FW: Masters Committee for 2009 Application.

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**Attachments:** Ad for committee members.doc

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File S984 not sure if I sent this email - I have captured it to register when we go live Thursday - Marie

**From:** Tony Clarke [mailto:tclarke@ncas.org.au]  
**Sent:** Friday, 20 February 2009 5:29 PM  
**To:** Records  
**Subject:** Masters Committee for 2009 Application.

I wish to apply for the Masters Games Committee.

I have been on the Lismore Masters Games Committee on a continual basis since 1999.

I currently hold the position of Executive Officer at North Coast Academy of Sport, and have been involved with other Masters Games organisation (PanPacs).

If the committee approves of my continuation, I will be happy to offer my services.

Tony Clarke  
 Executive Director, North Coast Academy of Sport, PO Box 157, Lismore NSW 2480, Ph: 02-6620 3073, Mb: 0412 693 073, Fx: 02-6620 3707, Email: tclarke@ncas.org.au , Skype: tclarkencas, Website: www.ncas.org.au ABN: 19 536 201 275.

Dave Graham  
387 Rifle Range Rd  
Alstonville, NSW 2477  
Ph: 0410645074

27<sup>th</sup> February 2009  
John Bancroft  
Event Manager  
Lismore Masters Games

**RE: Nomination for Lismore masters Games Committee**

Dear John

Please accept this letter as my expression of interest to be a member of the Lismore Masters Games Committee.

I have previously been a member of this committee from its conception and would be keen to continue my association with this event as a member of the committee.

My experience and expertise is in the area of event management, as I have worked for over 19 years in the area as the sports, special events and marketing. I am also currently employed by the Australian University Sport as parts of their events management team that co-ordinate the Australian University Games and other events.

I was also the Event Manager of the Northern University Games back in 1995 when they were held in Lismore, so I have experience in running a multi sports event in the Lismore region.

I hope that you look on my nomination favourably as I believe I could contribute considerably as a member of this committee.

Yours faithfully

Dave Graham

**Greg Downes**  
6 Somerset Place  
Lennox Head NSW 2478

**Tel:** H 02 6687 6550  
M 0417 653198  
**Email:** gmscore@hotmail.com

26 February 2009

General Manager  
Lismore City Council  
43 Oliver Ave.,  
GOONELLABAH NSW 2480

Dear Sir,

**Application for membership on the Lismore Masters Games Steering Committee.**

I am writing to apply for membership on the Lismore Masters Games Steering Committee, as advertised in the Echo on Thursday 19 February 2009.

I believe that my wide ranging experience in working with the community in sport for over twenty years on the far north coast, and my keen interest in sport at the local and regional level makes me a suitable candidate for membership to the Lismore Masters Games Steering Committee.

I have nineteen years of related and relevant working experience in Local Government, particularly in the area of community and recreational services, event management teaching experience in Sport Management with Southern Cross University (Darrel Chapman Fun Run), and Ball State University, employment experience in Sport Management Consultancy Services and I am a long serving board member with the North Coast Academy of Sport. I have held several executive positions with a number of sporting organisations including Football Far North Coast, Surf Life Saving, Swimming and Triathlon.

I am suitably qualified to undertake the position with a degree in Economics and a Masters degree in International Sport Management.

I possess excellent communication and organisational skills and I work very well as a member of a team. I

I am healthy and I have been a permanent resident of the far north coast for over twenty years, and have been actively involved in the sporting and wider community through both my professional career and my involvement with sport at the community and regional level. I also compete in Masters swimming and running.

Thank you for considering this application and I look forward to hearing from you in the near future.

Yours sincerely

# Report

<b>Subject</b>	<b>Investments held by Council – March 2009</b>
<b>File No</b>	EF09/586
<b>Prepared by</b>	Management Accountant
<b>Reason</b>	Required by Local Government Act 1993, Local Government (General) Regulations 2008 and Council's Investment Policy.
<b>Objective</b>	To report on Council Investments
<b>Strategic Plan Link</b>	Leadership by Innovation
<b>Management Plan Project</b>	Financial Services

## Overview of Report

Council investments as at 31 March 2009 are estimated to be \$24,017,401 subject to final value of funds held under separate management being advised shortly.

The interest rate reported for March 2009 is estimated to be 4.30% in comparison to 6.76% for March 2008. Council's return of 4.30% is above the Bank Bill Swap Rate for the same period of 3.11%. The final interest return may vary due to actual returns achieved in the funds held under separate management.

In regards to investments directly affected by the Lehman Brothers Holdings bankruptcy totalling \$1.4 million, notification has been received advising that legal action is proposed to terminate these investments. While a loss on capital of approximately \$791,000 has already been recognised for these investments, a further significant loss, yet to be quantified, is expected.

## Background

The Local Government Act 1993 (Section 625), Local Government (General) Regulations 2005 (Regulation 212) and Council's Investment policy requires a monthly report be provided to Council on investments. The report is to include the source and amount of funds invested, terms of performance of the investment portfolio over the preceding period and a statement of compliance in relation to the requirements of the Local Government Act 1993.

### Report on Investments

- *Confirmation of Investments – at Market Value – 28 February 2009* \$23,750,177
- *Estimated Investments – at Market Value – 31 March 2009* \$24,017,401

The current rate of return on investments for March 2009 is estimated to be 4.30% compared to 6.76% for March 2008. Council's return of 4.30% is above the Bank Bill Swap Rate for the same period of 3.11%. The rate of return reported has been calculated using actual returns where available and estimates based on the previous period balance and interest rates. The methodology used to calculate estimates appears reasonable in light of discussion with the portfolio advisor.

Unexpectedly, coupons were received from five investments proposed to be terminated. Information on the termination is provided under '*Terminating Investments*'. The payment received was

approximately \$23,000 and this has been used to estimate the interest rate for the period. The inclusion of these coupons in the interest rate calculation for March has inflated the rate by 1.35% to give the estimated rate for the month of 4.3%. CPG have advised that it would be prudent not to accrue any future interest on these investments until information on the termination or otherwise received.

Investments held in Longreach – Series 25 and ASPRIT III Trust are no longer paying coupons as reported previously and are shown on the Estimated Interest attachment with an interest rate and estimated interest for the period of zero.

## **Terminating Investments**

Council has received notification from the Trustee's that legal action is being taken to pursue the termination of the following investments:- Beryl Esperance 2, Beryl Global Bank Note, Zircon Merimbula, Zircon Coolangatta and Zircon Miami. Council had invested \$1.4 million in these and at June 30, 2008 they were valued at approximately \$609,000. As part of the legal action process, the Trustee is required to seek instructions from note holders as to the action to be taken. The options include a) terminate the agreements, b) no action or c) abstain.

Advice received from Council's investment advisor, CPG Research and Advisory PL recommended voting for a) terminate the agreement as it is likely to be in the financial interests of note holders. A vote for b) or c) would likely result in the forfeit of all invested capital and coupon payments. As the date required for the decision was March 18, 2009, the instructions to a) terminate the agreements was issued.

Information on the outcome of the vote and expectations of capital recovery is being pursued, but it is likely that there will be a further significant capital loss sustained with these investments.

## **Attachments**

The following attachments have been included for Council's information:

- Capital Value Movements including name of institution, lodgement date and maturity date.
- Estimated Interest showing interest rate and estimated interest earned for the period.
- Total Investment Portfolio held by month with last year comparison - graphical
- Investment by Type - graphical
- Weighted Average Interest Rate with bank bill swap rate and last year comparison – graphical
- Investment by Institution as percentage of total portfolio – graphical

## Comments

### Financial Services

The investments held by Council with various financial institutions, have been made in accordance with the Local Government Act 1993, Local Government (General) Regulation 2005 and Council's investment policy.

In regards to the action to terminate five investments, it is supported as the advice from CPG Research and Advisory is clear in that it is likely to be in the investor's best interests. Council will incur a further loss in capital on these investments, but the exact amount will not be known until settlement is finalised. This will be reported to Council at that time.

## Other staff comments

Not applicable

## Public consultation

Not applicable

## Conclusion

A report on investments is required to be submitted to Council monthly. This report meets that requirement. For March 31, 2009, investments total \$24,017,401 and the annualised rate of return was 4.3%.

The investments held by Council with various financial institutions, have been made in accordance with the Local Government Act 1993, Local Government (General) Regulation 2005 and Council's investment policy.

In regards to the five investments directly affected by the Lehman Brothers Holdings bankruptcy, action has been taken to pursue the termination of these investments based on advice from Council's investment advisor, CPG Research and Advisory PL. While a loss on capital of approximately \$791,000 has already been recognised, a further significant loss, yet to be quantified, is expected.

## Recommendation

1. That the report be received and noted.
2. That the action taken to terminate investments in Beryl Esperance 2, Beryl Global Bank Note, Zircon Merimbula, Zircon Coolangatta and Zircon Miami be endorsed.

# Report

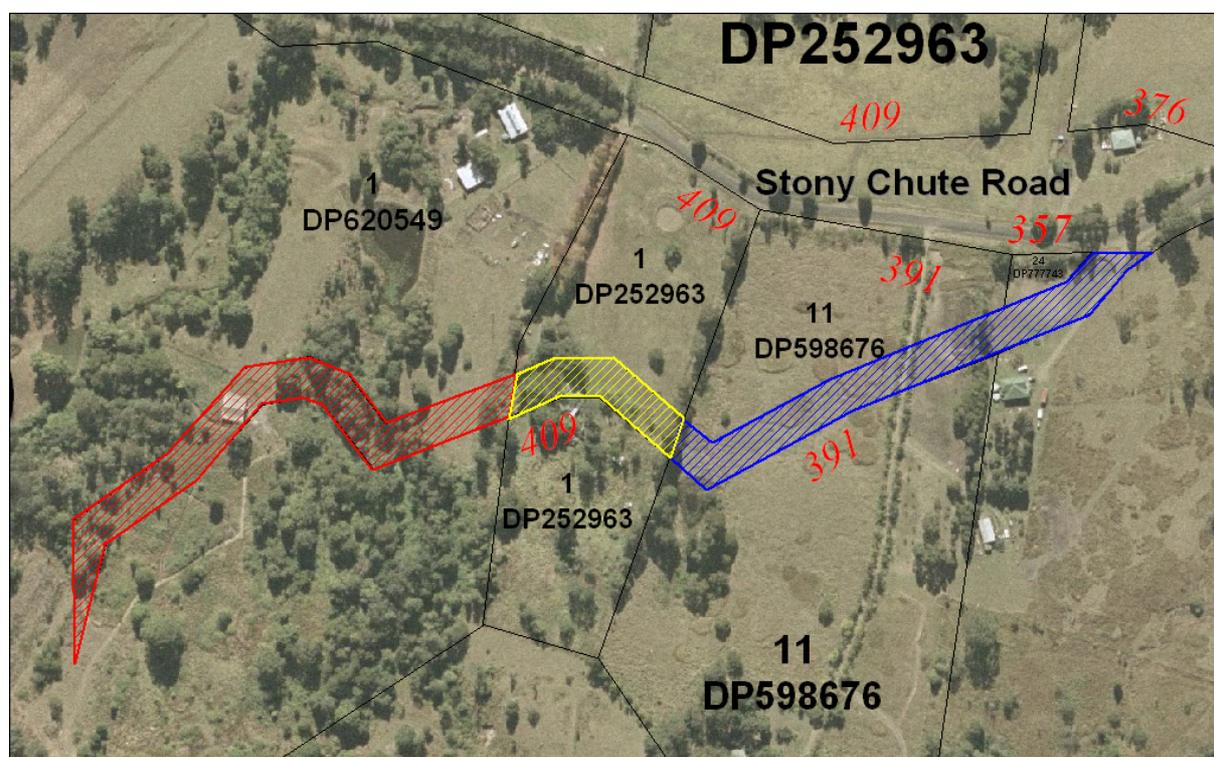
<b>Subject</b>	Applications for closure of unformed public road – off Stony Chute Road, Nimbin
<b>File Nos.</b>	P13864, P13867, R2105
<b>Prepared by</b>	Property Officer
<b>Reason</b>	To close unformed, unnamed portions of road which are dividing the applicants' land.
<b>Objective</b>	To seek a Council resolution for a road closing application.
<b>Strategic Plan Link</b>	Infrastructure
<b>Management Plan Project</b>	Roads and Bridges

## Overview of Report

Two applications have been received to close adjacent unformed unnamed portions of Council road generally running in a south-west to north-east direction towards Stony Chute Road, Nimbin (across Lot 1 DP 620549 and Lot 1 DP 252963).

## Background

Council has received applications from the owners of Lot 1 in DP 620549 (marked red on aerial photo below) and Lot 1 in DP 252963 (marked yellow) for the closure of the unnamed, unformed road running generally south-west to north-east towards Stony Chute Road, Nimbin, as shown below. The subject location is 4.3km due west of the township of Nimbin.



A report was previously presented to Council on May 13, 2008, in relation to the application by the adjoining owners of Lot 11 DP 598676 and Lot 24 DP 777743 (marked blue on aerial photo above) for the closure of the section of this unnamed and unformed road passing through their property. Council resolved to close that portion of road and the application is currently with the Department of Lands. Approval to close this portion of road (marked blue) will isolate the remainder of the road (marked yellow and red) which is the subject of this report.

The applicants have requested closure of the road to provide an unconstrained layout with a more regular shaped lot; enable the land to be better utilised without the location of a road dividing the lot; and will not hinder possible future potential development by the applicants. The land is Zoned 1(a), General Rural Zone.

The road is unformed and no previous construction or maintenance has been undertaken by Council. No Council services are known to exist within the section of unformed road subject to the application, therefore closure will have no impact on Council's existing infrastructure or services.

As Council has not previously undertaken any construction or maintenance within this road reserve, in accordance with Section 38(2)(b) of the Roads Act 1993, upon closure, the former road will become vested in the Crown as Crown land.

## Comments

### Financial Services

All costs associated with the road closure are to be borne by the applicants.

## Other staff comments

### Planning Services

The Planning Services Section has no objection to the proposed closure.

### Manager - Operation

The Roads Section concurs with this request and has no objections to the proposed road closures as shown.

## Public consultation

If approved by Council, the Department of Lands takes responsibility for consulting with all adjoining landowners and the placement of public notices giving 28 days for interested parties to make submissions on the proposal.

## Conclusion

The closure of this unformed road is consistent with Council's previous closure of unformed roads for which Council has no intended future use. Upon closure, the closed road is to be consolidated with the remainder of the respective lots.

No known existing Council infrastructure or services will be impacted by the closure. However, should any impact become apparent during the closing process the applicant will be responsible for ensuring that their continuity and integrity is retained either by way of an easement or relocation to the satisfaction of the Council.

As this road is unformed and has had no previous construction or maintenance undertaken by Council, the land comprising the former road will, upon closure, become vested in the Crown as Crown land.

## Recommendation (IS21)

That:

1. Council consent to the application to close the unformed, unnamed road reserve adjoining Lot 1 in DP 620549 and Lot 1 in DP 252963, shown as red and yellow respectively on the aerial photograph included in the report.
2. All costs associated with the closure and sale process are to be met by the applicants.
3. Upon closure of the road, the applicants be required to purchase the land from the Department of Lands, and consolidate the respective portions with their adjoining property.
4. The Department of Lands be advised accordingly and requested to progress the application.
5. The common seal of Council to be affixed to any documentation as necessary.

# Report

<b>Subject</b>	<b>Nimbin Road, Goolmangar – Federal Blackspot Funding Program</b>
<b>File Nos.</b>	R2801, P16712, P16412, P21998
<b>Prepared by</b>	Property Officer
<b>Reason</b>	To acquire land for the realignment of Nimbin Road, Goolmangar.
<b>Objective</b>	To seek Council's approval for the purchase of land and land swap.
<b>Strategic Plan Link</b>	Infrastructure
<b>Management Plan Project</b>	Roads

## Overview of Report

To enable the realignment of Nimbin Road, Goolmangar, approval is sought for the purchase of land and a land swap to enable this project to proceed. This project is funded through the 2008/2009 Federal Blackspot Program with the works planned to commence in April 2009.

## Background

A section of Nimbin Road approximately 0.5km north of the intersection with Jiggi Road at the Goolmangar village has been identified in the Federal Blackspot Funding Program. Nimbin Road, Goolmangar, is classified as a major arterial road under Council's road hierarchy.

Two land holdings are affected by the realignment of the subject sharp corner. All land proposed to be acquired is zoned Rural 1(r) Riverlands under the Local Environmental Plan 2000 and is currently utilised for agriculture. Please see aerial image showing land acquisitions and land swap (Attachment 1), and design plan (Attachment 2).

It should be noted that the land acquisitions are being undertaken on the basis of negotiated agreements with the relevant property owners, and not on the basis of compulsory acquisition. Details of the agreements follow:

### First Parcel - Lot 1 DP 122612 – 12 Jiggi Road, Goolmangar

A total area of 123.8m<sup>2</sup> (marked yellow on Attachment 1), is to be acquired for the realignment and in return Council will transfer to the landowners a parcel of land of 266m<sup>2</sup> in compensation. There is to be no monetary compensation paid to the landowner.

### Second Parcel - Lot 1 DP 122598 and Lot 1 DP 122616 – 894 Nimbin Road, Goolmangar

A total area of 2,344m<sup>2</sup> (marked red on Attachment 1), is to be acquired for the realignment. In accordance with an independent valuation obtained on December 9, 2008, it is proposed to compensate the owners the sum of \$2,930.00 (+ GST if applicable).

In both cases, Council will pay survey costs, Council fees, plan registration fees and the owners' reasonable legal costs in relation to the road realignment. In addition, driveway access to improve sight distances; treatment of road culvert to reduce concentrated run-off; fencing along the boundary of the realigned road will be undertaken as part of the roadworks. It is not expected that there would be any excess fill, however, should any be generated it will be relocated to an easily accessible location on the same lot.

## Comments

### Financial Services

The funding for this project is \$190,525 in the 2008/09 Budget for Nimbin Road. The costs for land acquisition, legal fees (Council's and landowners'), survey, associated fees and other agreed costs will be funded from this budget allocation.

## Other staff comments

### Manager - Operations

The proposed property acquisition is supported from the Operations Section. The subject land acquisitions will allow this essential road realignment project to be undertaken, providing a much safer horizontal curve, reducing the frequency of accidents.

### Manager - Planning

This proposal does not raise any land use planning issues.

## Public consultation

The affected landowners have been consulted regarding the proposed road reconstruction including the realignment.

## Conclusion

Acquisition of this land is necessary for the realignment of the subject sharp corner. This realignment will improve safety for road users and reduce the probability of vehicular accidents on the subject corner by:

- increasing sight distances for motorists;
- widening road shoulder width; and
- increasing the radius of the horizontal curve.

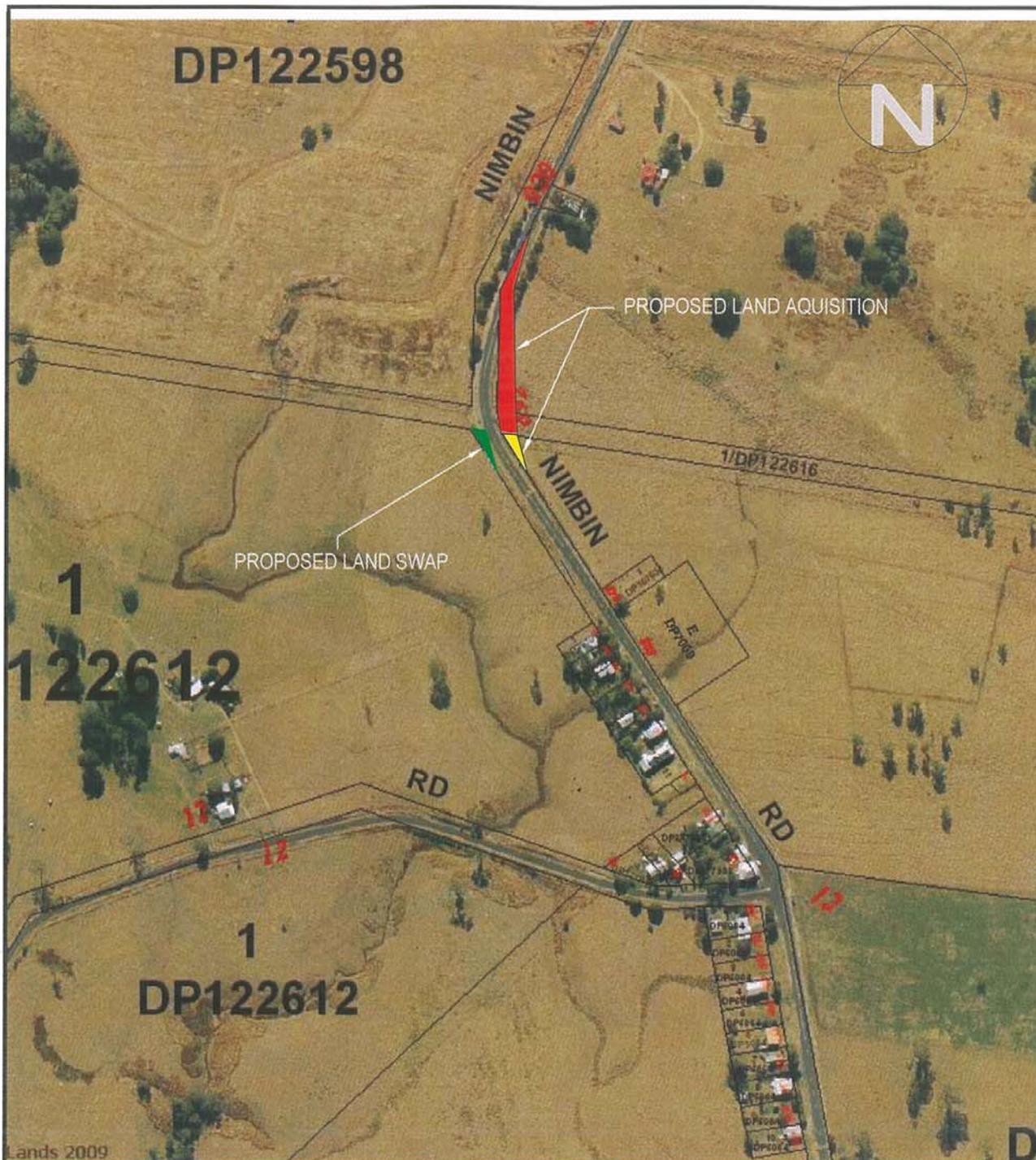
Agreement has been reached with the landowners regarding the acquisitions and the affected lands have been surveyed and are awaiting subdivision and plan registration.

## Recommendation (IS15)

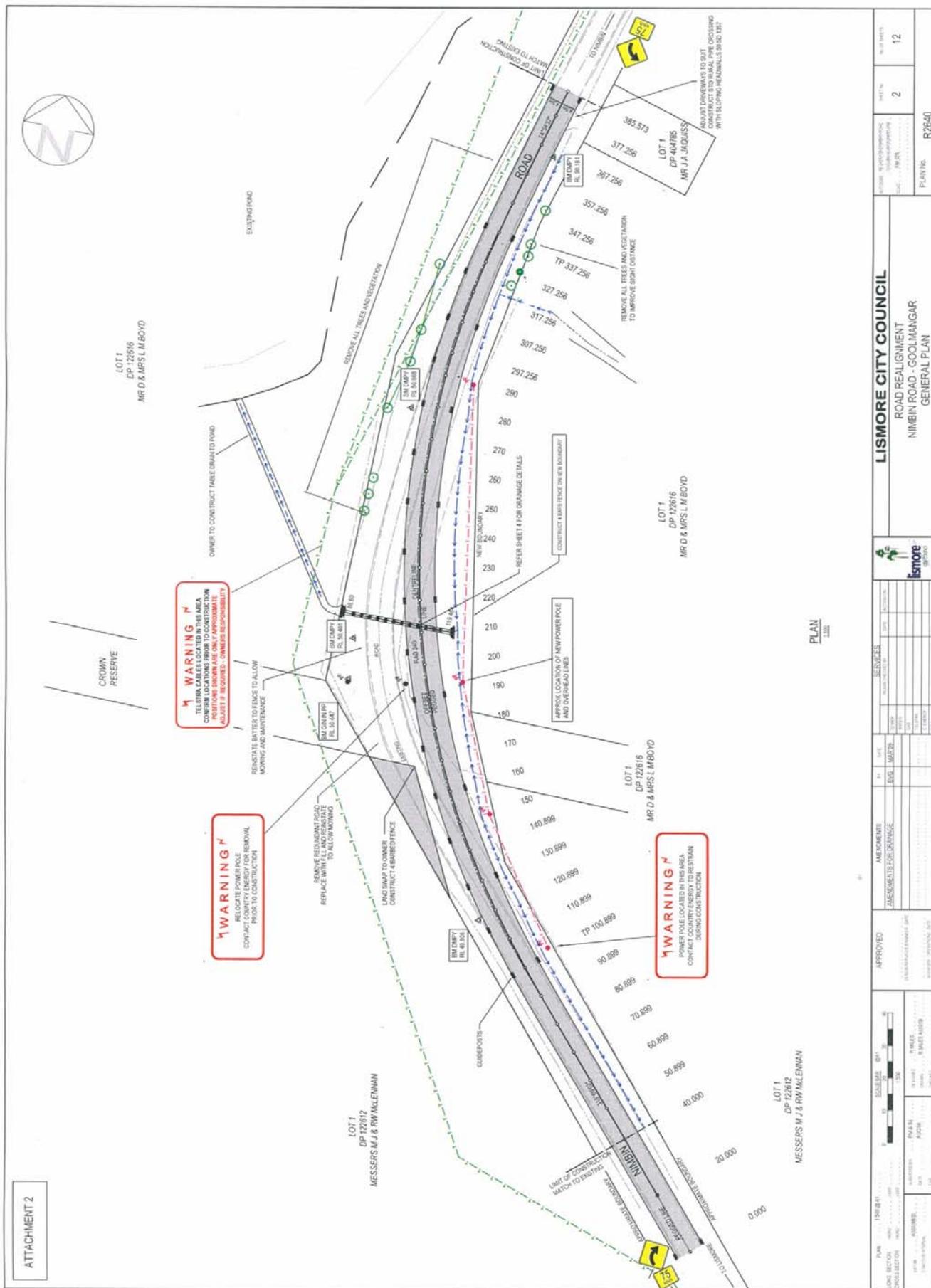
That :

1. The General Manager be authorised to finalise negotiations with the relevant property owners for Council to acquire (purchase and land swap) parts of Lot 1 DP 122612, Lot 1 DP 122598 and Lot 1 DP 122616 as shown in the attachments accompanying the report for the purpose of re-alignment of Nimbin Road, Goolmangar.
2. Council provide replacement boundary fencing along the roadway and complete all necessary works to enable the road realignment.
3. Council pay all fees and reasonable legal costs of the respective property owners in relation to the property acquisitions necessary for the road realignment.

4. The Mayor and General Manager be authorised to sign and affix the Council Seal to all documentation necessary to complete the required land transactions.



Lands 2009		D	
DATUM		<b>LISMORE CITY COUNCIL</b>	
APPROVED		ATTACHMENT 1	
DES SERVICES ENGINEER - DATE		LAND ACQUISITION NIMBIN ROAD	
MANAGER - OPERATIONS - DATE		GOOLMANGAR	
		SCALE NOT TO SCALE	
		AUTOCAD R2640PLANS	
		DRAWN BG /MARCH 2009	
		PLAN No.	R2718



ATTACHMENT 2

<p><b>LISMORE CITY COUNCIL</b> ROAD REALIGNMENT NIMBIN ROAD - GOOLMANGAR GENERAL PLAN</p>		<p>PLAN NO: R2640</p>
<p>DATE: 12/08/09</p>	<p>SCALE: 1:100</p>	<p>NO. OF SHEETS: 12</p>
<p>DESIGNED BY: [Name]</p>	<p>CHECKED BY: [Name]</p>	<p>DATE: 12/08/09</p>
<p>APPROVED BY: [Name]</p>	<p>DATE: 12/08/09</p>	<p>PROJECT NO: [Number]</p>

**MINUTES OF THE TRAFFIC ADVISORY COMMITTEE MEETING  
HELD ON MARCH 18, 2009 AT 10.00 AM.**

**EF09/1963**

	<b>Present</b>	Councillor Jenny Dowell ( <i>Chairperson</i> ), Bronwyn Mitchell on behalf of Thomas George, MP, Stefan Wielebinski ( <i>RTA</i> ), Snr Const Rob Clarke ( <i>Lismore Police</i> ).
	<b>In Attendance</b>	Scott Turner ( <i>Manager-Assets &amp; Support Services</i> ), Lisa Marshall ( <i>Road Safety Officer</i> ), and Bill MacDonald ( <i>Traffic &amp; Emergency Services Coordinator</i> ).
TAC4/09	<b>Apologies</b>	An apology for non-attendance on behalf of Thomas George MP was received and accepted.
TAC5/08	<b>Minutes</b>	The Committee was advised that the minutes of the Traffic Advisory Committee meeting held on February 18, were confirmed by Council on March 10, 2009 <i>with the exclusion of B-09-02:3 which was referred back to the Committee with the recommendation that:</i> <ol style="list-style-type: none"><li>1 Council consult with the Wilsons River Land Care Group prior to any tree trimming.</li><li>2 A letter be written to the Department of Community Services (DOCs) to advise staff where to park.</li></ol>

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**Disclosure of Interest**

Nil

**Part 'A' – Committee Recommendations**

**Dr Ellen McGirr – 92 Uralba Street**

Requesting provision of a mobility parking bay in front of her surgery at 92 Uralba Street to enable easy access to the surgery for patients with mobility problems.

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Parking has been provided on site at the rear of the premises, however, this would be difficult to access for those with a mobility problem due to the steepness of the property. Parking on street along the section of Uralba Street in question which is east of Rotary Drive has a 2 hour time limit and is heavily parked making it difficult for those who need to access the pedestrian ramp that services the front of the premises. The road widens at the western boundary of No. 92 providing sufficient width for the introduction of an accessible parking bay.

**TAC6/08 Recommended:** That an accessible parking bay be provided on the northern side of Uralba Street immediately east of the side boundary to No. 92 Uralba Street in front of the existing pedestrian ramp. (CI09/23: R6058)

**Trinity Catholic College Lismore – Dawson Street**

Requesting consideration of providing a designated accessible parking space on the western side of Dawson Street in front of the old St Mary's site.

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The College has provided vehicular access points for students with mobility problems both from Dawson Street and the one way section of Brunswick Street however these are suitable for dropping off and picking up and not for extended periods. Ramp access and the lift within the College premises are accessible from a reasonably level concrete drive off Dawson Street and the provision of an accessible parking bay on the western side of Dawson Street immediately adjacent to this driveway would provide access to longer term parking for parents, teachers and visitors who require longer stays and who have limited mobility.

- TAC7/08 Recommendation:** That an accessible parking bay be provided on the western side of Dawson Street, south of the driveway immediately below the white convent building.  
(CI09/581:R6017)

**Kim and Debra van den Berg – The Channon Tavern, Terania Street**

Raising concerns regarding the parking of vehicles outside The Channon Tavern, Terania Street, The Channon.

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As indicated by the writer 'No Stopping' signs did exist along the front of the Tavern prohibiting parking in front of the Tavern. This was confirmed by the Tavern owners at an on site meeting.

- TAC8/08 Recommendation:** That 'No Stopping' signs be positioned either end of the logs currently positioned in front of the Tavern to prohibit parking in this area.  
(CI09/624:R1604)

**Dr Glenn Taylor – 79 Uralba Street**

Advising of recurrent parking infringements that occur on the eastern side of the driveway to 79 Uralba Street in which parked vehicles block safe access to their driveway and suggesting lines be painted on the roadway.

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The difficulty with painting lines on the road to define parking areas in this vicinity is that most motorists park closer to 90 degrees than 45 degrees. This means that due to the number of driveways along this section of Uralba Street, more vehicles can fit into available space between driveways. Relocating the 'No Stopping' sign a further 2m east of the driveway would ensure that motorists parked a suitable distance from the driveway.

- TAC9/08 Recommendation:** That the existing 'No Stopping' sign on the southern side of Uralba Street immediately east of the driveway to 79 Uralba Street be repositioned another 2m east.  
(CI09/3: R6058)

**Hemp Embassy – Nimbin Mardi Grass**

Forwarding Special Event Transport Management Plan for Nimbin Mardi Grass Parade to be held on May 3, 2009.

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The plan is the same as was submitted and implemented last year. Snr. Const. Clarke advised that concerns had been raised by Police who attended last year's event, mainly in relation to the suitability of certain traffic controllers. Police would be imposing their own conditions on the event organisers and the issues raised would be addressed through that process.

- TAC10/08 Recommendation:** That approval be granted for the traffic management plan as submitted.  
(EF09/2130)

**Our Lady of Lourdes Primary School - Dibbs Street**

Raising concerns regarding the limited amount of parking for parents and problems

being created by the bus zone currently located south of the marked pedestrian crossing in that buses block vehicular access to the southern side of the school and the adjacent aged units.

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After discussions with Kirklands Operations Manager and the school Principal it has been agreed that there is an opportunity for the two bus zones on the western side of Dibbs Street to be combined. This would require the removal of the bus zone altogether south of the pedestrian crossing and modifying the times shown on the bus zone north of the pedestrian. This would have the benefit of removing the access problem and providing additional kerb side parking for parents.

**TAC11/08 Recommendation:** That the bus zone on the western side of Dibbs Street, south of the marked pedestrian crossing in front of Our Lady of Lourdes Primary School be removed. Further that the times on the bus zone north of the pedestrian crossing be adjusted to read 8.30am to 3.30pm. (R6020)

### **Basil Cooper – Pleasant Street**

Requesting that Council reconsider its determination, thereby introducing two short term parking bays on the northern side of Pleasant Street in front of the Post Office.

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It would appear that problems were still being experienced by some drivers in accessing on site parking and as a result, discussions were held with the owners of the Coffee Shop, Goonellabah Post Office and the complex owner with a view to introducing two 5 minute parking bays on the northern side of Pleasant Street immediately up hill from the Post Office driveway. There was no objection to the proposal as it was noted that there was still ample parking available for longer term parking both on site and on Pleasant Street.

**TAC12/08 Recommendation:** That two 5 minute parking bays be introduced on the northern side of Pleasant Street west of the Post Office car park. (CI09/1367:R6502)

## Part 'B' – Determined by Committee

### **Keen Street Veterinary Clinic – 38 Keen Street**

Drawing attention to parking difficulties being experienced at the surgery at 38 Keen Street and requesting Council's assistance in resolving the issue.

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A 1 hour parking time limit exists on the eastern side of Keen Street in front of the Vet. Clinic with the balance of parking on both sides of Keen Street, between Zadoc and Orion Streets being unrestricted. The Clinic has a side vehicular access for the Practice Owners' vehicles but the front gate to this area is generally closed and not available for the general public. Whilst it would not be appropriate to provide on street parking specifically for Veterinary use only, it is felt that more regular enforcement of the existing 1 hour time limit would result in more parking being available.

**B-09-03:1 It was agreed:** That Council's Rangers be requested to include this area in their regular parking patrols. (CI09/69: R7313)

### **Ms Shane Keys – Blue Knob Road**

Raising concerns regarding the number of accidents that are occurring on the bend in front of their property at 162 Blue Knob Road and also the dangers that exist when the school bus stops to drop off their child due to the lack of a suitable road shoulder.

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An on site meeting was held with Mr Keys and it was noted that a number of warning signs

already existed both prior to the bend and around the bend. It would appear however, that the majority of the accidents are happening when the road is wet and it was suggested that an additional 'Slippery When Wet' and 'Slow Down' warning sign for Nimbin bound motorists may assist in reducing the number of incidents. Longer term some modifications to the camber around the bend would also be appropriate. It was agreed that there was no safe location along Blue Knob Road within close proximity to No. 162 where a bus could pull off the road to drop off passengers of an afternoon and it was suggested that a safer alternative would be for them to drive to a more suitable location to pick up their children from the school bus.

- B-09-03:2 **It was agreed:** That additional warning signage 'Slippery When Wet' and 'Slow Down' be erected prior to the bend for Nimbin bound traffic. Further that the issue of the road camber around the bend be referred to Council's Roads Section for further investigation.  
(CD09-1209:R2001)

### **Colin and Jannese Parkes – Bishops Creek Road**

Requesting that Council conduct a risk assessment of Bishops Creek Road with a view to increasing safety and referring to a recent incident of reckless driving resulting in a vehicle leaving the road.

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Bishops Creek Road is typical of many rural roads being approx. 4 km long with the first 100m bitumen sealed and the balance a narrow gravel formation. There are 20 residences which have direct access onto the road. A check of Police records confirm that there is no report of the accident referred to. It would be difficult to safely drive above 40kph for the majority of the road due to surface condition and alignment. The road is a dead end road where the vast majority of traffic would be local and be familiar with prevailing conditions. The erection of standard warning signage 'Caution Gravel Road Drive to Conditions' may assist visitors. It was noted that as a number of similar requests for reduced speed limits had been received recently it would be timely to pursue a media campaign which would identify motorists' responsibility in driving to prevailing conditions rather than having the expectation that they should be able to drive to the general State speed limit on all roads.

- B-09-03:3 **It was agreed:** That a warning sign 'Caution Gravel Road Drive to Conditions' be erected at the start of the gravel section of Bishops Creek Road. Further, that Council's Road Safety Officer discuss with the RTA the possibility of introducing a 'Drive to Conditions' road safety campaign.  
(CD09-1109: R2951)

### **Roads and Traffic Authority**

#### **Advising of a new RTA Delegation to Councils – Regulation of Traffic**

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The major changes to the document are:

- A broadening of the roads covered by the Delegation to include all Regional Roads. This means that Councils through the Local Traffic Committee process can now authorise signs on classified regional roads. State Roads remain the responsibility of the RTA.
- A change to the reference source for determining which signs can be authorised by Councils under the delegation. The Delegation now refers to the RTA's Traffic Signs Database located on its website rather than the Regulatory Signs document.
- A new limitation that restricts Councils from authorising new permissive parking, 'No Stopping' or 'No Parking' signs within 1 km of certain nominated train stations, with current unrestricted parking, without the approval of the RTA.

**Note: this does not affect Lismore**

- B-09-03:4 **It was agreed:** That the above information be noted. (ED09/354)

**Roads & Traffic Authority – Caniaba/Spring Grove Road**

Advising the results of a recent speed zone review for Caniaba / Spring Grove Road, between Fredericks Road and the Lismore City boundary on Spring Grove Road.

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The Authority has determined that the current rural default speed limit of 100kph is appropriate.

The Authority has proposed that the following improvements be made to increase road safety on these roads:

- 1) Replacement of the current 100kph speed limit signage west of Fredericks Road with 'End 80kph' signage with a supplementary 'Drive to Conditions' plate.
- 2) Supplement existing 'Winding Road' advisory signage with individual curve advisory signs with the appropriate advisory speed plate on the more severe curves through the winding section of Caniaba Road.

B-09-03:5 **It was agreed:** That the Authority's advice be noted and the above suggestions be implemented. (CI09/1338:R4701,R4751)

**Bill Law – Borton Road, Tullera**

Requesting consideration of introducing a 40-50kph speed limit on Borton Road Tullera, particularly in view of the current state of the road and drivers not taking due care at peak traffic periods.

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Borton Road is a typical rural road with varying conditions along its 4.6km length. There are approximately 30 residences serviced from the road. Whilst a reduced speed limit was not considered warranted, the installation of Council's standard warning sign may assist in advising motorists of impending conditions.

B-09-03:6 **It was agreed:** That a warning sign "Caution Gravel Road Ahead Drive to Conditions" be erected at the start of Borton Road, Tullera. (CI09/917:R4304)

**Closure**

This concluded the business and the meeting terminated at 10.45 am.

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**Chairperson**

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**Traffic and Emergency  
Services Coordinator**

## Financial Assistance - Section 356

**a) Council Contributions to Charitable Organisations****Waste Facility – Policy 5.6.1 (GL390.965.15)**

Budget: \$10,000 To date:\$7276.54

Animal Right &amp; Rescue \$6.36

Challenge Foundation \$209.36

Five Loaves \$59.18

Friends of the Koala \$0.00

Lismore Soup Kitchen Inc \$0.00

LifeLine \$210.00

Lismore &amp; Dist Police Boys Club \$0.00

Saint Vincent De Paul \$19.09

Salvation Army \$139.36

Westpac Life Saver Rescue Helicopter \$25.45

Shared Vision Aboriginal Corporation \$0.00

*In accordance with policy.*

\$668.80

**b) Mayor's Discretionary Fund (GL390.485.15)**

Budget: \$2,700 To date:\$1550.00

Sophie Boyle of Goolmangar has been selected to participate in the 2009 NSW YMCA's Youth Parliament where students from 9-12 years debate youth issues and participate in the parliamentary process. Sophie is seeking a donation to her expenses.

\$50

### Recommendation

In accordance with Section 356(1) of the Local Government Act 1993, the assistance to persons as listed above is hereby approved.

## Documents for Signing & 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 the Council:

#### **Option to renew Lease – Lismore Neighbourhood Centre – 14-18 Bounty Street, Lismore**

Renewal of Lease under the existing option rights for five years in accordance with original Lease over Lots 1 DP123208, Lot 1 DP1123244 and Lot 1 DP1033659 known as 14, 16 and 18 Bounty Street, Lismore for the purpose of conducting the business and related activities of a Neighbourhood Centre. Annual rental is in accordance with the original Lease agreement, which allows for CPI adjustment.

#### **CROWN RESERVE TRUST MATTER:**

The following document be executed as Crown Reserve Trustee of Lismore Albert Park Reserve Trust – Reserve No. 89503:

#### **Grazing Licence to Hepburn – 338 Keen Street, Lismore**

Licence to graze livestock over part of this Crown reserve for a period of three years - Lot 237 DP 755718. The site was advertised for expressions of interest for grazing in *The Northern Rivers Echo* on January 22, 2009. The Licence is to be forwarded to Department of Lands for consent and execution.

# Confidential Matters–Closed Council Meeting

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

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

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

## **Clause 34 of Council Code of Meeting Practice**

Representations from the public as to whether part of the meeting should be closed to the public can be made after the motion to close the meeting has been moved and seconded for a period of 10 minutes.

## Recommendation

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

<b>Item</b>	<b><i>Performance Monitoring 2008/09 – General Manager</i></b>
<b>Grounds for Closure</b>	<b>Section 10A(2) (a) ):</b>
<b>Public Interest</b>	Discussion of this matter in an open meeting would on balance be contrary to the public interest because it concerns the personal matters of an individual.

**MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE CITY OF LISMORE HELD IN THE COUNCIL CHAMBER, GOONELLABAH ON TUESDAY, MARCH 10, 2009, AT 6.00PM.**

**Present** Mayor, Councillor Dowell; Councillors Battista, Clough, Chant, Ekins, Graham, Houston, Marks, Meineke, Smith and Yarnall, together with the General Manager; Executive Director Infrastructure Services, Executive Director Development and Governance, Manager Finance, Corporate Compliance Coordinator, Communications Coordinator and Personal Assistant to the General Manager, Manager Planning Services.

26/09 **Apologies/ Leave of Absence** Nil  
**RESOLVED** that leave of absence be granted for:  
Councillor Clough – 30 March to 6 April  
Councillor Yarnall – 21 March to 30 March  
Councillor Chant – 10 April to 29 June  
Councillor Houston – 8 to 9 April  
(Councillors Graham/Clough)

**Disclosure of Interest**

**Councillor Yarnall** declared a non significant conflict of interest in the following item:

**Report – Election of Policy Advisory Group (PAG) Members**

Nature of Interest: Members nominated for PAG donated to my election campaign.

**Councillor Yarnall** declared a non significant conflict of interest in the following item:

**Report – Notice of Motion - Roseview Road Estate**

Nature of Interest: Members of the McLeans Ridges Community donated to my election campaign.

**Councillor Meineke** declared a non significant conflict of interest in the following item:

**Report – PAG Membership**

Nature of Interest: A client is an applicant for the Economic Development PAG.

**Councillor Battista** declared a non significant conflict of interest in the following item:

**Report – PAG Membership**

Nature of Interest: Two of the candidates were on my election ticket and have contributed to my campaign.

**Councillor Meineke** declared a non significant conflict of interest in the following item:

**Report – Amendment 7 to DCP**

Nature of Interest: Made a submission as a private citizen to exhibition of amendment.

**Councillor Dowell** declared a non significant conflict of interest in the following item:

**Report – Notice of Motion – Roseview Road Estate**

Nature of Interest: Opponents to the rezoning assisted in my election campaign.

**Councillor Dowell** declared a non significant conflict of interest in the following item:

**Report – Draft Amendment No. 37 Lismore LEP – North Lismore Industrial Land**

Nature of Interest: Several opponents and one supporter of the rezoning assisted my election campaign by displaying signs on their properties and handing out HTVs at the election in September 2008.

**Councillor Dowell** declared a significant conflict of interest in the following item:

**Report – PAG Membership**

Nature of Interest: My husband Ron is a nominee for the Economic Development PAG and a person who made a reportable donation (in kind) to my campaign is a nominee to the Arts and Culture PAG.

**Councillor Clough** declared a non significant conflict of interest in the following item:

**Report – PAG Membership**

One of my running mates and financial contributor to my campaign fund is standing for Sustainable Environment PAG. I did not vote in the Sustainable Environment election.

## Public Access Session

Prior to dealing with the circulated reports and associated information, a Public Access Session was held at which Council was addressed by the following:

**Noel Parker – Notice of Motion - Roseview Road Estate Workshop**

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Mr Parker supported the concept of the workshop and the opportunity for the developer and objector to speak to the Council. He stressed the opportunity this would give the new Councillors to understand the proposal.

**Karin Kolbe – Notice of Motion - Casino-Murwillumbah Rail Line**

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Ms Kolbe spoke in support of the commuter rail service. She gave examples of where line reopening had been achieved, outlined the cost benefits to the community of the service and sought Council support for the motion.

## **Rick Stewart – Notice of Motion – Comprehensive Koala Plan of Management**

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Mr Stewart spoke on behalf of the Friends of the Koala in support of a comprehensive Koala Plan of Management for the whole Council area. He described SEPP 44 as inadequate to guarantee the survival of koalas in the area, citing loss of habitat and koala deaths as examples of the failure of SEPP 44.

## **Stephen Fletcher – Report – Amendment No 37 to Lismore LEP – North Lismore Industrial Land**

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Mr Fletcher spoke on behalf of the owner of Lot 2 and Lot 6 and outlined the process that the rezoning had followed. He spoke to the benefit the rezoning would bring to the North Lismore and the city as a whole. He supported the staff recommendation.

## **Vicki Findlay – Report – Amendment No 37 to Lismore LEP – North Lismore Industrial Land**

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Ms Findlay spoke on behalf of the North Lismore Progress Association and raised concerns about the rezoning in terms of traffic impact, noise, stormwater and flooding issues. She requested the rezoning be deferred until an Economic Development Plan for North Lismore had been completed.

## **Notice of Motions**

### **Roseview Road Estate Workshop**

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28/09 Formal notice having been given by Councillor Yarnall it was **RESOLVED** that:

The upcoming workshop on Roseview Road Estate on March 31, 2009 Council allow one speaker each, from the proponents (PaLib Industrial) and the objectors (McLeans Ridges Community Group) to present their case for not longer than fifteen minutes each.

(Councillors Yarnall/Marks)

### **Casino-Murwillumbah Rail Line**

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Formal notice having been given by Councillor Ekins it was:

29/09 **RESOLVED** that Lismore City Council:

1. Confirms its support for commuter rail services on the Casino-Murwillumbah rail line and the construction of a rail link to the Gold Coast.
2. Writes to local Federal and State MPs informing them of this council resolution and urging them to fully support and secure funding commitments for the establishment of commuter rail services.
3. Requests that the Integrated Regional Transport Plan be included on the agenda for the March NOROC meeting.

(Councillors Ekins/Clough) (EF09/1583: CI09/265)

## **Comprehensive Koala Plan of Management**

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Formal notice having been given by Councillor Clough it was:

30/09 **RESOLVED** that:

1. The General Manager presents a timeframe for a review and implementation of the “shelved” Comprehensive Koala Plan of Management.
2. The new Comprehensive Koala Plan of Management be implemented across the local government area as soon as possible.

(Councillors Clough/Smith) (EF09/522:CI09/168)

**Voting against:** Councillors Meineke, Chant, Marks, Graham

## **Northern Rivers Climate Change Collaboration Agreement**

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Formal notice having been given by Councillor Clough a MOTION was MOVED that:

Lismore City Council becomes a signatory to the Northern Rivers Climate Change Collaboration Agreement.

(Councillors Clough/Ekins) (EF09/1978:CI09/159)

On submission to the meeting the MOTION was DEFEATED.

**Voting against:** Councillors Houston, Battista, Meineke, Chant, Graham, Yarnall, Marks, Smith and Dowell.

## **Budget Review**

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Formal notice having been given by Councillor Yarnall:

A MOTION was MOVED that:

With regard to the uncertain economic outlook, the councils' current budget deficit and the imperative to maintain council's ailing road infrastructure that:

1. Council advises all departments that they review their expenditure for 09/10 financial year with the aim being to find 7% expenditure savings across all departments.
2. Any expenditure savings incurred be transferred to, and put towards funding council's road maintenance and reconstruction program.
3. The results of the expenditure review be reported to Council for their determination.

(Councillors Yarnall/Ekins) (EF09/1717: CI09/218)

An AMENDMENT was MOVED that:

1. Council advises all departments that they review their expenditure for 09/10 financial year with the aim being to find expenditure savings across all departments.
2. The results of the expenditure review be reported to Council for their determination.

(Councillors Battista/Smith) (EF09/1717: CI09/218)

On submission to the meeting the AMENDMENT was DEFEATED.

**Voting against:** Houston, Meineke, Clough, Chant, Graham, Yarnall, Ekins, Marks

On submission to the meeting the MOTION was DEFEATED.

**Voting against:** Dowell, Houston, Battista, Chant, Graham, Ekins, Smith and Marks.

A FORESHADOWED MOTION was MOVED that:

1. That with regard to the uncertain economic outlook, the council's current budget deficit and the imperative to maintain Council's ailing roads infrastructure, Council advises departments that they review their expenditure savings for 2009/2010, and a conduct a full budget review for 2010/2011 financial year with the aim to find expenditure savings across their departments.
2. That the results of the expenditure review be reported to Council for their determination.

(Councillors Houston/Graham) (EF09/1717: CI09/218)

31/09 **RESOLVED** that:

1. That with regard to the uncertain economic outlook, the council's current budget deficit and the imperative to maintain Council's ailing roads infrastructure, Council advises departments that they review their expenditure savings for 2009/2010, and a conduct a full budget review for 2010/2011 financial year with the aim to find expenditure savings across their departments.
2. That the results of the expenditure review be reported to Council for their determination.

(Councillors Houston/Graham) (EF09/1717: CI09/218)

## Reports

### Draft Amendment No. 37 to Lismore LEP – Proposed North Lismore Industrial Estate

32/09 **RESOLVED** that Council:

1. Adopt draft Amendment No. 37 to the Lismore Local Environmental Plan and forward it to the Minister for Planning with a request that it be made.
2. Defer consideration of draft Amendment No. 6 to the Lismore Development Control Plan pending insertion of additional matters as described in the supplementary tabled report.

(Councillors Graham/Smith) (S954)

#### **Section 375A Voting Record**

**Voting for:** Councillors Dowell, Houston, Battista, Meineke, Clough, Chant, Graham, Yarnall, Marks, Smith.

**Voting against:** Councillors Ekins

### Amendment No. 7 to Lismore Development Control Plan – Off-Street Car Parking

33/09 **RESOLVED** that Council:

1. Adopt Amendment No. 7 of the Lismore Development Control Plan in the form in which it was publicly exhibited.
2. Give public notification of the adoption of Amendment No. 7 to the Lismore DCP in accordance with the *Environmental Planning and Assessment Regulation 2000*.

(Councillors Meineke/Battista) (S924)

#### **Section 375A Voting Record**

**Voting for:** Councillors, Dowell, Houston, Battista, Meineke, Clough, Chant, Graham, Yarnall, Ekins, Marks, Smith

**Voting against:** Nil

## Community Strategic Plan 2008-2018

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34/09 **RESOLVED** that Council:

1. The draft strategic plan framework presented within the report be endorsed.
2. Authorise publication of the draft strategic plan initiatives in a format which encourages community feedback.
3. That a report incorporating community feedback be presented to the Council at its May meeting with the intent to formally adopt the Community Strategic Plan 2008-2018.

(Councillors Ekins/Marks) (EF09/1929)

### Policy Advisory Group

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35/09 **RESOLVED** that the following appointments be confirmed.

<b>Arts and Culture PAG</b>	<b>Community Services PAG</b>	<b>Economic Development PAG</b>
Jyllie Jackson	Paul Cruickshank	Simon Cripps Clark
Jan Davis	Vicki Findlay	Ron Dowell
Andrew Binns	Samantha Standish	Keith Sloan
Dr Moya Costello	Jennifer Park	Dianna Roberts
Robbie Braithwaite	Luciana Tojer	Russell Trebilcock
Julian Louis	Sarah Hort	Paul Deegan
Adele Wessell	Margi Hill	Lynne De Weaver
Gillian Jones	Vicki Bardon	Bill Sheaffe
<b>Infrastructure Assets PAG</b>	<b>Sustainable Environment PAG</b>	<b>Sports and Recreation PAG</b>
Noel Parker	Loraine Vass	Therese Crollick
Denis Byrne	Robert Jarman	Peter Baillie
AsPro Robert Weatherby	Caoilfionn (Keelin) Turner	Tony Clarke
Colin Smith	Liegh Davidson	Lyn Larsen
Barry Garland	Catherine Ann Ford	Cheryl Amor
John Zaat	Ross Garsden	Matt Kelso
David Hudson	Claudia Catterall	Clint Mallett
Michael Qualmann	Ruth Harlow	David Krause

(Councillors Chant/Yarnall) (S36)

At this juncture Councillor Clough left the meeting.

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## **Water Industry Reform – Update**

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36/09 **RESOLVED** that Council:

1. Request the NSW State Government grant an extension of time until May 31, 2009 to allow Council sufficient time to submit a fully considered submission.
2. Continue to work with the neighbouring councils in an effort to submit an agreed joint submission.
3. Conduct a workshop to discuss and examine the findings of the Independent Panel's report on the Water Inquiry.

(Councillors Ekins/Smith) (S301 and S387)

At this juncture Councillor Clough returned to the meeting.

## **2008/09 Budget Surplus**

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A MOTION was MOVED that:

1. The Budget Surplus update be received and noted.
2. The capital and other works deferred and listed in this report be included in the draft 2009/10 Budget.
3. Flood mitigation not be deferred to the 2009/2010 budget.

(Councillors Chant/Graham) (S960)

An AMENDMENT was MOVED that:

1. The Budget Surplus update be received and noted.
2. The capital and other works deferred and listed in this report be included in the draft 2009/10 Budget.

(Councillors Yarnall/Battista) (S960)

On submission to the meeting the AMENDMENT was DEFEATED.

**Voting against:** Councillors Houston, Meineke, Chant, Smith, Marks, Graham

37/09 **RESOLVED** that Council:

1. The Budget Surplus update be received and noted.
2. The capital and other works deferred and listed in this report be included in the draft 2009/10 Budget.
3. Flood mitigation not be deferred to the 2009/2010 budget.

**Voting against:** Councillors Battista, Clough, Ekins, Yarnall, Dowell

## **Tender – Bus Shelters**

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38/09 **RESOLVED** that Council:

1. Council accept the tender from Sidewinder Pty Ltd, based on Option A of their submission, resulting in a net income to Council of \$20,480.00 per annum (indexed to CPI) for a ten year period, totalling \$204,480.00 plus GST (2009 dollars).
2. The additional income generated from the fee paid by Sidewinder Advertising Pty Ltd of \$20,480.00 per annum be considered for allocation to the bus shelter maintenance budget as part of the 2009/10 budget process.
3. The Mayor and the General Manager be authorised to execute the Contracts on Council's behalf and attach the common seal.

(Councillors Meineke/Clough) (T2009-13)

### **Request for Tender – Mobile Crane**

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39/09 **RESOLVED** that Council:

1. Having received no tenders for the supply and delivery of a Lift and Carry Articulated Mobile Crane, Council, in accordance with Clause 178(3)(e) of the Local Government (General) Regulation, resolve to enter into a selective quotation process for the 'Supply and Delivery of a Lift and Carry Articulated Mobile Crane' with the four companies identified in the report.
2. In accordance with Clause 178(4)(a) of the Local Government (General) Regulation, the reasons that Council will not invite fresh tenders are:
  - a. Council has already conducted a request for tender process and received no response;
  - b. Council has identified a number of companies that can deliver required item of plant;
  - c. Reasonable competition can be expected in the proposed selective quotation process because there are four companies which Council is proposing to deal with.
3. In accordance with Clause 178(4)(b) of the Local Government (General) Regulation, the reasons that Council is proposing to enter into a selective quotation process with the identified companies is that they are reputable companies within the industry, and Council through its own investigations has established that they have the capability to supply the required item of plant.
4. The outcome of the selective quotation process be reported back to Council for determination.

(Councillors Chant/Graham) (RFT2009-20)

**Voting against:** Councillors Clough, Ekins

## **Sustainable Transport Reference Group**

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40/09 **RESOLVED** that Council:

1. Council endorse the formation of a Sustainable Transport Reference Group as outlined in the report.
2. The objectives of the Sustainable Transport Reference Group be confirmed as:
  - To monitor and provide feedback on the implementation of the Public Transport Action Plan.
  - To provide linkages between public transport providers and a forum for planning improved public transport services.
  - Provide industry input to Council projects that have a public transport component.
  - To consider the integrated land use and transport planning
  - Will provide input into specific DAs that have transport implications.
3. The membership of the Sustainable Transport Reference Group be confirmed as:
  - Lismore City Council (Manager-Assets & Support Services and Road Safety Officer).
  - Northern Rivers Social Development Council (Transport/Community Development)
  - North Coast Area Health Service (Directorate population planning and health promotion)
  - Northern Rivers Community Transport (and additional Aboriginal representative)
  - Lismore Taxis
  - Bus & Coach Association (Urban and Rural)
  - Kirklands/Lismore Bus Lines
  - Ministry of Transport
  - 3 x community representatives.
4. The Sustainable Transport Reference Group be chaired by the Manager-Assets and Support Services.
5. Council write to the identified member organisations requesting their nomination to sit on the group and call for nominations from the general public for the three (3) community representatives.

(Councillors Ekins/Meineke) (EF09)

## **Annual Policy Review**

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41/09 **RESOLVED** that Council:

1. Policies 1.2.13, 1.2.14, 1.4.10, 1.4.11, 1.5.2, 5.2.23 and 9.1.1 be amended as detailed in the report.
2. Policy 5.5.2 be deleted.

(Councillors Ekins/Graham) (S9)

## Councillor Information Course

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42/09 **RESOLVED** that:

The that report be received and the attendance of Councillors Dowell, Ekins, Battista, Clough, Houston, Yarnall and Smith be noted.

(Councillors Clough/Smith) (S44)

## Investments held by Council – February 2009

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43/09 **RESOLVED** that:

The report be received and noted.

(Councillors Graham/Smith) (S178)

## Committee Recommendations

### Traffic Advisory Committee

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44/09 **RESOLVED** that:

1. The minutes be received and adopted with the exclusion of B-09-02:3 and the recommendations contained therein be adopted.
2. Council consult with the Wilsons River Land Care Group prior to any tree trimming.
3. A letter be written to the Department of Community Services (DOCS) to advise staff where to park.

(Councillors Ekins/Clough) (S352)

## Financial Assistance - Section 356

45/09 **RESOLVED** that in accordance with Section 356(1) of the Local Government Act 1993, the assistance to persons as listed is hereby approved.

(Councillors Graham/Chant) (S352)

### a) Banners – Policy 1.4.14 (GL390.50.15)

Budget: \$700                      Amount available: \$700

Friends of the Koala Incorporated are seeking a donation towards the hire fee of \$101 for the cost of displaying street banners within the Lismore CBD during the week commencing April 27, 2009.

**\$100**

*In accordance with policy.*

**b) Mayor's Discretionary Fund (GL390.485.15)**

Budget: \$2,700                      Amount available: \$1,700

Southern Cross University are seeking a sponsorship donation towards the Northern Rivers Science and Engineering Challenge to be held June 19, 2009.

**\$100**

Ms Candy Fitness is seeking a sponsorship donation for Joel Fitness who will be attending the Australian Surf Lifesaving Championships in Scarborough, Western Australia in March 2009.

**\$50**

The Immune Deficiencies Foundation is seeking a donation towards the Circus Quirkus to be held at the Lismore District Workers Club on March 15, 2009.

**\$50**

**c) City Hall Reductions in Rental – Policy 8.4.2 (GL390.125.15)**

Budget Approved: \$11,700                      Budget Available: \$2,312

**ACE North Coast** requesting Council discount the hire charges (\$368) for the hire of the kitchen to hold a 4 week cooking course in March 2009. ACE North Coast is a not for profit, community based adult education provider. An entrance fee is to be charged (CI09/526).

**Recommendation:** In accordance with Clause 2 of the policy, a donation of 20% of the hire fee applies.

**\$73.60**

**d) Council Contributions to Charitable Organisations**

**Waste Facility – Policy 5.6.1 (GL390.965.15)**

Budget: \$10,000                      To date:                      \$5,583.56

Contributions for the period of February 2009

Animal Right & Rescue \$6.36

Challenge Foundation \$94.35

Five Loaves \$67.73

Friends of the Koala \$12.73

Lismore Soup Kitchen Inc \$0.00

LifeLine \$210.00

Lismore & Dist Police Boys Club \$0.00

Saint Vincent De Paul \$5.45

Salvation Army \$38.18

Westpac Life Saver Rescue Helicopter \$25.45

Shared Vision Aboriginal Corporation \$0.00

*In accordance with policy.*

**\$460.25**

## Closure

This concluded the business and the meeting terminated at 9:46 pm.

CONFIRMED this April 14, 2009 at which meeting the signature herein was subscribed.

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**MAYOR**