



Council

An Extra Ordinary Meeting of the City of Lismore Council will be held at the Council Chambers on Tuesday 25 June 2024 at 6.00pm

Members of Council are requested to attend.

Lismore City Council acknowledges the Widjabul Wia-bal people of the Bundjalung nation, traditional custodians of the land on which we meet.

Jon Gibbons
General Manager

18 June 2024



ETHICAL DECISION MAKING AND CONFLICTS OF INTEREST

A guiding checklist for councillors, staff and community committees

Ethical decision making

- Is the decision or conduct legal?
- Is it consistent with government policy, Council's objectives and Code of Conduct?
- What will the outcome be for you, your colleagues, the Council, anyone else?
- Does it raise a conflict of interest?
- Do you stand to gain personally at public expense?
- Can the decision be justified in terms of public interest?
- Would it withstand public scrutiny?

Conflict of interest

A conflict of interest is a clash between private interest and public duty. There are two types of conflict:

- Pecuniary – an interest that you have in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to yourself or another person or entity defined in part 4 of the Lismore City Council Code of Conduct with whom you are associated.
- Non-pecuniary – a private or personal interest that you have that does not amount to a pecuniary interest as defined in the Lismore City Council Code of Conduct. These commonly arise out of family or personal relationships, or out of involvement in sporting, social, religious or other cultural groups and associations, and may include an interest of a financial nature.

The test for conflict of interest

- Is it likely I could be influenced by personal interest in carrying out my public duty?
- Would a fair and reasonable person believe I could be so influenced?
- Conflict of interest is closely tied to the layperson's definition of "corruption" – using public office for private gain.
- Important to consider public perceptions of whether you have a conflict of interest.

Identifying problems

- Do I have private interests affected by a matter I am officially involved in?
- Is my official role one of influence or perceived influence over the matter?
- Do my private interests' conflict with my official role?

Disclosure and participation in meetings

- A councillor or a member of a Council Committee who has a pecuniary interest in any matter with which the Council is concerned and who is present at a meeting of the Council or Committee at which the matter is being considered must disclose the nature of the interest to the meeting as soon as practicable.
- The councillor or member must not be present at, or in sight of, the meeting of the Council or Committee:
 - a. at any time during which the matter is being considered or discussed by the Council or Committee, or
 - b. at any time during which the Council or Committee is voting on any question in relation to the matter.

No Knowledge - a person does not breach this clause if the person did not know and could not reasonably be expected to have known that the matter under consideration at the meeting was a matter in which he or she had a pecuniary interest.

Non-pecuniary Interests - Must be disclosed in meetings.

There are a broad range of options available for managing conflicts & the option chosen will depend on an assessment of the circumstances of the matter, the nature of the interest and the significance of the issue being dealt with. Non-pecuniary conflicts of interests must be dealt with in at least one of the following ways:

- It may be appropriate that no action be taken where the potential for conflict is minimal. However, councillors should consider providing an explanation of why they consider a conflict does not exist.
- Limit involvement if practical (eg. participate in discussion but not in decision making or vice versa). Care needs to be taken when exercising this option.
- Remove the source of the conflict (eg. relinquishing or divesting the personal interest that creates the conflict)
- Have no involvement by absenting yourself from and not taking part in any debate or voting on the issue as of the provisions in the Code of Conduct (particularly if you have a significant non-pecuniary interest)

Whilst seeking advice is generally useful, the ultimate decision rests with the person concerned.

Agenda

1. Opening of Meeting	
2. Acknowledgement of Country	
3. Pause for reflection	
4. Apologies and Applications for Leave of Absence or Attendance by Audio-Visual Link	
5. Disclosures of Interest	
6. Public Forum	
7. Mayoral Minute(s) and Condolence Motions	
8. Reports of Committees	
9. Matters Arising	
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Reports of the General Manager



Report

Subject	2024-2025 Rates and Charges
TRIM Record No	BP24/672:EF24/20
Prepared by	Rating Officer
Reason	To comply with the legislative requirements of the Local Government Act 1993 and for Council to make the 2024-2025 Rates and Charges
Strategic Theme	Leadership and participation
Strategy	We provide effective management and responsible governance.
Action	Ensure the efficient and effective operation of Council.

Executive Summary

This report presents recommendations that if adopted would allow Council to comply with the provisions of the *Local Government Act 1993* (Act) in relation to the making of the 2024-2025 Rates and Charges. This is consistent with the advertised draft Operational Plan (OP) 2024-2025.

Recommendation

That following exhibition of the draft 2024-2025 Operational Plan in accordance with Section 405 of the *Local Government Act 1993*, Council makes the Rates, Wastewater Charges, Waste Management Charges, Water Charges, Stormwater Management Services Charges and Interest Charges for 2024-2025 as set out below:

RATES

- (1) A **Business Rate** to be known as the '**Business Inner CBD**' rate of **seven point seven nine four three (7.7943) cents in the dollar** per assessment, on the land value as at base date 1 July 2022 with a **base amount of four hundred and fifty eight dollars (\$458.00)** per assessment be now made for the rating year 1 July 2024 to 30 June 2025, on all rateable land within the centre of activity known as the Inner CBD shown as within the red boundary of the map, Schedule C, and that meets the definition of Business as defined in Section 518 of the *Local Government Act 1993*. The total income from base amounts equates to **six point five (6.5%) percent of the Business Inner CBD income**.
- (2) A **Business Rate** to be known as the '**Business Urban**' rate of **one point nine three four two (1.9342) cents in the dollar** per assessment, on the land value as at base date 1 July 2022 with a **base amount of four hundred and fifty eight dollars (\$458.00)** per assessment be now made for the rating year 1 July 2024 to 30 June 2025, on all rateable land within the centre of activity outside the Inner CBD shown as within the red boundary of the map, Schedule C, but within the urban area of Lismore as shown by the red boundary on the map, Schedule D, and that meets the definition of Business as defined in Section 518 of the *Local Government Act 1993*. The total income from base amounts equates to **eight point nine (8.9%) percent of the Business Urban income**.
- (3) A **Business Rate** to be known as the '**Business Other**' rate of **point five six seven zero (0.5670) of a cent in the dollar** per assessment on the land value as at base date 1 July 2022 with a **base amount of four hundred and fifty eight dollars (\$458.00)** per assessment be now made for the rating year 1 July 2024 to 30 June 2025, on all rateable land in the City of

Lismore but not within the areas defined within the maps, Schedules C and D attached and the Village of Nimbin, as defined by the map of Nimbin in Schedule A, and that meets the definition of Business as defined in Section 518 of the *Local Government Act 1993*. The total income from base amounts equates to **twenty two point five (22.5%) percent of the Business Other income.**

- (4) A **Business Rate** to be known as the ‘**Nimbin Business**’ rate of **point seven eight three one (0.7831) cents in the dollar** per assessment on the land value as at base date 1 July 2022 with a **base amount of four hundred and fifty eight dollars (\$458.00)** per assessment be now made for the rating year 1 July 2024 to 30 June 2025, on all rateable land within the Village of Nimbin, as defined by the map of Nimbin in Schedule A, that meets the definition of Business as defined in Section 518 of the *Local Government Act 1993*. The total income from base amounts equates to **seventeen point five (17.5%) percent of the Nimbin Business income.**
- (5) A **Residential Rate** to be known as the ‘**Residential**’ rate of **point three seven six seven (0.3767) of a cent in the dollar** per assessment, on the land value as at base date 1 July 2022 with a **base amount of four hundred and fifty eight dollars (\$458.00)** per assessment, be now made for the rating year 1 July 2024 to 30 June 2025, on all rateable land within the centres of population defined and within the red lines shown on the maps in Schedule A attached and meeting the definition of Residential as defined in Section 516 of the *Local Government Act 1993*. The total income from base amounts equates to **thirty three point nine (33.9%) percent of the Residential income.**
- (6) A **Residential Rate** to be known as the ‘**Residential Rural**’ rate of **point two nine four one (0.2941) of a cent in the dollar** per assessment on the land value as at base date 1 July 2022 with a **base amount of four hundred and fifty eight dollars (\$458.00)** per assessment, be now made for the rating year 1 July 2024 to 30 June 2025, on all rateable land that meets the definition of Residential except for land within the centres of population defined by the maps in Schedule A attached and meeting the definition of Residential as defined by Section 516 of the *Local Government Act 1993*. The total income from base amounts equates to **twenty six point six (26.6%) percent of the Residential Rural income.**
- (7) A **Farmland Rate** to be known as the ‘**Farmland**’ rate of **point two nine two nine (0.2929) of a cent in the dollar** per assessment, on the land value as at base date 1 July 2022 with a **base amount of four hundred and fifty eight dollars (\$458.00)** per assessment be now made for the rating year 1 July 2024 to 30 June 2025, on all rateable land in the City of Lismore area that meets the definition of Farmland as defined in Section 515 of the *Local Government Act 1993*. The total income from base amounts equates to **seventeen point four (17.4%) percent of the Farmland income.**

WASTEWATER CHARGES

- (8) In accordance with Sections 501 and 539 of the *Local Government Act 1993*, an annual charge be now made for the provision of sewerage services to single units of residential occupation, residential, as defined in Section 516 (1) (a) of the *Local Government Act 1993*, including residential strata units of **one thousand and thirteen dollars (\$1,013.00)** per assessment. This charge applies to properties connected to the Lismore Sewer Scheme and is to be known as the ‘**Sewer**’ charge for the period 1 July 2024 to 30 June 2025, excluding properties charged the Sewer Rebate 1 or Sewer Rebate 2 annual charge.
- (9) In accordance with Sections 501 and 539 of the *Local Government Act 1993*, an annual charge, as per the attached Schedule F, where the charge is indicated by the number of units of residential occupancy located on a property, be now made for the provision of sewerage services to a parcel of land connected to the Lismore Sewer Scheme to be known as the ‘**Sewer Multiple**’ charge for the period 1 July 2024 to 30 June 2025, excluding residential Strata Units.
- (10) In accordance with Sections 501 and 539 of the *Local Government Act 1993*, for all other properties, not being residential land as defined in Section 516 (1) (a) of the *Local Government Act 1993*, an annual charge be now made for the provision of trade waste services for

properties connected to the Lismore Sewer Scheme, as per the attached Schedule G, where the charge is indicated by the number of equivalent tenants or part thereof allocated to an assessment in accordance with the methodology set out in Council's Wastewater Usage Charging Strategy to be known as the **'Non-Residential Sewer'** charge, except for properties declared by Lismore City Council to be Established Strength Users, for the period 1 July 2024 to 30 June 2025.

- (11) In accordance with Sections 501 and 539 of the *Local Government Act 1993*, an annual charge be now made for the availability of sewerage services of **six hundred and eight dollars (\$608.00)** per assessment for all rateable parcels of land within 75 metres of a Lismore Sewer Scheme main and capable of discharging into that main but not connected thereto to be known as the **'Sewer Unconnected'** charge for the period 1 July 2024 to 30 June 2025, excluding properties charged the Sewer Rebate 1 or Sewer Rebate 2 annual charge.
- (12) In accordance with Sections 501 and 539 of the *Local Government Act 1993*, an annual charge be now made for the availability of sewerage services to single units of residential occupation, residential, as defined in Section 516 (1) (a) of the *Local Government Act, 1993*, including residential strata units of **three hundred and four dollars (\$304.00)** per assessment. This charge applies to occupied properties for which an Occupation Certificate has been issued, which have a self-sufficient or stand-alone onsite system of wastewater management installed and which have no connection to the Lismore Sewer Scheme. In addition, all necessary State or Local Government approvals applicable to the onsite system of wastewater management must have been obtained and the system must be operated in compliance with these approvals. This charge is to be known as the **'Sewer Rebate 1'** charge for the period 1 July 2024 to 30 June 2025.
- (13) In accordance with Sections 501 and 539 of the *Local Government Act 1993*, an annual charge be now made for the provision of sewerage services to single units of residential occupation, residential, as defined in Section 516 (1) (a) of the *Local Government Act 1993*, including residential strata units of **five hundred and seven dollars (\$507.00)** per assessment. This charge applies to occupied properties for which an Occupation Certificate has been issued, which have at least one dry composting toilet installed, have no flush toilets installed, but which continue to discharge their grey water to the Lismore Sewer Scheme. In addition, all necessary State or Local Government approvals applicable to the dry composting toilet(s) must have been obtained and the toilet(s) must be operated in compliance with these approvals. This annual charge is to be known as the **'Sewer Rebate 2'** charge for the period 1 July 2024 to 30 June 2025.

WASTE MANAGEMENT CHARGES

- (14) An annual charge in accordance with Section 496 of the *Local Government Act 1993*, for all land within the declared scavenging area within the Lismore Urban Area, a map of which is available at Council's office, for the removal, weekly, of the approved organic contents of a 240 litre approved mobile waste bin. In addition, on a fortnightly basis, Council will collect the approved recyclable contents of a 240 litre or 360 litre approved mobile bin as well as the approved waste contents of a 120 litre or 140 litre approved mobile bin. This charge is to be known as the **'Integrated Waste'** collection service for the period 1 July 2024 to 30 June 2025 and will be charged at **six hundred and fifteen dollars and zero cents (\$615.00)** per annum. Additional services will be charged at **six hundred and fifteen dollars and zero cents (\$615.00)** per annum. Services commenced during the charging period will be charged for on a proportional basis.
- (15) An annual charge in accordance with Section 496 of the *Local Government Act 1993*, for all land within the declared scavenging area within the Lismore Urban Area, a map of which is available at Council's office, for the removal, on a fortnightly basis, of the approved organic contents of a 120 litre approved mobile waste bin. In addition, on a fortnightly basis, Council will collect the approved recyclable contents of a 120 litre approved mobile bin as well as the approved waste contents of a 80 litre approved mobile bin. This charge is to be known as the **'Integrated Waste – Urban Half'** collection service for the period 1 July 2024 to 30 June 2025

and will be charged at **four hundred and fifty dollars and zero cents (\$450.00)** per annum. Additional services will be charged **four hundred and fifty dollars and zero cents (\$450.00)** per annum. Services commenced during the charging period will be charged for on a proportional basis.

- (16) An annual charge in accordance with Section 496 of the *Local Government Act 1993*, for all land within the declared scavenging area within the Lismore Urban Area, a map of which is available at Council's office, for the removal, weekly, of the approved organic contents of a 240 litre approved mobile bin. In addition, on a fortnightly basis, Council will collect the approved recyclable contents of a 240 litre or 360 litre approved mobile bin as well as the approved waste contents of a 240 litre approved mobile bin. This charge is to be known as the '**Integrated Waste – Waste Plus**' collection service for the period 1 July 2024 to 30 June 2025 and will be charged at **seven hundred and fifteen dollars and zero cents (\$715.00)** per annum. Additional services will be charged at **seven hundred and fifteen dollars and zero cents (\$715.00)** per annum. Services commenced during the charging period will be charged for on a proportional basis.
- (17) An annual charge in accordance with Section 496 of the *Local Government Act 1993*, for all land within the declared scavenging area within the Lismore Urban Area, a map of which is available at Council's office, for the removal, weekly, of the approved organic contents of a 240 litre approved mobile bin. In addition, on a fortnightly basis, Council will collect the approved waste contents of 2x240 litre approved mobile bins and the approved recyclable contents of a 240 litre or 360 litre approved mobile bin. This charge is to be known as the '**Integrated Waste – Premium**' collection service for the period 1 July 2024 to 30 June 2025 and will be charged at **nine hundred and thirty two dollars and zero cents (\$932.00)** per annum. Additional services will be charged at **nine hundred and thirty two dollars and zero cents (\$932.00)** per annum. Services commenced during the charging period will be charged for on a proportional basis.
- (18) An annual charge in accordance with Section 496 of the *Local Government Act 1993*, for all land within the declared scavenging area within the Lismore Urban Area, a map of which is available at Council's office, for the removal, subject to approval by the Manager – Commercial Services, of the approved waste contents of an approved 240 litre mobile bin on a fortnightly basis. This charge is to be known as the '**Special Needs**' collection service for the period 1 July 2024 to 30 June 2025 and will be charged at **five hundred and fifteen dollars and zero cents (\$515.00)** per annum. Additional services will be charged at **five hundred and fifteen dollars and zero cents (\$515.00)** per annum. Services commenced during the charging period will be charged for on a proportional basis.
- (19) An annual charge in accordance with Section 496 of the *Local Government Act 1993*, for all land, located outside the urban area of Lismore but within the declared domestic waste scavenging area, a map of which is available at Council's Corporate Centre for the removal, weekly, of the approved waste contents of a 240 litre approved mobile bin and on a fortnightly basis, the approved recycling contents of a 240 litre or 360 litre approved mobile bin. This charge is to be known as the '**Waste Collection Service - Rural**' collection service for the period 1 July 2024 to 30 June 2025 and will be charged at **six hundred and five dollars and zero cents (\$605.00)** per annum. Additional services will be charged at **six hundred and five dollars and zero cents (\$605.00)** per annum. Services commenced during the charging period will be charged for on a proportional basis.
- (20) An annual charge in accordance with Section 496 of the *Local Government Act 1993*, for all land, located outside the urban area of Lismore but within the declared domestic waste scavenging area, a map of which is available at Council's Corporate Centre for the removal, fortnightly, of the approved waste contents of a 140 litre approved mobile bin and on a fortnightly basis the approved recyclable contents of a 120 litre approved mobile bin. This charge is to be known as the '**Waste Collection Service - Rural Half**' collection service for the period 1 July 2024 to 30 June 2025 and will be charged at **four hundred and twenty dollars and zero cents (\$420.00)** per annum. Additional services will be charged at **four hundred and twenty dollars and zero cents (\$420.00)** per annum. Services commenced during the charging period will be charged for on a proportional basis.

- (21) An annual charge in accordance with Section 496 of the *Local Government Act 1993*, for all land, located outside the urban area of Lismore but within the declared rural village service areas, a map of which is available at Council's Corporate Centre for the removal, fortnightly, of the approved organic contents of a 240 litre approved mobile bin, the approved waste contents of a 240 litre approved mobile bin and the approved recycling contents of a 240 litre or 360 litre approved mobile bin on a fortnightly basis. This charge is to be known as the '**Waste Collection Service – Rural Village**' collection service for the period 1 July 2024 to 30 June 2025 and will be charged at **six hundred and ninety dollars and zero cents (\$690.00)** per annum. Additional services will be charged at **six hundred and ninety dollars and zero cents (\$690.00)** per annum. Services commenced during the charging period will be charged for on a proportional basis.
- (22) An annual charge in accordance with Section 496 of the *Local Government Act 1993*, for all land, located outside the urban area of Lismore but within the declared rural village service areas, a map of which is available at Council's Corporate Centre for the removal, weekly, of the approved organic contents of a 120 litre approved mobile bin on a fortnightly basis, the approved waste contents of a 140 litre approved mobile bin on a fortnightly basis the approved recycling contents of a 120 litre approved mobile bin on a fortnightly basis. This charge is to be known as the '**Waste Collection Service – Rural Village Half**' collection service for the period 1 July 2024 to 30 June 2025 and will be charged at **four hundred and ninety dollars and zero cents (\$490.00)** annum. Additional services will be charged at **four hundred and ninety dollars and zero cents (\$490.00)** per annum. Services commenced during the charging period will be charged for on a proportional basis.
- (23) An annual charge in accordance with Section 501 of the *Local Government Act 1993*, for all properties, located within the urban area of Lismore, a map of which is available at Council's Corporate Centre, whose waste does not meet the definition of domestic waste contained within the *Local Government Act 1993* and where Council collects the approved waste contents of an approved 240 litre mobile waste bin and the approved contents of a 240 litre approved resource recovery bin on a fortnightly basis from that property. This charge is to be known as the '**Waste Collection – Urban Business**' charge for the period 1 July 2024 to 30 June 2025 and will be charged at **five hundred and forty five dollars and zero cents (\$545.00)** per annum. Additional services will be charged at **five hundred and forty five dollars and zero cents (\$545.00)** per annum. Services commenced during the year a proportional charge will be made.
- (24) An annual charge in accordance with Section 501 of the *Local Government Act 1993*, for all properties, located outside the urban area of Lismore but within the declared waste scavenging area, a map of which is available at Council's Corporate Centre, whose waste does not meet the definition of domestic waste contained within the *Local Government Act 1993* and where Council collects the approved waste contents of an approved 240 litre mobile waste bin on a weekly basis and the approved contents of a 240 litre or 360 litre approved recycling bin on a fortnightly basis from that property. This charge to be known as the '**Waste Collection – Rural Business**' charge for the period 1 July 2024 to 30 June 2025 and will be charged at **six hundred dollars and zero cents (\$600.00)** per annum. Additional services will be charged at **six hundred dollars and zero cents (\$600.00)** per annum. Services commenced during the year a proportional charge will be made.
- (25) An annual charge in accordance with Section 496 of the *Local Government Act 1993*, for all land within the declared domestic waste scavenging areas, both urban and rural, maps of which are available at Council's Corporate Centre, not utilising the domestic waste management service provided by Council to be known as the '**Waste Availability**' charge, of **eleven dollars and thirty nine cents (\$11.39)** per assessment, except for all land located within the Nimbin and District service area (Schedule I attached), maps of which are available at Council's Corporate Centre, for the provision of the Nimbin Transfer Station Facility, for the period 1 July 2024 to 30 June 2025.
- (26) An annual charge in accordance with Section 501 of the *Local Government Act 1993*, for all land within the Lismore City Council area, to be known as the '**Waste Minimisation**' charge, of **Nil (\$0.00)** per assessment for the period 1 July 2024 to 30 June 2025.

- (27) An annual charge in accordance with Sections 501 and 541 of the *Local Government Act, 1993*, for all land located within the Nimbin and District service area (Schedule J attached), maps of which are available at Council's Corporate Centre, for the provision of the Nimbin Transfer Station, of **one hundred and seventy three dollars and forty eight cents (\$173.48)** per assessment and for properties with multiple units of residential occupancy a charge of **one hundred and seventy three dollars and forty eight cents (\$173.48)** per unit of residential occupancy located on each assessment, to be known as the '**Transfer Station**' charge for the period 1 July 2024 to 30 June 2025. Properties paying for a waste collection service are exempt from this charge.
- (28) An annual charge in accordance with Section 496 of the *Local Government Act 1993*, for all land within the declared scavenging area within the Lismore Urban Area, a map of which is available at Council's office, for the removal, fortnightly, of the approved contents of a 240 litre approved mobile waste bin. This charge is to be known as the '**Extra Bin Urban – 240L Waste**' collection service for the period 1 July 2024 to 30 June 2025 and will be charged at **two hundred and nineteen dollars and seventy five cents (\$219.75)** per annum. Additional services will be charged at **two hundred and nineteen dollars and seventy five cents (\$219.75)** per annum. Services commenced during the charging period will be charged for on a proportional basis.
- (29) An annual charge in accordance with Section 496 of the *Local Government Act 1993*, for all land within the declared scavenging area within the Lismore Urban Area, a map of which is available at Council's office, for the removal, fortnightly, of the approved contents of a 240 litre approved mobile recycling bin. This charge is to be known as the '**Extra Bin Urban – 360L Recycle**' collection service for the period 1 July 2024 to 30 June 2025 and will be charged at **eighty nine dollars and fifty nine cents (\$89.59)** per annum. Additional services will be charged at **eighty nine dollars and fifty nine cents (\$89.59)** per annum. Services commenced during the charging period will be charged for on a proportional basis.
- (30) An annual charge in accordance with Section 496 of the *Local Government Act 1993*, for all land within the declared scavenging area within the Lismore Urban Area, a map of which is available at Council's office, for the removal, fortnightly, of the approved contents of a 240 litre approved mobile organics bin. This charge is to be known as the '**Extra Bin Urban – 240L Organics**' collection service for the period 1 July 2024 to 30 June 2025 and will be charged at **two hundred and nineteen five dollars and thirty three cents (\$295.33)** per annum. Additional services will be charged at **two hundred and nineteen five dollars and thirty three cents (\$295.33)** per annum. Services commenced during the charging period will be charged for on a proportional basis.
- (31) An annual charge in accordance with Section 496 of the *Local Government Act 1993*, for all land within the declared scavenging area within the Lismore Urban Area, a map of which is available at Council's office, for the removal, fortnightly, of the approved contents of a 240 litre approved mobile waste bin. This charge is to be known as the '**Extra Bin Rural & Village – 240L Waste**' collection service for the period 1 July 2024 to 30 June 2025 and will be charged at **two hundred and nineteen five dollars and thirty three cents (\$258.62)** per annum. Additional services will be charged at **two hundred and nineteen five dollars and thirty three cents (\$258.62)** per annum. Services commenced during the charging period will be charged for on a proportional basis.

WATER CHARGES

- (32) In accordance with Section 502 of the *Local Government Act 1993*, for water recorded by the water meter on a property, a charge of **five dollars and three cents (\$5.03)** per kilolitre for the year 1 July 2024 to 30 June 2025 to be known as the '**Consumption**' charge is made.
- (33) In accordance with Sections 501, 539 and 541 of the *Local Government Act 1993*, an annual charge be now made for the year 1 July 2024 to 30 June 2025 for the provision of water and water service availability, based on the size of the water service connected to a property. For a property which has two or more water connections, the cost of the services will be the total number of services multiplied by the fixed service charged; in cases where different sized

services are connected, the sum of the cost of the fixed service charges, except for Perradenya (Recycled) services which are not charged an annual charge, and water connections used solely for firefighting services, the cost of which shall be **three hundred and sixty nine dollars and eight cents (\$369.08)** per firefighting service, to be known as the ‘**Fixed Service Charge**’ is hereby made in respect of:

Size of Service	Fixed Service Charge
20mm	\$ 369.08
25mm	\$ 576.69
32mm	\$ 944.85
40mm	\$ 1,476.33
50mm	\$ 2,306.78
65mm	\$ 3,898.45
80mm	\$ 5,905.34
100mm	\$ 9,227.09
150mm	\$20,760.96

- (34) In accordance with Sections 501, 539 and 541 of the *Local Government Act 1993* an annual charge, for the availability of water to property not connected to Council’s water supply but capable of connection thereto and within 225 metres of a Council water main in accordance with Section 552 (1)(b) of the *Local Government Act 1993*, for the year 1 July 2024 to 30 June 2025, to be known as the ‘**Water Availability**’ charge, of **three hundred and sixty nine dollars and eight cents (\$369.08)** per assessment is made, excluding properties paying the Water Rebate charge.
- (35) In accordance with Sections 501, 539 and 541 of the *Local Government Act 1993*, an annual charge be now made for the availability of water to residential properties, residential as defined in Section 516 (1) (a) of the *Local Government Act 1993*, including residential strata units, of **one hundred and eighty four dollars and fifty four cents (\$184.54)** per assessment. This charge applies to occupied residential properties for which an Occupation Certificate has been issued, which have a self-sufficient stand-alone system of water supply installed and which have no connection to Council’s reticulated water supply. In addition, all necessary State or Local Government approvals applicable to self-sufficient stand-alone water supply must have been obtained and the system must be operated in compliance with these approvals. This charge is to be known as the ‘**Water Rebate**’ charge for the period 1 July 2024 to 30 June 2025.

STORMWATER MANAGEMENT SERVICES CHARGE

- (36) An annual charge in accordance with Section 496A (1) of the *Local Government Act 1993*, for all eligible residential property, as defined, excluding residential strata units, within the Tucki Tucki Creek catchment area shown on Schedule H, of **twenty five dollars (\$25.00)** per assessment, to be known as the ‘**Stormwater Charge - Residential - Tucki**’ for the period 1 July 2024 to 30 June 2025.
- (37) An annual charge in accordance with Section 496A (1) of the *Local Government Act 1993*, for all eligible residential property, as defined, excluding residential strata units, within the Wilsons River catchment area shown on Schedule I, of **twenty five dollars (\$25.00)** per assessment, to be known as the ‘**Stormwater Charge - Residential – Wilsons River**’ for the period 1 July 2024 to 30 June 2025.
- (38) An annual charge in accordance with Section 496A (1) of the *Local Government Act 1993*, for all residential strata units and all residential company titled units within the Tucki Tucki Creek catchment area shown on the map in Schedule H, of **twelve dollars and fifty cents (\$12.50)**,

to be known as the ‘**Stormwater Charge - Res Strata - Tucki**’ for the period 1 July 2024 to 30 June 2025.

- (39) An annual charge in accordance with Section 496A (1) of the *Local Government Act 1993*, for all residential strata units and all residential company titled units within the Wilsons River catchment area shown on the map in Schedule I, of **twelve dollars and fifty cents (\$12.50)**, to be known as the ‘**Stormwater Charge - Res Strata – Wilsons River**’ for the period 1 July 2024 to 30 June 2025.
- (40) An annual charge in accordance with Section 496A (1) of the *Local Government Act 1993*, for all business/commercial and industrial property, except for business/commercial and industrial strata units and company titled units, located within the Tucki Tucki Creek catchment area of Lismore shown on the map in Schedule H, of **twenty five dollars (\$25.00)** for each 350m² or part thereof subject to the following; for properties up to 4,200m² in area, the charge will be \$25 per 350m² or part thereof to a maximum of \$300; for properties whose area exceeds 4,200m², \$25 for each 350m² or part thereof, subject to any reduction due to the porous nature of the property which has been determined using Council’s adopted Stormwater Appeals Procedure and the charge is to be known as the ‘**Stormwater Charge - Business Tucki**’ for the period 1 July 2024 to 30 June 2025.
- (41) An annual charge in accordance with Section 496A (1) of the *Local Government Act 1993*, for all business/commercial and industrial property, except for business/commercial and industrial strata units and company titled units, located within the Wilsons River catchment area of Lismore shown on the map in Schedule I, of **twenty five dollars (\$25.00)** for each 350m² or part thereof subject to the following; for properties up to 4,200m² in area, the charge will be \$25 per 350m² or part thereof to a maximum of \$300; for properties whose area exceeds 4,200m², \$25 for each 350m² or part thereof, subject to any reduction due to the porous nature of the property which has been determined using Council’s adopted Stormwater Appeals Procedure and the charge is to be known as the ‘**Stormwater Charge - Business – Wilsons River**’ for the period 1 July 2024 to 30 June 2025.
- (42) An annual charge in accordance with Section 496A (1) of the *Local Government Act 1993*, for all eligible business/commercial and industrial strata units and company titled units, located within the Tucki Tucki Creek catchment area of Lismore shown on the map in Schedule H, to be calculated at **twenty five dollars (\$25.00)** for every 350m² or part thereof of the total property and the product of that calculation being divided by the sum of the strata unit entitlement or the total sum of units of the company title with the product of that calculation being multiplied by the individual strata unit entitlement or company title entitlement to give the charge that is to be known as the ‘**Stormwater Charge - Bus Strata - Tucki**’, subject to a minimum charge of \$25 per assessment, for the period 1 July 2024 to 30 June 2025.
- (43) An annual charge in accordance with Section 496A (1) of the *Local Government Act 1993*, for all eligible business/commercial and industrial strata units and company titled units, located within the Wilsons River catchment area of Lismore shown on the map in Schedule I, to be calculated at **twenty five dollars (\$25.00)** for every 350m² or part thereof of the total property and the product of that calculation being divided by the sum of the strata unit entitlement or the total sum of units of the company title with the product of that calculation being multiplied by the individual strata unit entitlement or company title entitlement to give the charge that is to be known as the ‘**Stormwater Charge - Bus Strata – Wilsons River**’, subject to a minimum charge of \$25 per assessment, for the period 1 July 2024 to 30 June 2025.

INTEREST CHARGES

- (44) In accordance with Section 566 (3) of the *Local Government Act 1993*, the interest rate on outstanding rates and charges will be 10.5% and for the period 1 July 2024 to 30 June 2025.

Background

The Council has prepared a draft OP 2024-2025 and it includes the Revenue Policy. The Revenue Policy lists all rates and charges proposed to be levied in 2024-2025. On the basis Council adopts the OP 2024-2025 as part of this business paper, this report is prepared for Council to make the 2024-2025 rates and charges in accordance with its statutory obligations.

2024-2025 Rates and Annual Charges

The Revenue Policy lists all proposed 2024-2025 rates and charges. The following is a selection of the main rates and charges:

Ordinary Rates

The NSW Independent Pricing and Regulatory Tribunal determined the rate pegging percentage increase for 2024-2025 was 4.7%. This has been factored into the rating structure for 2024-2025.

Base Rate

A base rate is charged to all rateable properties. The base rate relates to costs Council considers are of equal value to a ratepayer regardless of the location of a property or its valuation. Costs considered reasonable to include in the base rate amount relate to Councillors, Corporate Management, Corporate Centre, Financial Services and Regulatory Services (Development and Compliance). The base rate will be \$458 in 2024-2025.

Wastewater Charges

There is no increase.

Waste Management Charges

As a result of the natural disasters of February and March 2022 and the subsequent damage to Council's waste cell, Council has been required to transport waste off site to other facilities. This has resulted in Council incurring significant additional operational costs, it is anticipated that this will continue during 2024-2025 year until the cell becomes operational. To offset the increased operational costs, Council has introduced a waste levy of \$75.00 per **service** for the 2024-2025 year.

To minimise the impact on ratepayers, Council proposes to once again reduce the Waste Minimisation charge in 2024-2025 to zero.

Waste services have been reviewed with proposed changes incorporated in the 2024-2025 both to the services to be delivered and the charging structure for the services to be delivered. The changes reflect the true cost of the service being delivered by Council and will provide for a more sustainable waste facility over the longer term. A full list of charges has been included in the Revenue 2024-2025 Policy of Council.

Water Charges

Council applies a user pays policy for water charges. The adoption of the recommendations relating to water charges will continue this policy.

For 2024-2025, consumption charges will increase by 5% to \$5.03 per kilolitre. Base service availability charges will increase by 5% to \$369.08 per annum. This effectively increases the typical residential bill from \$1,156 to \$1,214 per annum; a \$58 per annum or 5% increase.

Stormwater Management Services Charges

The charges for 2024-2025 will remain the same as the 2023-2024 charges.

For residential lots the charge will be \$25.00. For residential strata and company titled land, the charge will be \$12.50 per unit.

For business properties the charge will be area based with a minimum charge of \$25.00 for properties up to 350m² and an additional \$25.00 for each unit of 350m² or part thereof. Business properties over 4,200m², dependent upon the outcome of an assessment of the property to determine the proportion of the property that is impervious, will be charged a minimum \$300.00 with an additional charge of \$25.00 per 350m² or part thereof that is declared impervious.

Maps and Schedules

Council is required to provide maps and schedules of some of its rates and charges. Copies of these are provided as attachments to this report.

Comments

Finance

The recommended 2024-2025 Rates and Charges are consistent with those advertised in the draft Imagine Lismore OP 2024-2025 and are supported.

Public consultation

The draft Imagine Lismore OP 2024-2025, which includes the Rates and Charges, was on public display from 17 May 2024 to 14 June 2024.

Conclusion

Council is required to make the 2024-2025 rates and charges. The rates and charges to be made include ordinary rates, base rate, wastewater charges, waste charges, water charges, stormwater management services charges and interest on overdue rates and charges.

The recommendations are worded to meet Council's statutory obligations when making the 2024-2025 Rates and Charges and are consistent to that proposed in the draft Imagine Lismore OP 2024-2025.

Attachment/s

1. Schedule A - 2024-2025 (Over 7 pages)
2. Bexhill Schedule A - 2024-2025 (Over 7 pages)
3. Clunes Schedule A - 2024-2025 (Over 7 pages)
4. Dunoon Schedule A - 2024-2025 (Over 7 pages)
5. Goolmangar Schedule A - 2024-2025 (Over 7 pages)
6. Modanville Schedule A - 2024-2025 (Over 7 pages)
7. Nimbin Schedule A - 2024-2025 (Over 7 pages)
8. North Woodburn Schedule A - 2024-2025 (Over 7 pages)
9. Perradenya Schedule A - 2024-2025 (Over 7 pages)
10. South Gundurimba Schedule A - 2024-2025 (Over 7 pages)
11. The Channon Schedule A - 2024-2025 (Over 7 pages)
12. Wyrallah Schedule A - 2024-2025 (Over 7 pages)
13. Schedule C - 2024-2025 (Over 7 pages)
14. Schedule D - 2024-2025 (Over 7 pages)
15. Schedule F - 2024-2025 (Over 7 pages)
16. Schedule G - 2024-2025 (Over 7 pages)
17. Schedule H - 2024-2025 (Over 7 pages)
18. Schedule I - 2024-2025 (Over 7 pages)
19. Schedule J - 2024-2025 (Over 7 pages)

Report

Subject	2023-2027 Delivery Program and 2024-2025 Operational Plan including Budget, Fees & Charges and Revenue Policy
TRIM Record No	BP24/669:EF24/24
Prepared by	Manager Finance
Reason	To adopt the 2023-2027 Delivery Program and 2024-2025 Operational Plan and comply with the Integrated Planning & Reporting Guidelines
Strategic Theme	Leadership and participation
Strategy	We communicate and engage with our community.
Action	Coordinate and initiate community engagement in Council activities and decision-making.

Executive Summary

At its 14 May 2024 Council meeting, Council resolved to endorse the public exhibition for a period of 28 days of the following: -

- Draft 2023-2027 Delivery Program (DP)
- 2024-2025 Operational Plan (OP) (including the annual Budget, Fees & Charges, Revenue Policy)
- Long-Term Financial Plan and
- Strategic Asset Management Plan

The public exhibition period commenced 14 May 2024 and closes Friday 14 June 2024.

The Council is required to consider all submissions received during the public exhibition prior to adopting the 2023-2027 DP and 2024-2025 OP including the annual Budget, Fees & Charge and Revenue Policy.

Recommendation

That:

1. all submissions to the 2023-2027 Delivery Program and 2024-2025 Operational Plan, the Long-Term Financial 2025-2034 and the be received and noted.
2. the following documents are adopted and published:
 - a. 2023-2027 Delivery Program and 2024-2025 Operational Plan including:
 - i. 2024-2025 Budget
 - ii. 2024-2025 Fees & Charges
 - iii. 2024-2025 Revenue Policy
 - b. Resourcing Strategy incorporating:
 - i. Long Term Financial Plan 2025-2034

ii. Strategic Asset Management Plan

Background

Council adopted the Imagine Lismore Community Strategic Plan (CSP) 2022-2032 in February 2023. The combined 2023-2027 DP and 2023 - 2024 OP identifies the actions that Council will take to deliver on the objectives set by the CSP.

The DP is a four-year program, which sets out projects and activities to be undertaken by Council over that period. The OP is a sub-set of projects and activities to be undertaken on an annual basis and includes the annual budget, revenue policy and fees & charges.

Delivery Program

The CSP outlines five themes with objectives for meeting the community's aspirations. The DP addresses each of these themes and shows how Council will meet the objectives through new projects and everyday "business as usual" activities.

Funding for the DP is summarised in the 2024-2025 Budget by Program and includes four-year forward financial estimates for each of the program areas within Council's operations. The scale of works required across the term of this DP is evident in the forecast capital grants.

Council remains committed to delivering quality outcomes for the community through the five CSP themes:

- An inclusive and healthy community
- A prosperous and vibrant city
- Our natural environment
- Our built environment
- Leadership and participation

Operational Plan

The OP is a sub-set of the DP and details activities which will occur in each of the four years of the program. The activities scheduled to occur during the 2024-2025 financial year are indicated in the 2024-2025 column, within the table for each strategic theme. A detailed cost breakdown by program is included in the appendix "2024-2025 Budget by Program".

Resourcing Strategies

The Resourcing Strategy outlines how Council will implement and resource the long-term vision and aspirations identified in the CSP. The key elements of the Resourcing Strategy are a:

- Long-Term Financial Plan (LTFP)
- Workforce Management Plan (WMP)
- Strategic Asset Management Plan (SAMP)

These strategies detail how Council will effectively manage its finances, the sustainability of its workforce and the cost of providing and maintaining community assets and services.

Long Term Financial Plan

The LTFP is a 10-year rolling plan informing decision making and demonstrating how the objectives of the CSP and commitments of the four-year DP and the annual OP will be resources and delivered over the short, medium, and long term.

The LTFFP highlights Council's progress towards long-term financial sustainability, which essentially is its financial capacity to deliver acceptable, affordable, and ongoing services to its community. Importantly the LTFFP demonstrates how Council is progressing in relation to key financial benchmarks including a positive operational result, maintenance, renewal of assets at required levels, sustainable debt levels and management of cash reserves.

At the time of writing this report Council had received one (1) submission to the LTFFP.

Workforce Management Plan

The WMP was adopted by Council at its February 2023 meeting and is due for review prior to 30 June 2025.

Strategic Asset Management Plan

The SAMP and the associated Asset Management Plans (AMP) provide information, by asset category, about the funding of maintenance activities, major projects and service levels associated with each asset category. The various AMPs inform the LTFFP in terms of how much Council should be setting aside for asset maintenance and renewals.

These are evolving documents, continually reviewed and improved in response to changes in priorities set by Council. Like many councils in NSW, one of the critical challenges faced is providing adequate funding to maintain assets to the levels specified in the SAMP.

The SAMP has been updated with data from the DP and LTFFP and shows Council is moving towards funding its asset requirements, however there is more work to be done to achieve a satisfactory outcome by individual asset categories.

Council will work towards improving the funding provided to assets in line with the overall strategic objectives as determined by Council. This will include discussions with the community on agreed service levels, the development of a strategic business plan for Water and Wastewater and the review of operations to maximise efficiency.

Cost Shifting

Cost shifting describes a situation where the responsibility for, or the cost of, providing a certain service, concession, asset, or regulatory function is "shifted" from one sphere of government to another sphere of government, without the provision of corresponding funding or the conferral of corresponding and adequate revenue raising capacity. In 2021 Council resolved that *"staff include in the annual budget and the annual audited financial statement to Council a separate schedule which includes the amounts cost shifted onto Council each year and that the schedule is itemised into the areas cost shifted, as categorised in the LGNSW survey, and the amounts"*.

In terms of the 2024-2025 budget, the impact of cost shifting to Council is estimated at \$10.18 million. A breakdown of the individual items is attached to this report (Attachment 8).

Comments

Finance

There have been minor adjustments made within the document to reflect better information in relation to costs will incur in the 2024-2025 year. The overall impact has been absorbed with there being impact to the net cash result of Council.

Other staff comments

Included in the table of submissions.

Public consultation

The combined draft DP 2023–2027, OP 2024–2025, LTFP and the SAMP was placed on public exhibition for 28 days from 14 May to 14 June 2024. In total 8 submissions were received.

In addition Council received

- 1.9 Notification of increased service fees
- 1.10 Flood awareness week
- 1.11 Footpath/cycleway Dunoon to Modanville

The submissions are summarised in the following table.

Attachment. Respondent Number	Delivery Program item number or attachment	Summary of submission	Staff Comment															
1.1	Fees & Charges	Do not support rates increase.	Receive and note															
1.2	Fees & Charges	Do not support rates increase.	Receive and note															
1.3	Budget by program	More funding should be allocated to the environment.	Receive and note															
1.4	Operational Plan	Issues with "How we measure success" and "Our community is connected and convenient"	Receive and note															
1.5	Operational Plan Budget by Program	Request for increase in budget allocation for Lismore Lantern Parade	The 2024-2025 Operational Plan includes \$30,400. Being - (\$15,200 for the event donation and \$15,200 for Council's traffic control expenses															
1.6	Operational Plan Budget by Program	Magpie Centre Indigenous Corporation - Request contribution of \$6,000 towards various initiatives. More detail contained within attachments.																
1.7	Operational Plan	Magpie Centre Indigenous Corporation - Request contribution of \$6,000 towards various initiatives. More detail contained within attachments.																
1.8	Operational Plan	Magpie Centre Indigenous Corporation - Request contribution of \$6,000 towards various initiatives. More detail contained within attachments.																
1.9	Operational Plan Budget by Program (Staff Submission Compliance)	Increase in fees for Veterinary services: Amend fees and charges in relation the Adoption Packages to reflect the confirmed charges incurred by Council	<table border="1"> <thead> <tr> <th>Category</th> <th>From</th> <th>To</th> </tr> </thead> <tbody> <tr> <td>Male Dog</td> <td>\$209</td> <td>\$360</td> </tr> <tr> <td>Female Dog</td> <td>\$260</td> <td>\$410</td> </tr> <tr> <td>Female Cat</td> <td>\$222</td> <td>\$300</td> </tr> <tr> <td>Male Cat</td> <td>\$147</td> <td>\$230</td> </tr> </tbody> </table>	Category	From	To	Male Dog	\$209	\$360	Female Dog	\$260	\$410	Female Cat	\$222	\$300	Male Cat	\$147	\$230
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Male Dog	\$209	\$360																
Female Dog	\$260	\$410																
Female Cat	\$222	\$300																
Male Cat	\$147	\$230																
1.10	Operational Plan Budget by Program	Clr Bird - Flood Awareness Week	Estimated cost \$55,000															
1.11	Operational Plan Budget by Program	Clr Jenkins submission - Dunoon footpath/cycleway	Estimated cost \$2.4 million															

Conclusion

This is the first step in the development of an integrated approach on how Council will move to a more financially sustainable future, deliver the CSP and maintain the community infrastructure it is responsible for.

It is recommended that Council adopts following documents and publishes them on the Council website:

- a. 2023-2027 Delivery Program and 2024-2025 Operational Plan including:
 - i. 2024-2025 Budget
 - ii. 2024-2025 Fees & Charges
 - iii. 2024-2025 Revenue Policy
- b. Resourcing Strategy incorporating:
 - i. Long Term Financial Plan 2025-2034
 - ii. Strategic Asset Management Plan

Attachment/s

- 1. 2023-2027 Delivery Program & Operational Plan (Over 7 pages)
- 2. 2024-2025 Revenue Policy (Over 7 pages)
- 3. 2024-2025 Budget by Program (Over 7 pages)
- 4. 2024-2025 Fees & Charges (Over 7 pages)
- 5. 2025-2034 Long-term Financial Plan (Over 7 pages)
- 6. Strategic Asset Management Plan (Over 7 pages)
- 7. 2024-2025 Submissions (Over 7 pages)
- 8. Cost Shifting Analysis (Over 7 pages)

Reports

Subject	Exclusion of Question with Notice
TRIM Record No	BP24/628:EF22/94
Prepared by	General Manager
Reason	Comply with clause 3.20 of the Code of Meeting Practice
Strategic Theme	Leadership and participation
Strategy	Our decisions and actions are open, transparent, effective and in the interests of all.
Action	Manage Council meetings and provide support to Councillors in fulfilling their role.

Executive Summary

The Code of Meeting Practice states the General Manager is to report to Council if any business is excluded from the agenda.

Recommendation

That Council note the contents of the report.

Background

Clause 3.20 of the Code of Meeting Practice states:

The general manager must not include in the agenda for a meeting of the council any business of which due notice has been given if, in the opinion of the general manager, the business is, or the implementation of the business would be, unlawful. The general manager must report, without giving details of the item of business, any such exclusion to the next meeting of the council.

Therefore it is reported that one item was excluded from the agenda for this meeting.

Attachment/s

There are no attachments for this report.

Notices of Motion / Questions with Notice



Notices of Motion / Questions with Notice

Subject **Mayoral Attendance Report**

TRIM Record No BP24/627:EF19/25-6

That Council receives the Mayoral Attendance Report for May 2024.

May

- 1 Sister City Advisory Group
- 2 Living Lab briefing
- Summerland Bank Lismore Branch Opening
- 7 Northern Rivers Rail Trail Construction Update and Marketing Opportunities
- Essential Energy Consumer Advocacy Group meeting
- Councillor briefing
- 8-9 Regional Cities NSW
- 10 Country Mayors
- 11 NSW Reconstruction Authority Community BBQ
- 13 Citizenship Ceremony
- 14 Council meeting
- 15 Adjourned Council meeting
- 16 Waste Convention
- Nimbin Advisory Group
- 17 Northern Rivers Joint Organisation
- 19 Gemfest
- 20 Northern Rivers Community Leaders Forum
- 21 Northern Rivers Community Leaders Forum & NSW Reconstruction Authority dinner
- 22 Staff Retention Strategies and Changes to Employment Legislation workshop
- Meeting with NSW Reconstruction Authority
- ABC Takeover Lismore
- Business Lismore Business After Hours
- 23 Green's Bridge Official Opening
- 24 Lismore Library Meeting Room Opening
- 25 Our Kids Winter Ball
- 29 Reconciliation Week Flag Raising Ceremony
- Northern Rivers RFS Medals Presentation
- 31 NORPA Future Plans

Notices of Motion / Questions with Notice

Attachment/s

There are no attachments for this report.

TRIM Record No: BP24/627:EF19/25-6



Rail trail update



Summerland Bank opening



Regional Cities NSW



Citizenship ceremony



Waste Conference



ABC Takeover Lismore

Notices of Motion / Questions with Notice



Green's Bridge opening



Lismore Library Meeting Room opening



Our Kids Winter Ball



Reconciliation Week Flag Raising Ceremony

Notices of Motion / Questions with Notice

Councillor Andrew Gordon has given notice of intention to move:

That the *Infrastructure Contributions Discount Policy for the Change of Use of Commercial Premises* policy be extended for one year past its closure date of 30 June 2024, and that consequential administrative changes are made to wording within the policy.

Councillor Comment

Outcome Sought

To facilitate new commercial uses of existing buildings as part of Lismore's flood recovery.

Cost of Implementing

Foregone contributions that would otherwise have been collected.

Funding Source

Not applicable

Officer Consulted

Nil

Officer Comment

Strategic Planning Coordinator

The policy was adopted in 2022 in order to assist the relocation of businesses and for new businesses to establish in Lismore as part of a post-flood response at a time when vacancy rates of commercial premises were at an all time high.

The policy states: *'This policy will lapse on 30 June 2024 unless it is reviewed prior to this date and Council resolves to modify, vary, revoke or extend the application of this policy at its discretion.'*

Extending the date to June 30, 2025 by resolution of Council is consistent with this clause.

If adopted, staff would also update the zone categories which have since changed from 'Business Zones' to 'Employment Zones' as part of a statewide planning reform. The other change required is the references to the Section 94 Contributions Plan (2014) to the S7.11 Contribution Plan (2024) that is the subject of a separate report to Council that is due to commence from July 1 (subject to Council resolution).

Attachment/s

There are no attachments for this report.

TRIM Record No: BP24/629:EF19/25-6

Notices of Motion / Questions with Notice

Councillor Big Rob has given notice of intention to move:

That a report is prepared for Council to consider renaming New England Lane to 'Florian Volpato Lane'.

Councillor Comment

Outcome Sought

A large section of New England Lane, Lismore was once privately owned by the Volpato family, who still own the adjoining building to the west. The land was donated to Council to address liability issues with public access on private land, and a boundary adjustment resulted. The road is currently one way from Conway Street around to Carrington Street.

A member of the Volpato family asked if the road could be renamed 'Florian Volpato Lane' in honour of his father. The Volpato family is a well-respected local family with considerable land holdings in the CBD.

I am told New England Lane was named after a business operating at the location which has long since been out of business. It was also believed the donated section of road was unnamed until recently. It is appropriate to rename New England Lane to Florian Lane to honour a family who has invested heavily in Lismore for many years, and who have continued to do so heavily since the devastating 2022 floods.

Renaming New England Lane to Florian Volpato Lane will have zero impact on any street addresses or post as there are no addresses fronting the lane.



Cost of Implementing

Nil

Funding Source

Not applicable

Officer Consulted

Nil

Notices of Motion / Questions with Notice

Officer Comment

Supporting the proposal to rename New England Lane is not recommended. Council records indicate the majority of New England Lane was established as road reserve as early as 1884 as shown on DP 1627 (refer extract in Image 1 below and attached). The lane was named "New England Lane" by Government Gazette on 5 July 1966 (refer attached gazettal notice and Image 2).

The remaining 10m section of New England Lane that included the Right of Way was dedicated to Council as public road in 2015 through the registration of DP 1208701 (refer attachment). DP 549628 demonstrates the Right of Way over 218 Molesworth Street, Lismore (refer attachment and Image 3).

The Geographical Names Board (GNB) is the official body for naming and recording details of road names in the state of New South Wales. All road naming is done in line with the policy outlined in the NSW Address Policy and User Manual, which was produced by the GNB.

Road names are intended to be enduring and the renaming of a road is discouraged by the GNB unless there are compelling reasons for change. Section 6.7.9 of the GNB Address Policy and User Manual stipulates issues that prompt renaming; including the redesign of a road, changed traffic flow, mail or service delivery problems and duplication issues which cause confusion for operational dispatch and as a result delayed emergency response time. The proposal to rename the lane is not considered to meet this criteria.

A potential issue with the proposed name, 'Florian Volpato Lane' was identified during a Road Name Evaluation by the GNB, as shown in Image 4. The name 'Florian Volpato' closely resembles 'Floral Avenue' in East Lismore. If the renaming process is pursued, there is no assurance the GNB will approve it due to the similarity with an existing road name.

Supporting the proposal to rename New England Lane is not recommended. Deviating from the naming guidelines may unintentionally set a precedent that could be perceived as preferential treatment. To maintain a fair and consistent approach, Council could explore alternative ways to honour Florian Volpato that align with our established guidelines. This way, we can preserve the integrity of our naming conventions while still paying tribute to Florian Volpato.

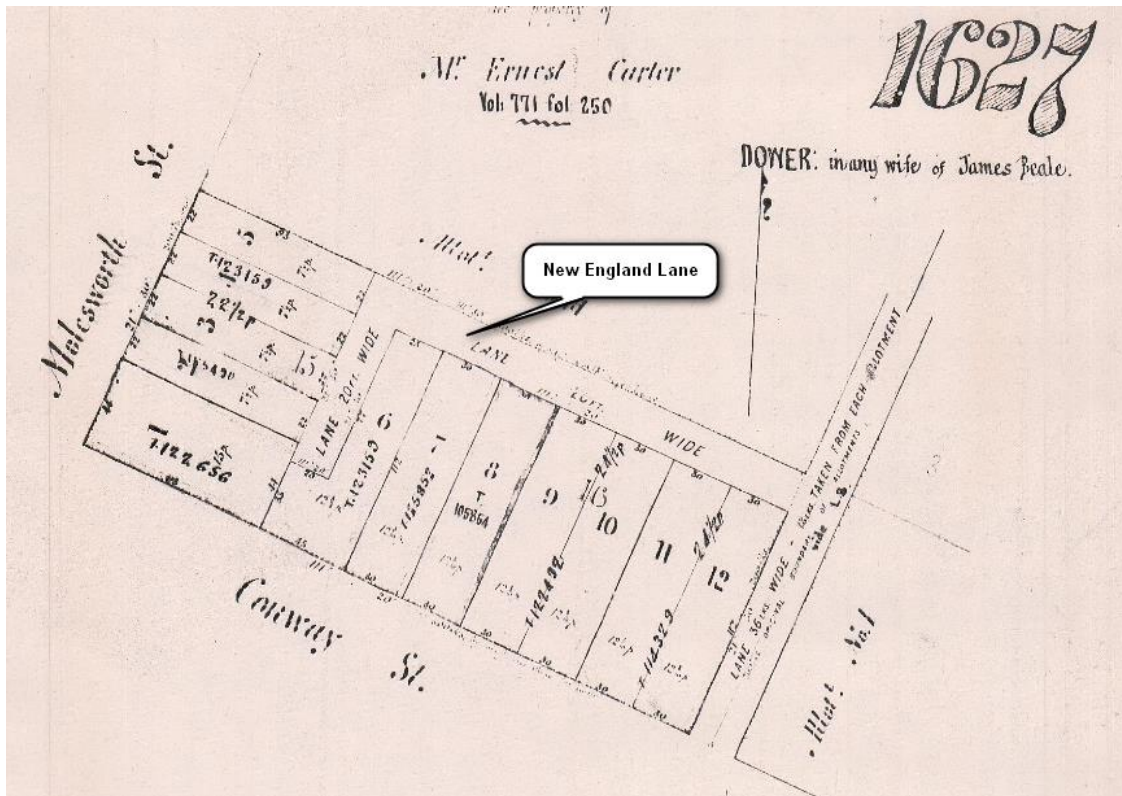


Image 1 DP 1627

LISMORE CITY COUNCIL.—NAMING OF ROADS.—Local Government Act, 1919, Ordinance No. 30, Clause 53 (ii).—Notice is hereby given that in accordance with Ordinance No. 30, Clause 53 (ii), the following roads have been named:—ROADS REFERRED TO: (1) Glasgow Lane South: A lane 20 feet wide running in a north-easterly direction from Magellan Street between the Richmond River and Molesworth Street for a distance of approximately 200 feet. (2) County Lane: A lane 20 feet wide running in a generally east-westerly direction at the north-eastern end of Carrington Street for a distance of approximately 350 feet. (3) Carrington Street: A lane 27 feet wide between Larkin Lane and the north-eastern end of Carrington Street running parallel to Molesworth Street for a distance of approximately 264 feet. (4) Eggins Lane: A lane 20 feet wide running generally south-westerly then north-westerly from Larkin Lane and Carrington Street and generally parallel to Keen Street for a distance of approximately 680 feet. (5) King Street: A lane 20 feet wide running south-westerly from Woodlark Street to the Lismore High School grounds for a distance of approximately 363 feet. (6) Rural Street: A lane 63 feet wide from Dawson Street running north-westerly for a distance of approximately 330 feet thence 30 feet wide for a distance of approximately 149 feet and south-westerly for a distance of approximately 165 feet. (7) Church Lane: A lane 20 feet wide running north-easterly from Woodlark Street between Keen and Dawson Streets and parallel to them for a distance of approximately 332 feet. (8) Richmond Lane: A lane 20 feet wide running south-easterly from Keen and Dawson Streets between Zadoc and Woodlark Streets and parallel to them for a distance of 660 feet. (9) Shire Lane: A lane 20 feet wide running north-westerly from Carrington Street to the rear of the Public Works Office for a distance of approximately 110 feet. (10) **New England Lane: A lane 20 feet wide running north-westerly and then south-westerly from Carrington Street to the rear of Robinson's Garage between Conway and Magellan Streets for a distance of 185 feet.** B. C. STEVENS, Town Clerk, Council Chambers, Lismore, 5th July, 1966. 7490—\$7.60

Image 2 Gazette

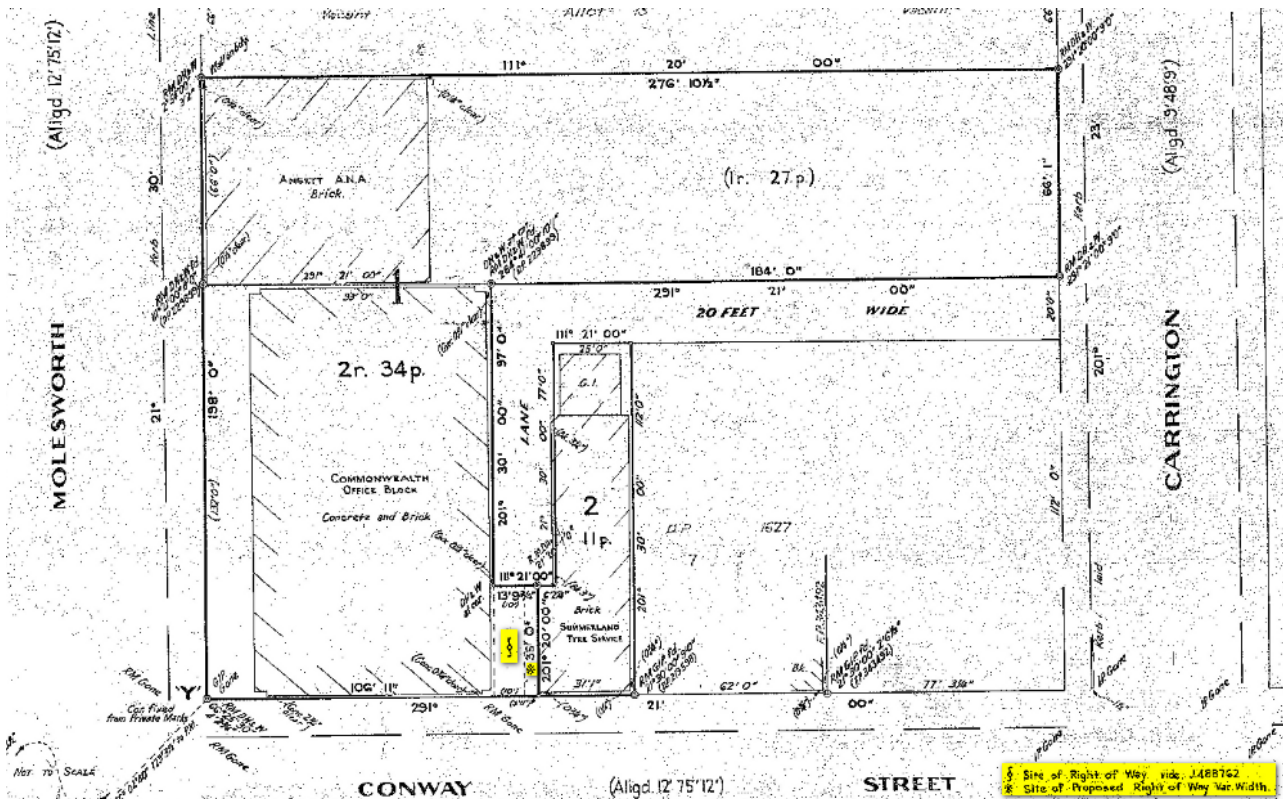


Image 3 DP 549628

Notices of Motion / Questions with Notice

*Local Government Area

LISMORE

*Address Locality (Suburb)

LISMORE x

*Proposed Road Name



Florian Volpato

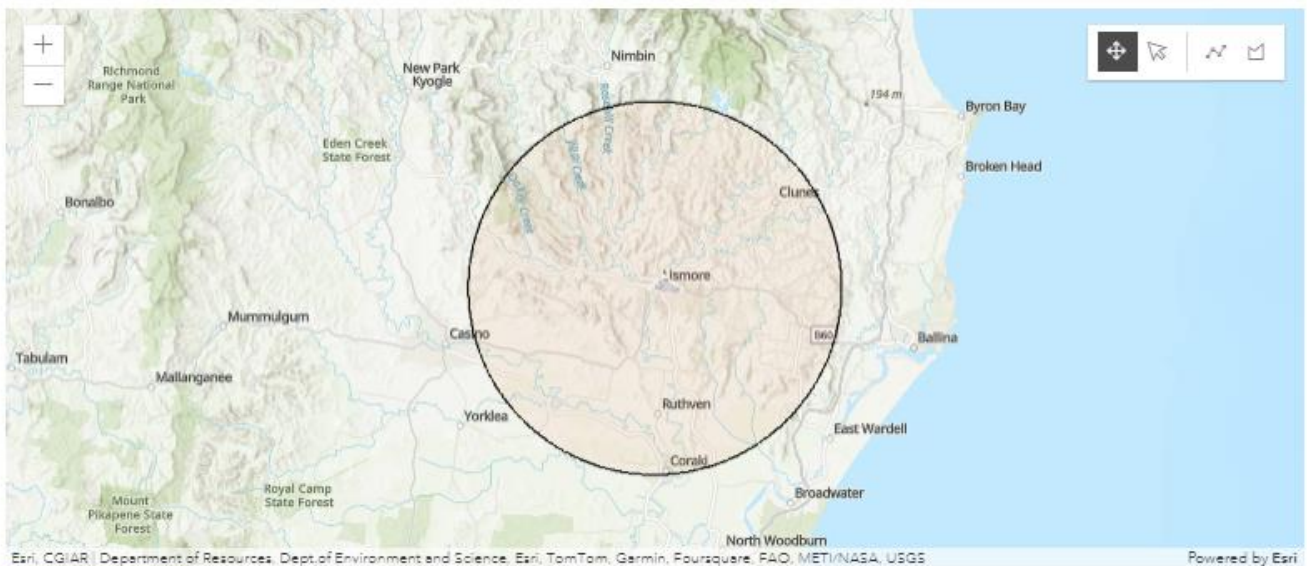
*Radius

20km - Regional Urban

Road Name Extent

Please draw the extent of the proposed road on the map.

- Select either the polyline  or polygon  tool from within the map
- Left click to mark the start of the road
- Add additional points to mark out the road
- Double click for the extent to be completed
- Click Evaluate to undertake a road name evaluation



Evaluate

1 potential issue(s) found

Similar Sounding

! Florian Volpato sounds similar to FLORAL AVENUE in EAST LISMORE - View on map

Image 4 GNB Road Name Evaluation

Attachment/s

There are no attachments for this report.

TRIM Record No: BP24/630:EF19/25-6

Notices of Motion / Questions with Notice

Councillor Big Rob has given notice of intention to move:

That Council include 'lookout tree pruning' in the 2024-2025 Operational Plan to identify and allocate the funding necessary to ensure the adequate pruning of trees obstructing views from recognised lookouts in our LGA on an ongoing basis as required.

Councillor Comment

Outcome Sought

Our lookouts are not fit for purpose. In fact, they are embarrassing in their current condition. Pruning trees properly does not kill them, it often makes them stronger. Council really needs to maintain and improve our existing assets and infrastructure better.

In response to the staff comment when this item appeared in the last Agenda, any trees which block views from all of our recognised lookouts.

If what has occurred in the past is any indication of what we expect going forward, the maintenance budget will need to be urgently reviewed.

I believe some pruning has occurred at the Claude Riley Memorial Lookout in Lismore Heights following a very public and embarrassing social media complaint and subsequent councillor request. This should not be required to keep our lookouts fit for purpose.

Cost of Implementing

Nil

Funding Source

Nil

Officer Consulted

Nil

Officer Comment

Head of Fleet and Open Spaces

The 2024-2025 park maintenance budget will allow lookouts to continue to receive attention in line with relevant legislation, planning instruments and Council adopted strategies.

Attachment/s

There are no attachments for this report.

TRIM Record No: BP24/631:EF19/25-6

Notices of Motion / Questions with Notice

Councillor Big Rob has given notice of intention to move:

That Council establish a Koala Advisory Group to replace the Koala Implementation Group prior to 30 June 2024.

Councillor Comment

Outcome Sought

Since it is a requirement of the Comprehensive Koala Plan of Management (CKPoM) for south-east Lismore adopted by Council in May 2012, which has been completely ignored to date, and an August 2023 resolution requiring a briefing to see things progress is still the current resolution, it is time this progressed to completion to get another to do item off our list. There is no valid reason to further delay progressing this.

The CKPoM is an adopted Plan of Council. The items listed in it are required as supported by Council resolution. Establishing a Koala Advisory Group was the first item listed and it has still not been promptly implemented by Council as required by legislation.

The delays are unnecessary and completely inappropriate. It seems the Koala Implementation Group stopped meeting so councillors could not attend. In any case, it shows they are no longer relevant if they do not need to meet for so long.

A review of the CKPoM is also irrelevant to the requirement to comply with the existing item to establish a Koala Advisory Group. Staff have no choice but to comply with a Council resolved Plan and promptly implement, not ignore for more than 12 years, this requirement in the CKPoM, whether Council resolves to make it happen or not.

The alternative is for Council to rescind the CKPoM if staff continue refusing to implement its requirements.

Cost of Implementing

Not applicable

Funding Source

Not applicable

Officer Consulted

Nil

Officer Comment

Chief Community Officer

A briefing was provided to councillors on 29 August 2023. That briefing sought to provide councillors with an understanding of the background to the Koala Implementation Group, its formation, operational functions and achievements since 2013 as well as challenges encountered in providing non-regulatory, science-based information to Council's management activities in the defined CKPoM area.

Officers have prepared a further briefing presentation for councillors although delivery of the briefing has been delayed due to operational resourcing issues.

Notices of Motion / Questions with Notice

Since this resolution was affected, all planned meetings were postponed due to uncertainty about the Group's function pending the briefing and Council decision. Implementation of on-ground actions contained in the CKPoM have been ongoing as business as usual.

Officers are seeking to include funds in the 2024-2025 Council budget for an internal review of the CKPoM. A formal 10-year review according to NSW Government determined guidelines cannot proceed as these guidelines are yet to be published.

Attachment/s

There are no attachments for this report.

TRIM Record No: BP24/632:EF19/25-6

Notices of Motion / Questions with Notice

Councillor Big Rob has given notice of intention to move:

That Council stop any spending on 'art' included in the grant funding deed for the Safer Cities: Her Way Project, and redirect the funds allocated to 'art' towards improving lighting and CCTV options.

Councillor Comment

Outcome Sought

To stop council staff directing so much money into 'art' when grant funding is not meant for 'art'. There is a saying that 'You can put lipstick on a pig, but its still a pig!' Instead of always trying to cover up the mess that is our CBD, maybe we should get back to basics and just clean it up and maintain it as we should be doing.



In response to staff comments when this item previously appeared in the Agenda, improving ACTUAL safety is much more important than the PERCEPTION of safety.

Regarding 'extensive community consultation', it appears someone asked for 'art' while walking around and staff went with it. It seems we can just ask for 'art' and 15% of the funding will be directed to it without councillors being asked or told before it happens.

If Council are actually committed as 'understood' by staff, even following extended delays with meeting adjournments and withdrawn motions, then staff can quite easily present evidence of that commitment with relevant dates preceding the date of the previous motion being submitted, or this one being submitted on 19 May 2024.

Cost of Implementing

Not applicable

Funding Source

Not applicable

Officer Consulted

Nil

Officer Comment

Manager Destination & Economy

The Safer Cities: Her Way Program funded by Transport for NSW is aimed at helping to improve the perception of safety, particularly for women, girls and gender diverse people, when walking or moving, through and within public spaces and transport hubs. The demonstration projects are a way to test how to make these spaces feel safer. During the extensive community consultation process, community feedback indicated the inclusion of public art at these sites (including art that assists with pedestrian wayfinding and visibility) in conjunction with other initiatives such as lighting, wayfinding and CCTV would create a place that feels more cared for, more vibrant and more welcoming. Lismore City Council's project elements, including the artwork respond to community input and have been developed in consultation with and fully endorsed by Transport for NSW, the funding body.

Both demonstration sites will see the inclusion of a combination of elements including: CCTV cameras (both locations), lighting, seating, bins, community gardens and gallery, street art, accessible ramps and tactile ground tiles and signage.

Council considered this matter at its meeting of 9 April 2024. The Tender assessment (BP24/310) provided to Council recommended all tenders be declined and fresh individual tenders/quotations would be advertised. This was approved. Smaller project tasks have already been advertised for quotations, with larger items soon to be advertised. Officers have been in negotiations with artists and awaiting agreement on final estimates prior to a purchase order being raised.

Attachment/s

There are no attachments for this report.

TRIM Record No: BP24/633:EF19/25-6

Notices of Motion / Questions with Notice

Councillor Big Rob has given notice of intention to move:

That Council:

1. redirect any spending to maintain the floating solar setup on pontoons at the waste facility to relocating the solar panels to a location where they will be more effective
2. divest any interest it has in the pontoons.

Councillor Comment

Outcome Sought

To remove an expensive eyesore which grows weeds and collects bird excrement, while not producing anywhere near the energy it was touted as capable of producing.

Removing this useless asset will reduce Council's WHS risk to staff having to work on water to maintain it.

This has been a financial burden on ratepayers since the way it was resolved to progress it, and it should have never been moved onto floating pontoons after resolution to place it on the roof of buildings.

In response to the staff comment when this item previously appeared in the Agenda, Council staff seem to support the move to ground mounted panels. Regardless, a resolution of Council is required to ensure staff relocate the panels to be ground mounted, and also to divest any interest in the pontoons.

Cost of Implementing

Not applicable

Funding Source

Not applicable

Officer Consulted

Nil

Officer Comment

Head of Water and Waste

Officers have recently completed a walkaround with NSW Public Works Advisory for the concept design for a Request for Tender for the new sewage treatment plant, which will include the option to relocate the solar panels to be ground mounted to enable easier maintenance.

Attachment/s

There are no attachments for this report.

TRIM Record No: BP24/634:EF19/25-6

Notices of Motion / Questions with Notice

Councillor Big Rob has given notice of intention to move:

That clause 5.4 of the 'Councillor and Officer Interaction Policy' is amended to make it clear that any request relevant to councillors exercising their civic functions can be submitted by any means, and not just through the 'councillor request' system.

Councillor Comment

Outcome Sought

Councillors are not required to use the internal 'Councillor Request' system. This motion will clarify the position.

The elected body are the strategic leaders of council.

Cost of Implementing

Nil

Funding Source

Not applicable

Officer Consulted

Nil

Officer Comment

Executive Officer to the General Manager and Mayor & Councillors

The current online form when submitted is automatically registered in the Records Management System (RMS), making a single point of contact and the most efficient means of submitting a request. If emails were to be accepted this could mean an officer receiving an email request is on leave and will remain unactioned until their return.

Attachment/s

There are no attachments for this report.

TRIM Record No: BP24/635:EF19/25-6

Notices of Motion / Questions with Notice

Councillor Big Rob has given notice of intention to move:



That the 'Council Briefings Policy' is amended to make it clear that AVL access is permitted at Briefings and Workshops, and that visual attendance is not a requirement at any time.

Councillor Comment

Outcome Sought

Visual attendance at council briefings and workshops is not a requirement for councillors attending by AVL.

The elected body are the strategic leaders of council.

Cost of Implementing

Nil

Funding Source

Not applicable

Officer Consulted

Nil

Officer Comment

General Manager

Visual attendance should be required at least in closed sessions to ensure confidentiality is assured, similar to the Code of Meeting Practice for Council meetings.

Attachment/s

There are no attachments for this report.

TRIM Record No: BP24/636:EF19/25-6

Notices of Motion / Questions with Notice

Councillor Big Rob has given notice of intention to move:

That the councillors' section of the 'Hub', Council's file management system providing users with access to various files, is not cleared at the end of a council term, so newly elected councillors have access to information previously made available to returning councillors.

Councillor Comment

Outcome Sought

Returning councillors have an unfair advantage over newly elected councillors by previously having access to material made available during a previous council term.

It has been the practice of this Council to delete all the material made available during previous council terms prior to a new term commencing. This means the flow of information to newly elected councillors is very tightly controlled by Council staff, and that councillors can only access previously made available material by asking for it. The problem is that it is impossible to ask for something you do not know exists.

Without leaving the information accessible, some councillors have had information available to them which will never be made available to newly elected councillors even when decisions are being made in the Chamber. This can cause council all sorts of issues, particularly relating to DA matters spanning council terms, and does not allow all councillors to make informed decisions.

Considering council documents are State records and must be retained, there is no reason why they should not remain available to councillors so they can undertake their role more effectively.

Regarding the staff comments when this item appeared in a previous Agenda:

- if files are saved using a clear filing system, there would be no issue with the amount of material. Furthermore, if files are suitably named, the search function can easily locate them.
- other councils certainly do not dictate what we should do.
- if any conflicts arise, councillors can disclose them as required when they arise. We are often reminded that it is for councillors to disclose and manage any conflicts. It is not for staff to withhold information from all councillors just in case someone may have a conflict.
- I have no issue with archiving historical information which is confidential if a matter is no longer before council. Archiving allows councillors to still see the folder but not access the files. Doing this allows councillors to request access to something they can see if it is required to undertake their role going forward.
- trying to restore files is a much bigger task than not deleting material at the end of each term. Only offering to restore Agendas and Minutes is just an insult, since these are readily available on council's website going back decades. The motion does not seek to restore files. It merely asks that staff stop deleting everything after each council term so incoming new councillors are not left way behind.
- the cost and time involved with doing 'research' is not required or requested. Leaving the files in place would be less work for staff and it will provide councillors with access to more information they need to do their job.

The elected body are the strategic leaders of council.

Cost of Implementing

Nil

Funding Source

Not applicable

Officer Consulted

Nil

Officer Comment**Governance and Risk Manager**

The archiving of material in the HUB was done for a number of reasons. The amount of material left in the HUB from the previous term would make navigation for councillors more difficult. Consultation was undertaken with other councils before making this decision. There also may be information that was archived from the HUB that if released "on mass" would put new councillors in a compromising position in terms of conflict of interest, privacy considerations etc.

There was also an amount of confidential information provided to previous councillors (required during their term) via the HUB. It is inappropriate to provide this information to new councillors when it is historical and not required to effectively discharge their functions.

Officers can undertake further research and provide additional information but will require more time to complete the task. Be assured officers will, as we always have done, continue to provide information to councillors in accordance with 335 (f) of the *Local Government Act 1993*.

Attachment/s

There are no attachments for this report.

TRIM Record No: BP24/637:EF19/25-6

Notices of Motion / Questions with Notice

Councillor Big Rob has given notice of intention to move:

That Council schedule two ordinary Council meetings each month from February to December each year.

Councillor Comment

Outcome Sought

A modern busy council cannot wait one month between meetings. Add to this the additional workload as a result of disaster recovery activity, and the extended hours several staff are required to undertake to attend council meetings, increasing meeting frequency seems to be the best solution to stay ahead of a heavy workload and to ensure staff can head home earlier.

Cost of Implementing

Nil

Funding Source

Nil

Officer Consulted

Nil

Officer Comment

General Manager

The determination of the frequency and timing of meetings for the new Council should be determined by the new Council. If the current Council felt it should alter the current meeting arrangements to assist intending councillors to understand their meeting commitments, it should be noted a new Council could amend this.

Whilst two meetings a month would enable matters to be more promptly addressed by Council, it would require substantially more administration and financial resourcing and time would be needed to implement.

Attachment/s

There are no attachments for this report.

TRIM Record No: BP24/638:EF19/25-6

Notices of Motion / Questions with Notice

Councillor Big Rob has given notice of intention to move:

That Council record Council briefings for internal use by councillors and staff who are unable to attend a briefing when it is being held, so the briefing content can be reviewed at a later time.

Councillor Comment

Outcome Sought

Many councillors and staff have scheduling conflicts or may be unwell and unable to attend a Council briefing when it is being held. The content of briefings is very important and should not be missed, particularly by those making decisions relating to Council matters.

The recording of briefings should put an end to briefings being cancelled or rescheduled and so much time being wasted, resulting in Council matters being dealt with promptly and more efficiently. It will also ensure decision makers are better informed prior to making decisions.

Cost of Implementing

Nil

Funding Source

Nil

Officer Consulted

Nil

Attachment/s

There are no attachments for this report.

TRIM Record No: BP24/639:EF19/25-6

Notices of Motion / Questions with Notice

Councillor Big Rob has put the following question with notice:

Can the General Manager please explain why staff are making decisions to spend grant funding on making improvements which add value to privately owned land, such as an area of the 'unnamed laneway' between Woodlark Street Lismore and the Clyde Campbell Carpark, without so much as an instrument being registered on the title of the privately owned land to secure the interests of ratepayers?

Attachment/s

There are no attachments for this report.

TRIM Record No: BP24/640:EF19/25-6

General Manager's response:

The 'unnamed laneway' is a key pedestrian pathway for visitors and locals within the Lismore Central Business District. The provision of public access by landowners over their land is greatly appreciated. Throughout the Safer Cities Her Way community consultation, the 'unnamed laneway' was identified by community as a site where a demonstration project could address perceptions of safety. With the support and consent from both private landowners, this project has been supported by Council officers and is being progressed.

Lismore City Council's practice has traditionally not involved registering any interests on titles for artworks placed on privately owned buildings. This approach aligns with past procedures and has been consistent across similar projects. The decision not to register interests on titles for artworks on privately owned buildings is influenced by the significant costs involved. This includes both the legal expenses incurred by the landowner and the legal fees borne by the Council. The current procedure involves obtaining owners' consent, and in good faith, trusting they will protect the artwork. This approach has been deemed more cost-effective and practical, ensuring efficient allocation of resources.

Notices of Motion / Questions with Notice

Councillor Big Rob has put the following question with notice:

I previously asked:

'Can the General Manager please explain if councillors are expected to follow staff recommendations in planning matters, and whether councillors failed to do so in the Santin's Quarry matter when provided with an alternate staff recommendation containing several conditions prepared by staff a few hours before the relevant Council meeting?'

The General Manager answered the first part of the question by stating:

'Councillors are expected to consider officer recommendations in planning matters but can make their own decisions.'

The General Manager has not answered or even acknowledged the second part of the question.

Attachment/s

There are no attachments for this report.

TRIM Record No: BP24/641:EF19/25-6

General Manager's response:

An alternate recommendation was requested by an elected member and provided by officers. As previously stated, councillors to make their own decisions.

Confidential Business



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;
- 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 Meeting to consider the following matters:

Item	12.1 General Manager Consultation
Grounds for Closure	Section 10A(2) (a):
Public Interest	Discussion of this matter in an open meeting would on balance be contrary to the public interest because it relates to: personnel matters concerning particular individuals (other than councillors).