

## MAYOR

Steve Krieg

Harper Dalton-Earls

Virginia Waters

Jeri Hall

Electra Jensen

Andrew Gordon



Andrew Bing

Gianpiero Battista

Adam Guise

Big Rob

Jasmine Knight-Smith

## Council

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An Ordinary Meeting of Lismore City Council will be held at the Council Chambers on Tuesday 12 November 2024 at 10.00am

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

5 November 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

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<b>1. Opening of Meeting</b>	
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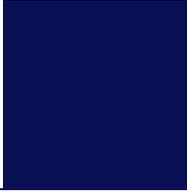
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# **Reports of Committees**

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# Report of Committee

Lismore Flood Risk Management Committee - 25 July 2024

That the minutes from the 25 July 2024 meeting be received and the recommendations contained therein be adopted.

## Attachment/s

- 1. [⇒](#) Flood Risk Management Plan (Over 7 pages)
- 2. [↓](#) Flood Risk Management Committee Minutes

Recommendations from the meeting of the Lismore Flood Risk Management Committee are reproduced below for the awareness of councillors, as these seek specific Council actions –

### 5.1 Update from CSIRO on Northern Rivers Resilience Initiative

That the Committee recommend Council ask that CSIRO present a working demonstration of the LIDAR and bathymetry datasets at the next meeting

### 5.2 Draft Flood Risk Management Plan post-exhibition report

That the Committee recommends Council:

1. updates the draft Flood Risk Management Plan as indicated in Table 2 of this report plus the removal of Figure 2.8
2. adopts the updated Flood Risk Management Plan
3. Undertake further engagement with the State Emergency Service and Reconstruction Authority regarding an updated road evacuation map and it be bought back to the Committee for consideration

**Table 2: Recommended changes to draft Flood Risk Management Plan (FRMP) based on submissions** (as amended by recommendation of the committee) from the agenda of the 25 July 2024 Flood Risk Management Committee meeting.

Page	Change	Reason
9	Replace “the protection the levee provides” to “the limited protection the levee provides”.	Provides further clarity.
12	Amend Table 2.3 to include overview of when each sector’s evacuation route is cut.	Improves readability.
15	Remove the ‘Key Routes and Precincts for Evacuation’ Map (Figure 2.8) and associated text references to it and the reporting points identified on the map.	As recommended by the committee, to avoid confusion with the SES ‘Last Roads Out’ Map and to improve legibility.
17	Add after first sentence of section 3.1:  “Because CSIRO is investigating regional scale flood mitigation solutions, it was recommended by the Lismore Flood Risk Management Committee and resolved by Council not to investigate new structural mitigation solutions, aside from some small local solutions at East Lismore. Further, no structural mitigation solutions will be progressed until CSIRO’s investigations are complete.”	Provides clarity on when Council will progress structural mitigation options.

## Reports of Committees

18	Amend last sentence of first paragraph of 3.2.2 to read “Following cessation of the Resilient Homes Program, expansion of the program by Council ...”	Makes clearer that expansion of Council program for voluntary house purchase would be once the Reconstruction Authority has exhausted its Resilient Homes Program funds.
18	Remove word ‘State’ from first sentence of 3.2.3.	Redundant. Removing improves readability.
19	Change ‘specific to Lismore’ to ‘including Lismore’ at 3.3.2, second sentence of second paragraph.	Amends factually incorrect statement.
21	Add the following to the end of 3.4.6: “It should be noted that nature-based interventions can reduce conveyance of flood waters and in some circumstances increase flood peaks. Any proposed solution should include modelling so that impacts are known.”	Provides further information on nature-based solutions to consider.
33	Add DCEEW to Responsibility cell of RM02 at Table 4.1.	DCCEEW has role in improved flood predictions and warnings
34	Include ‘Review Design Flood Levels’ as a new action 3.3.7.	Reviewing Design Flood Levels was a recommendation of the post-event analysis of the 2022 floods. This work should be represented in this plan. Outcomes will inform review of FRMP following CSIRO work.

### 5.4 Update to Council’s flood information graphics

That the Committee recommend Council:

1. remove the buildings graphics on the Lismore Flood Levels document and replace with a table of minor and moderate flood heights.
2. update its website with the revised History of Lismore Flood Events 2024, Lismore Flood Level 2024 and Last Roads Out 2024 documents.

### 5.6 EOI for First Nations Committee representative

That the Committee recommend Council to appoint Mr Mark Tiris to the Flood Risk Management Committee, as the First Nations representative.

# Lismore Flood Risk Management Committee Minutes

## 25 July 2024

**MINUTES OF THE LISMORE FLOOD RISK MANAGEMENT COMMITTEE HELD IN COUNCIL CHAMBERS ON THURSDAY 25 JULY 2024 AT 1:30 PM**

*Please note: These minutes are subject to confirmation at the next Council meeting. Decisions recorded in the draft minutes are subject to the Council's Code of Meeting Practice in relation to rescinding decisions.*

### Present

Cr Electra Jensen (Chair), Cr Elly Bird (via audio-visual), Cr Vanessa Ekins, Cr Big Rob, Mr Andrew Logan, Mr Toong Chin, Mr Ian McPherson, Mr Graham Askey, Mr Bill Moorhouse

### In Attendance

LCC Officers: Mr Snow, Acting Chief Community Officer; Mr Parks, Coordinator Strategic Planning; Ms Burgess, Emergency Management Co-ordinator; Miss Hull, Executive Assistant to Chief Community Officer

Presenters: Mr Mark Page, Mr Jamie Simmonds and Ms Karen McPaul (audio visual)

Observers: Mr Simon Mumford (Media)

### Apologies

Mr Col Baker, Mr Peter Cinque, Mrs Leisa Blok

### Non Attendance

Mr Damien Maher

### Confirmation of Minutes

**RESOLVED** that the minutes from the meeting dated 11 April 2024 were confirmed.

(Councillor Rob/Member McPherson)

**Voting For:** Councillors Rob, Bird, Ekins and Jensen; Members Moorhouse, McPherson, Askey and Logan

**Lismore City Council  
Minutes of Lismore Flood Risk Management Committee Meeting held 25 July  
2024**

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# Lismore Flood Risk Management Committee Minutes

## 25 July 2024

**Voting Against:** Nil

### Disclosure of Interest

Mr Ian McPherson disclosed he owns 2 houses in South Lismore

#### 5.1 Update from CSIRO on Northern Rivers Resilience Initiative

**RESOLVED** that the Committee note the report by CSIRO and request CSIRO to present a working demonstration of the LiDAR and bathymetry datasets at the next meeting.

(Councillors Ekins/Rob)

**Voting For:** Councillors Rob, Bird, Ekins and Jensen; Members Moorhouse, McPherson, Askey and Logan

**Voting Against:** Nil

#### 5.2 Draft Flood Risk Management Plan post-exhibition report

MOTION moved that the Committee not recommend Council endorse the Flood Risk Management Plan until meeting with SES to update the Last Roads Out map.

(Councillor Rob/Member McPherson)

FORESHADOWED MOTION that the Committee recommend Council:

1. updates the draft Flood Risk Management Plan as indicated in Table 2 of this report with the removal of Figure 2.8
2. adopts the updated Flood Risk Management Plan

(Councillor Bird)

FMGCC10/24 MOTION moved that the Committee not recommend Council endorse the Flood Risk Management Plan until meeting with the State Emergency Service to update the Last Roads Out map.

(Councillors Rob/McPherson) (BP24/747)

**Voting For:** Councillor Rob; Members Moorhouse, McPherson and Askey

**Voting Against:** Councillors Jensen, Ekins and Bird; Member Logan

The vote being tied the Chair declared the motion **DEFEATED** with her casting vote.

# Lismore Flood Risk Management Committee Minutes

## 25 July 2024

FMGCC11/24 On submission to the meeting the foreshadowed motion became the motion and was **RESOLVED** that the Committee recommend Council:

1. updates the draft Flood Risk Management Plan as indicated in Table 2 of this report with the removal of Figure 2.8
2. adopts the updated Flood Risk Management Plan
3. undertake further engagement with the State Emergency Service and Reconstruction Authority regarding an updated road evacuation map and it be bought back to the Committee for consideration

(Councillors Bird/Jensen) (BP24/747)

**Voting For:** Councillors Rob, Ekins, Bird and Jensen; Members Moorhouse, Askey, Logan

**Voting Against:** Member McPherson

### 5.3 Update from NSW Reconstruction Authority

**RESOLVED** that the Committee note the presentation.

(Councillors Ekins/Rob)

**Voting For:** Councillors Rob, Bird, Ekins and Jensen; Members Moorhouse, McPherson, Askey and Logan

**Voting Against:** Nil

### 5.4 Update to Council's flood information graphics

That the Committee recommend Council:

1. remove the buildings graphics on the Lismore Flood Levels document and replace with a table of minor and moderate flood heights
2. update its website with the revised History of Lismore Flood Events 2024, Lismore Flood Levels 2024 and Last Roads Out 2024 documents

(Members Askey/Moorhouse)

**Voting For:** Councillors Bird, Ekins and Jensen; Members Moorhouse, McPherson, Askey and Logan

**Voting Against:** Councillor Rob

# Lismore Flood Risk Management Committee Minutes

## 25 July 2024

### 5.5 Flood impact assessment for railway embankment removal

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**RESOLVED** that the Committee note the flood impact assessment for embankment removal.

(Member Moorhouse/Councillor Ekins)

**Voting For:** Councillors Rob, Bird, Ekins and Jensen; Members Moorhouse, McPherson, Askey and Logan

**Voting Against:** Nil

### 5.6 EOI for a First Nations Committee representative

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**RESOLVED** that the Committee recommend Council appoint Mr Mark Tiris to the Flood Risk Management Committee, as the First Nations representative.

(Councillor Big Rob/Member Andrew Logan)

**Voting For:** Councillors Rob, Bird, Ekins and Jensen; Members Moorhouse, McPherson, Askey and Logan

**Voting Against:** Nil

## Closure

This concluded the business and the meeting terminated at 4.10pm.

## Report of Committee

Local Traffic Committee - 21 August & 23 October 2024

That the minutes be received and the recommendations contained therein be adopted.

### Attachment/s

1. [Local Traffic Committee Minutes - Meeting 21 August 2024](#)
2. [Local Traffic Committee Minutes - Meeting 23 October 2024](#)

Recommendations from the meeting of the Local Traffic Committee are reproduced below for the awareness of councillors, as these seek specific Council action –

21 August 2024

#### **4.2 Traffic Safety Issues and Request for No Stopping Zones - Oliver Avenue, Goonellabah (Hepburn Park)**

That Council supports the No Stopping zone in principle.

23 October 2024

#### **4.2 Development Application 5.2024.183.1 - 69 Woodlark Street, Lismore CBD**

That Council supports in principle the Development Application, except Item 1 for further consultation.

#### **4.3 Request for Parking Review – Pleasant Street, Goonellabah**

That Council supports in principle the change from 1P Parking restrictions to All Day Parking at the proposed location.

#### **4.4 Request for No Stopping Zone in Rural Street, Lismore**

that Council supports in principle the request for a No Stopping zone at the proposed location.

## Local Traffic Committee Minutes 21 August 2024

### MINUTES OF THE LOCAL TRAFFIC COMMITTEE HELD IN COUNCIL CHAMBERS ON WEDNESDAY, 21 AUGUST 2024 AT 12.31PM

*Please note: These minutes are subject to confirmation at the next Council meeting. Decisions recorded in the draft minutes are subject to the Council's Code of Meeting Practice in relation to rescinding decisions.*

#### Present

Councillor Hall (Chairperson), S/Cst Rodney Ferris (NSW Police), Bel Hanson (On Behalf of Janelle Saffin MP) and Ms Caleisse Dunston (Transport for NSW).

#### In Attendance

Mr Goodwin, Design Services Engineer; Ms Spencer, Coordinator Business Administration.

#### Apologies

Nil.

#### Confirmation of Minutes

TAC4/24 **RESOLVED** that the minutes of 19 June 2024 were confirmed.

(Councillor Hall/Member Ferris)

**Voting for:** Councillor Hall, Members Dunston, Hanson and Ferris

**Voting against:** Nil

#### Disclosure of Interest

Nil.

##### 4.1 Get NSW Active Project - Standing Street, The Channon

TAC5/24 **RECOMMENDED** the matter be deferred to a future Local Traffic Committee Meeting.

(Councillor Hall/Member Dunston) (BP24/838)

**Voting for:** Councillor Hall, Members Dunston, Hanson and Ferris

**Voting against:** Nil

## Local Traffic Committee Minutes 21 August 2024

### 4.2 Traffic Safety Issues and Request for No Stopping Zones - Oliver Avenue, Goonellabah (Hepburn Park)

TAC6/24

**RECOMMENDED** that Council supports the No Stopping zone in principle.

(Councillor Hall/Member Dunston) (BP24/840)

**Voting for:** Councillor Hall, Members Dunston, Hanson and Ferris

**Voting against:** Nil

### Closure

This concluded the business and the meeting terminated at 12.35pm.

# Local Traffic Committee Minutes

## 23 October 2024

### MINUTES OF THE LOCAL TRAFFIC COMMITTEE HELD IN COUNCIL CHAMBERS ON WEDNESDAY, 23 OCTOBER 2024 AT 12.40PM

*Please note: These minutes are subject to confirmation at the next Council meeting. Decisions recorded in the draft minutes are subject to the Council's Code of Meeting Practice in relation to rescinding decisions.*

### Present

Councillor Hall (Chairperson), A/Sgt Shannon Hudson (NSW Police), Bel Hanson (On Behalf of Janelle Saffin MP), Ms Caleisse Dunston, Ms Laine Muller and Ms Natalie Kelly (Transport for NSW).

### In Attendance

Mr Goodwin, Design Services Engineer, Ms Nolan, Manager Roads and Construction and Ms O'Connor, Senior Business Support Officer.

### Apologies

Sgt Clint Williams (NSW Police)

### Confirmation of Minutes

TAC7/24 **RESOLVED** that the minutes of 19 June 2024 were confirmed.

(Member Hanson/Member Dunston)

**Voting for:** Councillor Hall, Members Hudson, Hanson and Dunston

**Voting against:** Nil

### Disclosure of Interest

TAC8/24 Nil.

#### 4.1 Get NSW Active Project - Standing Street, The Channon

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TAC9/24 **RECOMMENDED** that the item be referred to Council for a decision.

(Member Hanson/Member Dunston) (BP24/937)

**Lismore City Council**  
**Minutes of Local Traffic Committee Meeting held 23 October 2024**

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## Local Traffic Committee Minutes 23 October 2024

**Voting for:** Councillor Hall, Members Hudson, Hanson and Dunston  
**Voting against:** Nil

### 4.2 Development Application 5.2024.183.1 - 69 Woodlark Street, Lismore CBD

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TAC10/24 **RECOMMENDED** that Council supports in principle the Development Application, except Item 1 for further consultation.

(Member Hanson/Member Dunston)

**Voting for:** Councillor Hall, Members Hudson, Hanson and Dunston  
**Voting against:** Nil

### 4.3 Request for Parking Review – Pleasant Street, Goonellabah

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TAC11/24 **RECOMMENDED** that Council supports in principle the change from 1P Parking restrictions to All Day Parking at the proposed location.

(Member Hudson/Member Hanson)

**Voting for:** Councillor Hall, Members Hudson, Hanson and Dunston  
**Voting against:** Nil

### 4.4 Request for No Stopping Zone in Rural Street, Lismore

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TAC12/24 **RECOMMENDED** that Council supports in principle the request for a No Stopping zone at the proposed location.

(Member Hudson/Member Dunston)

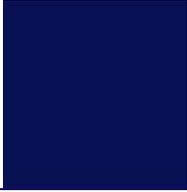
**Voting for:** Councillor Hall, Members Hudson, Hanson and Dunston  
**Voting against:** Nil

## Closure

This concluded the business and the meeting terminated at 12:47pm.

# Matters Arising

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## Matters Arising

<b>Subject</b>	Questions on Notice
<b>TRIM Record No</b>	BP24/843:EF23/173
<b>Prepared by</b>	Executive Officer - General Manager and Mayor & Councillors
<b>Reason</b>	To provide a response to Councillors for Questions taken on Notice at the previous Council meeting.
<b>Strategic Theme</b>	Leadership and participation
<b>Strategy</b>	Our decisions and actions are open, transparent, effective and in the interests of all.
<b>Action</b>	Manage Council meetings and provide support to Councillors in fulfilling their role.

### Executive Summary

The following Question on Notice was taken by Council officers at the August Ordinary Council meeting. As per Clause 9.17 of the Code of Meeting Practice the response is being reported.

### Recommendation

That the Question on Notice response provided in this report be noted.

### Background

#### Item 12.8 Koala Advisory Group (Councillor Rob)

1. What is being done about not complying with the Plan of Management which stated to implement a Koala Advisory Group?

#### Officer response:

A resolution (152/23, point 2) regarding this matter was passed by Council on 8 August 2023:

*"2. any decision about the future of the Koala Implementation Group (KIG) be deferred until after a briefing about the activities of the KIG and the requirements of the Comprehensive Koala Plan of Management for a 10 year review. That members of the KIG be invited to attend and participate in that briefing".*

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

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 Councils management activities in the defined CKPoM area. Further information was requested regarding review of the CKPoM.

Officers have prepared a further briefing presentation for councillors although delivery of the briefing has been delayed due to operational resourcing issues and Council elections. A new date for the briefing will be sought in the coming months.

Officers are intending to undertake an internal review of the CKPoM in 2025. 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.

## Matters Arising

<b>Subject</b>	Request for Land Acquisition from Council by way of Boundary adjustment with Richmond River Gun Club
<b>TRIM Record No</b>	BP24/977:CDR24/1286
<b>Prepared by</b>	Property Services Manager
<b>Reason</b>	To amend and clarify the previous resolution for the request for Land Acquisition from Council by way of Boundary adjustment with Richmond River Gun Club.
<b>Strategic Theme</b>	Leadership and participation
<b>Strategy</b>	We provide effective management and responsible governance.
<b>Action</b>	Ensure well-managed buildings, land and property assets.

### Executive Summary

To clarify resolution 47/24 adopted on 13 August 2024 (reference BP24/977).

### Recommendation

That Council alter points 3 and 4 of Resolution 47/24 adopted on 13 August 2024 (reference BP24/977) to read as follows:

That:

1. Council resolve to sell part of 313 Wyrallah Road, Monaltrie (Lot 2 DP 1213261) as outlined in this report, directly to the Richmond River Gun Club Incorporated being the adjoining landowner of 340 Wyrallah Road, Monaltrie (Lot 1 DP 1213261)
2. the General Manager be delegated authority to negotiate final boundaries of the proposed boundary adjustment
3. **the fee for the acquisition of land be \$1.00, considered paid**
4. **all costs associated with the sale and boundary adjustment be borne by Richmond River Gun Club including but not limited to survey, Council fees, Council's legal fees, valuation fees, and plan registration fees**
5. the General Manager be delegated authority to sign the following documents:
  - Subdivision Certificate
  - Contract for Sale of Land
  - Memorandum of Transfer

and any other documents necessary to implement this resolution

## Background

At its Ordinary Meeting of 13 August 2024 Council resolved to:

### **11.1 Request for Land Acquisition from Council by way of Boundary adjustment with Richmond River Gun Club**

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47/24

**RESOLVED** that:

1. Council resolve to sell part of 313 Wyrallah Road, Monaltrie (Lot 2 DP 1213261) as outlined in this report, directly to the Richmond River Gun Club Incorporated being the adjoining landowner of 340 Wyrallah Road, Monaltrie (Lot 1 DP 1213261)
2. the General Manager be delegated authority to negotiate final boundaries of the proposed boundary adjustment
3. the General Manager be delegated authority to negotiate the sale price in accordance with a valuation prepared by a registered valuer and finalise the settlement
4. the general manager be delegated authority for the transfer of land for the sum of \$1.00 and that consideration be deemed paid
5. the General Manager be delegated authority to sign the following documents:
  - Subdivision Certificate
  - Contract for Sale of Land

**Lismore City Council  
Minutes of Council Meeting held 13 August 2024**

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Council Minutes  
13 August 2024

- Memorandum of Transfer  
and any other documents necessary to implement this resolution

(Councillors Gordon/Bing) (BP24/738)

**Voting for:** Councillors Bing, Bird, Colby, Cook, Ekins, Gordon, Hall, Jensen and Krieg

**Voting against:** Councillor Guise

**Absent:** Councillor Rob

An oversight was made in the initial resolution, points 2 and 3 contained contradictory information. This report aims to amend the previous resolution and provide clarification the intent of Council Resolution 47/24 and to make the transfer arrangements clear.

The intent of the resolution is understood to transfer the land referenced in the 13 August 2024 Business Paper to the Richmond River Gun Club (RRGC) by way of boundary adjustment for the consideration of \$1.00 deemed paid. Amending point 3 of the resolution clarifies this.

**Lismore City Council  
Meeting held 12 November 2024 - 10.2 - Request for Land Acquisition from  
Council by way of Boundary adjustment with Richmond River Gun Club**

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The 13 August 2024 business paper reports all costs associated with the sale and boundary adjustment be borne by RRGCC and the RRGCC are prepared to meet all expenses associated with this land acquisition. The amendment of point 4 clarifies this.

## Comments

### Finance

Recommendation is supported as printed.

## Public consultation

Lismore Model Flying Club was consulted about the proposed boundary adjustment as it directly impacts the club, the Lismore Model Flying Club provided their support for the acquisition by RRGCC.

The parcel of land is classified operational land it is exempt from the public consultation requirements in relation to public land contained in the *Local Government Act 1993*.

## Conclusion

The report recommendation aims to clarify the intent of Council Resolution 47/24 and to make the transfer arrangements clear.

## Attachment/s

1. [13 August 2024 Council Report](#)
2. [13 August 2024 Action Sheet/Minutes](#)

## Report

**Report**

<b>Subject</b>	<b>Request for Land Acquisition from Council by way of Boundary adjustment with Richmond River Gun Club</b>
<b>TRIM Record No</b>	BP24/738:CDR24/1286
<b>Prepared by</b>	Property Services Manager
<b>Reason</b>	To consider the request from Richmond River Gun Club for a Boundary adjustment with Council to extend the safety barrier around the Gun Club
<b>Strategic Theme</b>	Leadership and participation
<b>Strategy</b>	We provide effective management and responsible governance.
<b>Action</b>	Ensure well-managed buildings, land and property assets.

**Executive Summary**

Council has received a request from the Richmond River Gun Club to purchase approximately 3,532 square meters of Council land that adjoins their boundary to extend the safety barrier around the Gun Club. The land acquisition is proposed to be undertaken by way of boundary adjustment. The club is prepared to meet all expenses associated with this land acquisition.

This report recommends Council support sale of land to the Richmond River Gun Club by way of boundary adjustment. The land is surplus to council requirements.

**Recommendation**

That:

1. Council resolve to sell part of 313 Wyrallah Road, Monaltrie (Lot 2 DP 1213261) as outlined in this report, directly to the Richmond River Gun Club Incorporated being the adjoining landowner of 340 Wyrallah Road, Monaltrie (Lot 1 DP 1213261)
2. the General Manager be delegated authority to negotiate final boundaries of the proposed boundary adjustment
3. the General Manager be delegated authority to negotiate the sale price in accordance with a valuation prepared by a registered valuer and finalise the settlement
4. all costs associated with the sale be borne by Richmond River Gun Club including but not limited to survey, Council fees, Council's legal fees, valuation fees, and plan registration fees
5. the General Manager be delegated authority to sign the following documents:
  - Subdivision Certificate
  - Contract for Sale of Land
  - Memorandum of Transfer

and any other documents necessary to implement this resolution

**Lismore City Council**

**Meeting held 13 August 2024 - 11.1 - Request for Land Acquisition from Council by way of Boundary adjustment with Richmond River Gun Club**

1

**Lismore City Council**

**Meeting held 12 November 2024 - 10.2 - Request for Land Acquisition from Council by way of Boundary adjustment with Richmond River Gun Club**

24

Report

**Background**

In 1977 the Richmond River Gun Club (RRGC) was moved from a site in Three Chain Road, which it had occupied since about 1958 to its current site on Wyrallah Road. This relocation was initiated and supported by Council to facilitate expansion of the Lismore Airport. On 13 November 2012 Council resolved to sell 7.36ha of land directly to the RRGC by way of a boundary adjustment, the land was surplus to Council requirements and provided the Club certainty of tenure over the land used as a drop zone.

On 12 June 2024 RRGC approached Council with a request to purchase land, by way of boundary adjustment, following a recommendation from the New South Wales Police Firearms Registry that the Club should acquire land from the adjoining owners to extend the safety barrier around the Club.

RRGC has informed Council it has been in contact with the owner of Lot 487 DP755718 which adjoins the land to the south and the landowner is agreeable to undertake a boundary adjustment with RRGC as shown by the dotted line in Image 1.



Image 1 Proposed boundary adjustment shown with the dotted line.

**Lismore City Council**  
**Meeting held 13 August 2024 - 11.1 - Request for Land Acquisition from Council by way of Boundary adjustment with Richmond River Gun Club**

**Lismore City Council**  
**Meeting held 12 November 2024 - 10.2 - Request for Land Acquisition from Council by way of Boundary adjustment with Richmond River Gun Club**

# Report

## The Land

The Council land proposed for acquisition is approximately 3,532.6 square meters (subject to final survey), the land is classified operational land and zoned RU1 Primary Production. The land is flood prone, under the Draft Development Control Plan flood risk precincts it is classified Extreme Flood Risk. The land is heavily vegetated – see image 3 below. The land is shown outlined in purple in Image 2.



Image 2 Proposed Land for Acquisition by way of Boundary Adjustment outlined purple



Image 3 Photo onsite of approximate location of Proposed Boundary Adjustment

**Lismore City Council  
Meeting held 13 August 2024 - 11.1 - Request for Land Acquisition from Council by way of Boundary adjustment with Richmond River Gun Club**

**Lismore City Council  
Meeting held 12 November 2024 - 10.2 - Request for Land Acquisition from Council by way of Boundary adjustment with Richmond River Gun Club**

## Report

**Comments****Finance**

The recommendation as printed is supported.

**Other officer comments****Acting Head of Fleet and Open Space**

The land being purchased by the Gun Club is supported. This land is surplus to Council requirements.

**Manager of Waste Operations**

The proposed sale of land to the Richmond River Gun Club is supported. This land is surplus to Council requirements.

**Public consultation**

Lismore Model Flying Club was consulted about the proposed boundary adjustment as it directly impacts the club, the Lismore Model Flying Club provided their support for the acquisition by RRGCC.

The parcel of land is classified operational land it is exempt from the public consultation requirements in relation to public land contained in the *Local Government Act 1993*.

**Conclusion**

This report recommends Council support sale of land to the Richmond River Gun Club by way of boundary adjustment to extend the safety barrier around the Gun Club. The club is prepared to meet all expenses associated with this land acquisition. The land is surplus to council requirements.

**Attachment/s**

There are no attachments for this report.

## FOR ACTION

COUNCIL

13/08/2024

TO: Property Services Manager (Butcher, Jessica)

**Subject:** Request for Land Acquisition from Council by way of Boundary adjustment with Richmond River Gun Club  
**Target Date:** 12/09/2024  
**Notes:**  
**File Reference** BP24/738

**RESOLVED** that:

1. Council resolve to sell part of 313 Wyrallah Road, Monaltrie (Lot 2 DP 1213261) as outlined in this report, directly to the Richmond River Gun Club Incorporated being the adjoining landowner of 340 Wyrallah Road, Monaltrie (Lot 1 DP 1213261)
2. the General Manager be delegated authority to negotiate final boundaries of the proposed boundary adjustment
3. the General Manager be delegated authority to negotiate the sale price in accordance with a valuation prepared by a registered valuer and finalise the settlement
4. the general manager be delegated authority for the transfer of land for the sum of \$1.00 and that consideration be deemed paid
5. the General Manager be delegated authority to sign the following documents:
  - Subdivision Certificate
  - Contract for Sale of Land
  - Memorandum of Transfer
 and any other documents necessary to implement this resolution

(Councillors Gordon/Bing) (BP24/738)

**Voting for:** Councillors Bing, Bird, Colby, Cook, Ekins, Gordon, Hall, Jensen and Krieg  
**Voting against:** Councillor Guise  
**Absent:** Councillor Rob

[View Item in Minutes Document](#)

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Please do not finalise your action until all parts of the recommendation are complete.

## Matters Arising

<b>Subject</b>	Nimbin Place Plan
<b>TRIM Record No</b>	BP24/899:EF23/197
<b>Prepared by</b>	Strategic Planning Coordinator
<b>Reason</b>	Seeking endorsement of the plan by Council
<b>Strategic Theme</b>	A prosperous and vibrant city
<b>Strategy</b>	Our city, villages and riverbank precincts are vibrant and provide diverse activity that strengthens our social connections.
<b>Action</b>	Provide socially inclusive, vital and welcoming services that support the education, social and recreational needs of the community.

### Executive Summary

The Nimbin Place Plan was identified as a strategic planning project to be undertaken by Council in the 'Inspire Lismore 2040' Local Strategic Planning Statement and was included as an action in the current Delivery Program and Operational Plan.

An extensive consultation was undertaken with the Nimbin community in two phases from February to June 2024 and a final version of the Nimbin Place Plan is now recommended for adoption by Council.

### Recommendation

That Council

1. adopt the attached Nimbin Place Plan, and
2. consider an annual allocation of capital works funding in the Delivery Program and Operational Plan for the next four years to deliver on the priority projects identified

### Background

Nimbin is home to almost 2500 people and its unique character and colourful community make it a popular destination for tourists. Lismore City Council identified the need to develop a master plan for Nimbin in its Local Strategic Planning Statement in 2020 and this was included as an action (D3.2.03) within the current Operational Plan and Delivery Program.

The terminology 'Place Plan' was adopted to focus the project on public domain improvements and economic activation rather than conveying a sense of 'growth' for the village which is constrained by its water supply from Mulgum Creek weir and the DE Williams Dam.

The project scope included the following overview:

*The Nimbin Place Plan project will provide a strategic framework for the thoughtful and sustainable development of Nimbin, ensuring future development aligns with the community's values, heritage, and aspirations. The place plan aims to guide decision-making, prioritise projects and create a unified vision that fosters the village's unique identity, enhances liveability, preserves cultural heritage and stimulates economic opportunities. By defining a comprehensive roadmap, the place plan seeks to create a harmonious balance between growth and preservation, ultimately shaping Nimbin into a thriving, inclusive, and resilient community.*

Fourfold Studios and Vee Design were engaged as consultants to work with Council and the community to develop the Nimbin Place Plan.

Councillor briefings have been held throughout the project, with an initial briefing on the objectives and scope held in November 2023. A second briefing was held in March 2024 on the results of the first phase of community engagement. A third briefing was held on 5 November 2024 on the content of the final draft of the Place Plan.

## Engagement Activities and Community Response

The initial phase of community engagement ran from 13 February to 17 March 2024. This included 600+ people visiting the Nimbin Place Plan Your Say page with 181 individual responses to the survey. In addition, approximately 30 people attended each of the three face-to-face workshops, including a workshop for students at Nimbin Central School.

From this first phase of engagement, a huge range of data was collected including why people visit Nimbin village, the things they love and the things that need improving. A summary of the feedback from Phase 1 is included as Attachment A.

The top priorities identified through stage one of the consultation were:

1. More shade and spaces for passive recreation
2. More places to sit, relax and enjoy the village
3. Activities for young people (15-25 year olds)
4. Upgraded and refreshed infrastructure in the main street (bins, planting, seating)
5. Activities for kids (<15 year olds)
6. More public gardens and greenspaces
7. Better pedestrian and active transport connections
8. Evening events and attractions
9. A public library / museum

Feedback from these community engagement activities informed an initial draft of the Nimbin Place Plan. This was put out for a second round of consultation from June 6 to June 26. A total of 84 responses were received a detailed on-line survey and 22 people attended a face-to-face workshop. Other feedback was collected via a pop-up stall outside the Town Hall and through targeted discussions with key stakeholders.

The draft Place Plan identified Allsopp Park, Peace Park and Cullen Street as 'priority projects' and provided preliminary designs for the types of improvements that could be undertaken at these sites. Three options were provided for Peace Park as this was considered the best way to gauge reactions to different elements that could be included within the park.

A summary of the feedback received on the draft Place Plan is provided as Attachment B. Key takeaways from the responses were:

- 73% of respondents either supported or strongly supported the Vision articulated in the plan.
- 67% of respondents either supported or strongly supported the proposed plans for Allsopp Park
- 76% of respondents either supported or strongly supported the proposed plans for Peace Park (with Option C being the preferred design)
- 73% of respondents either supported or strongly supported the proposed plans for Cullen Street.

Feedback from the second round of engagement informed further changes and refinement of the Nimbin Place Plan which is included as Attachment C with this report.

## Key Elements of the Nimbin Place Plan

The Nimbin Place Plan aims to capture community aspirations and provide a roadmap for future activation, beautification, and development within the village. The plan provides a vision and a set of place values and drivers that underpin actions to be delivered by Council and the community over the short, medium and long term.

Successful placemaking is about the design and management of public spaces. It requires thinking about both the physical spaces and the activities that occur within them and aims to create active, vibrant places that are loved and utilised by locals and visitors alike. The Nimbin Place Plan also seeks to ensure ongoing ownership and delivery of the plan and recommended actions have been categorised as follows:

- **Shape** – changes to the place hardware and physical infrastructure. Changes to the built environment to enhance access, movement, comfort, safety and identity.
- **Activate** – place software and social infrastructure. Projects that will increase the use, activity, sociability and interaction within public spaces.
- **Manage** – enabling local stakeholders and leaders to curate, govern, mobilise and build capacity within the community.

## Implementation

Each action within the plan identifies 'champions' to deliver the project, as well as indicative timing and broad cost ranges. Section 4 provides further recommendations for implementation including:

- the potential for a standing agenda item of the Nimbin Advisory Group (NAG) to ensure ongoing accountability for the community and Council to deliver on the Nimbin Place Plan,
- identifying capital works projects in Council's Delivery Program and Operational Plan,
- ensuring appropriate State and Federal grant opportunities are pursued as they become available, and
- reviewing the Place Plan on a regular basis to celebrate milestones achieved and setting priorities for the upcoming funding period. The review will also allow for refinement of actions as community sentiment or other factors change over time. A review is recommended every four years.

## Comments

### Finance

The recommendation as printed is supported. The proposed works identified within the Nimbin Place Plan once appropriately costed (including full lifecycle costing), should be considered as part of the development of Council's overall Delivery and Operational plans, with any future costs being included in the Long Term Financial plan to assess the overall impact to Council.

### Other officer comments

Council's Manager of Destination and Economy was heavily involved in the development of the Nimbin Place Plan and is supportive of the recommendations.

### Public consultation

Two rounds of public consultation were undertaken to inform the development of the Nimbin Place Plan. These have been summarised within this report and associated attachments.

## Conclusion

The Nimbin Place Plan was identified as a strategic planning project to be undertaken by Council in the 'Inspire Lismore 2040' Local Strategic Planning Statement and adopted as an action in the Delivery Program and Operational Plan. An extensive community consultation has been undertaken and a final version of the Nimbin Place Plan is now recommended for adoption by Council.

## Attachment/s

1. [↓](#) Engagement Phase 1 Summary
2. [↔](#) Engagement Phase 2 Summary (Over 7 pages)
3. [↔](#) Nimbin Place Plan (Over 7 pages)





# What did we hear online?

## The most loved aspects of Nimbin

There was a diversity of reasons why respondents visit the Nimbin village, with the predominating five reasons being:

- I live here.
- I eat here e.g. local cafes and restaurants.
- I do my shopping here e.g. grocery and retail.
- I work here.
- I visit medical services.

Questions were asked in a variety of formats, where respondents were asked to rate aspects of Nimbin on a five-point scale. The following bar charts show the most loved aspects of Nimbin, which scored predominantly over four stars; as well as aspects of Nimbin that require the most improvement, being rated two stars or below.

## Improvements

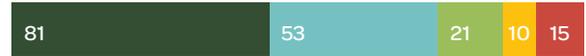
Respondents also identified the improvements that would provide the greatest benefit to the Nimbin village. The red bars indicate the elements most identified as missing in Nimbin.



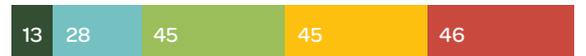
**TOWN PRIDE:** I AM PROUD TO VISIT, LIVE AND / OR WORK IN NIMBIN.



**SAFETY:** I FEEL SAFE VISITING NIMBIN VILLAGE DURING DIFFERENT DAYS OF THE WEEK AND TIMES OF THE DAY.



**ACCESSIBLE PARKING:** THERE IS ADEQUATE ACCESSIBLE PARKING FOR THOSE WITH DISABILITIES.



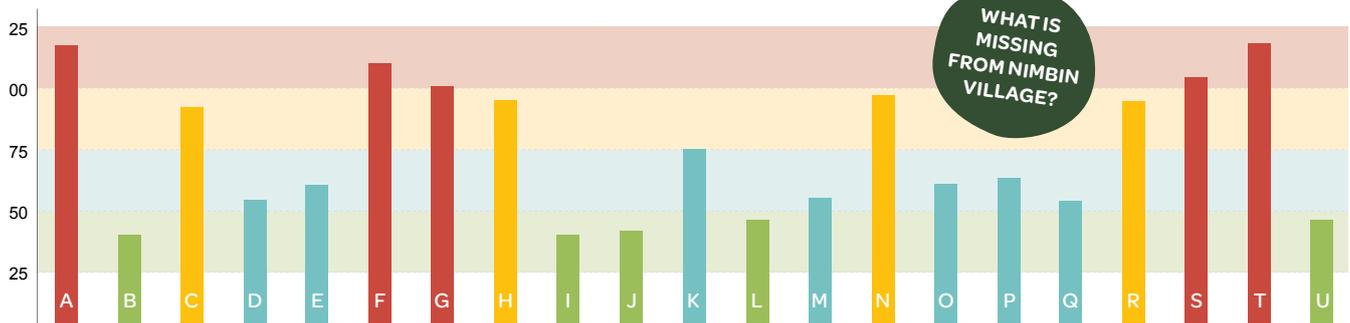
**SEATING:** IF I WANT TO REST IN THE VILLAGE, THERE ARE ADEQUATE, COMFORTABLE PLACES FOR ME TO SIT.



**NIGHTLIFE:** THERE IS AN ACTIVE / VIBRANT NIGHTLIFE.



**SHADE:** THE VILLAGE IS COOL / TEMPERATE WITH ADEQUATE SHADE.



<b>A</b> More public spaces to sit, relax and enjoy the village.	<b>G</b> Activities for kids (<15 years).	<b>Q</b> More carparking.
<b>B</b> Collaborative activities including skills sharing and workshops.	<b>H</b> Evening events and attractions.	<b>R</b> Better pedestrian and active transport connections.
<b>C</b> A public library/museum.	<b>I</b> A diverse range of shopping or retail options.	<b>S</b> Upgraded and refreshed infrastructure in the main street (bins, planting, seating).
<b>D</b> A central space for gathering.	<b>J</b> More food or drink outlets.	<b>T</b> More shade and spaces for passive recreation.
<b>E</b> A range of events, markets or festivals suitable for all age groups.	<b>K</b> More cultural activities or spaces.	<b>U</b> Other.
<b>F</b> Activities for young people (15-25 years of age).	<b>L</b> Better signage and wayfinding.	
	<b>M</b> Sporting facilities and activities.	
	<b>N</b> More public gardens and greenspace.	
	<b>O</b> More public art and creative things to look at.	
	<b>P</b> More health or physical fitness amenities.	



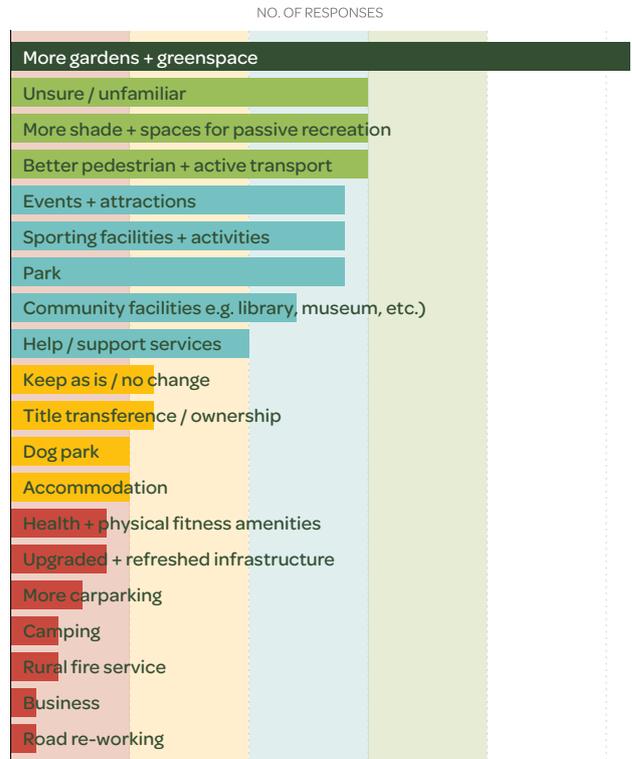
# What did we hear online?

## Council owned site improvements

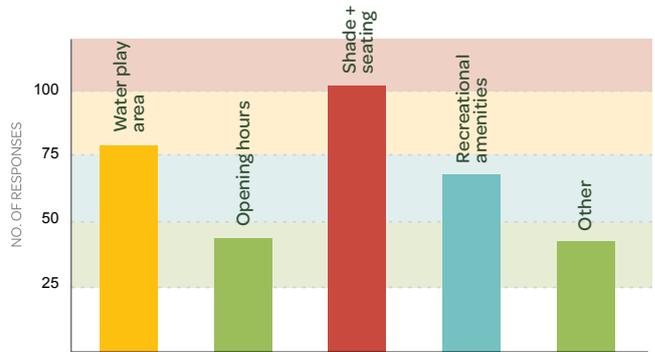
Nimbin village contains five sites owned by Lismore City Council: Allsopp Park, Peace Park, Nimbin Swimming Pool Caravan Park, the Western Carpark and Bellevue Park.

Given Council will be a significant contributor to the delivery of the Place Plan, we wanted to ask the community about the current and future use of these sites. Each site was given a rating on a five-point scale and key improvements to incorporate into the Place Plan were captured (with the exception of Bellevue Park which was not given a numeric rating due to lack of awareness and usage of the park by the community).

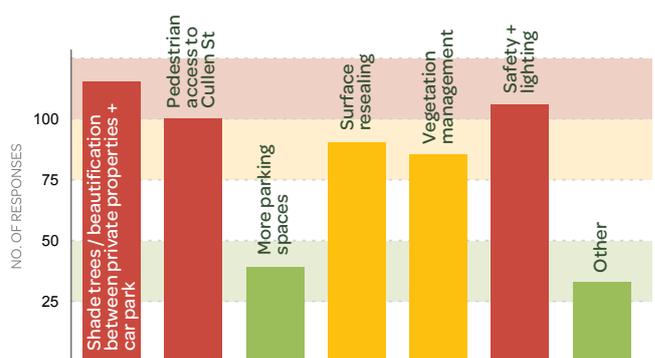
The red bars represent elements that the community has indicated are most in need of improvement.



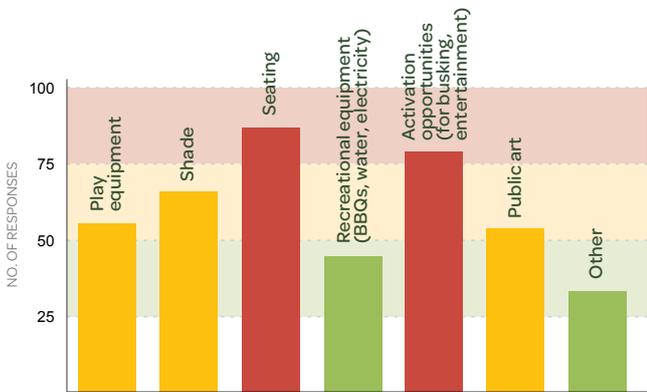
**BELLEVUE PARK**  
PREFERRED USES



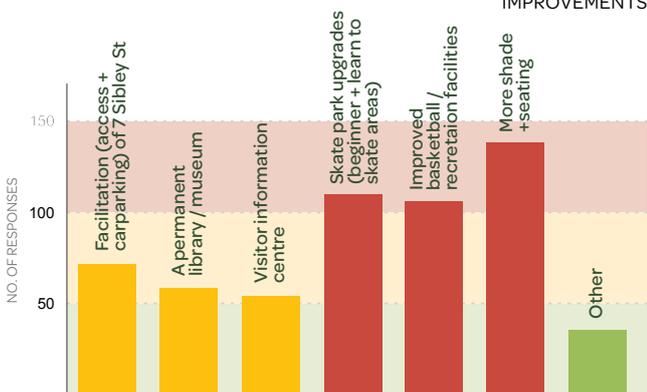
**POOL + CARAVAN PARK**  
IMPROVEMENTS



**WESTERN CARPARK**  
IMPROVEMENTS



**ALLSOPP PARK**  
IMPROVEMENTS



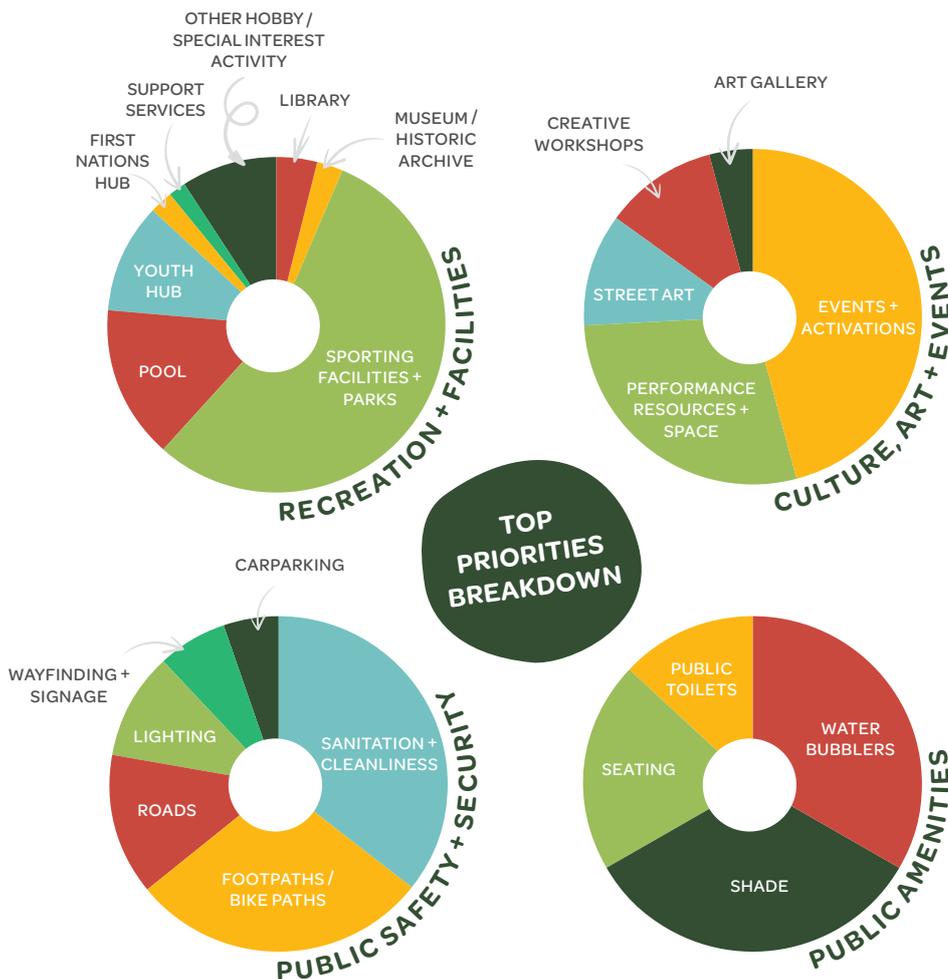
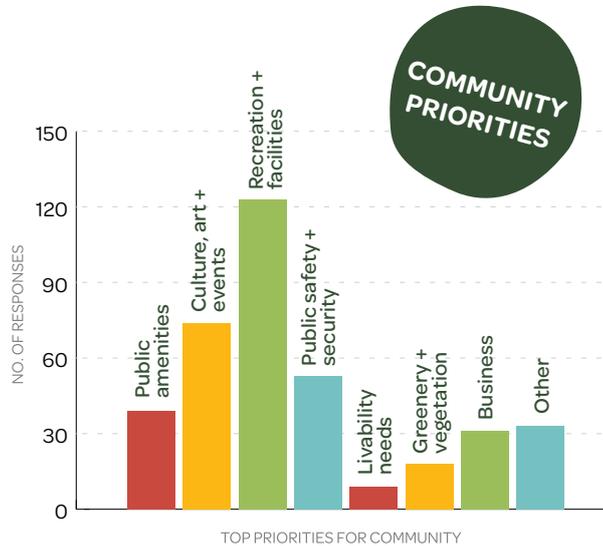
**PEACE PARK**  
IMPROVEMENTS



# What did we hear through face-to-face engagement?

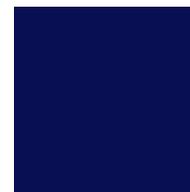
## Community priorities

The community voiced a clear need for more activities, resources, and youth spaces to adequately support hobby interests, and friendly interactions. It was evident that the youth of the Nimbin village sought safe and engaging 'third places' which are areas to socialise outside of their two main places; school and home.



# **Reports of the General Manager**

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## Report

<b>Subject</b>	2023 - 2024 Annual Report
<b>TRIM Record No</b>	BP24/981:EF22/245-2
<b>Prepared by</b>	Coordinator Corporate Planning & Reporting
<b>Reason</b>	To provide Council with a copy of the 2023-2024 Annual Report
<b>Strategic Theme</b>	Leadership and participation
<b>Strategy</b>	We provide effective management and responsible governance.
<b>Action</b>	Ensure the efficient and effective operation of Council.

### Executive Summary

The *Local Government Act 1993* requires that within five months after the end of the financial year, Council must prepare a report outlining its achievements and effectiveness in implementing its Delivery Program during the previous year.

The report must be endorsed by Council and published on the Council website and provided to the Minister for Local Government by 30 November 2024.

### Recommendation

That the:

1. 2023–2024 Annual Report be received and endorsed
2. report be published to the Lismore City Council website and be provided to the Minister for Local Government by 30 November 2024

### Background

The *Local Government Act 1993* Section 428 requires council prepare an Annual Report within five months of the end of financial year. The purpose of the report is to provide a review of the achievements in implementing the Delivery Program and the Operational Plan during the year being reported on.

The Annual Report forms part of the Integrated Planning & Reporting (IP&R) Framework and addresses Council's performance across the quadruple bottom line – social, environmental, economic and civic leadership – and serves as a key point of accountability between council and the community.

The report must also contain the council's audited financial statements and statutory information as specified in the *Local Government (General) Regulation 2021* Section 217. In the year of a council election the Annual Report must also contain the State of our City Report (previously known as the End of Term Report) which will be presented to Council for separate endorsement and will be appended during final desktop publication.

The 2023–2024 Annual Report has been prepared in line with the Office of Local Government's (OLG) IP&R guidelines and handbook. The IPR guidelines and handbook (2021) require Council endorsement of the Annual Report. The Annual Report must be endorsed and published to Council's website by 30 November 2024 and the Minister for Local Government notified.

## Comments

### Finance

Not applicable

## Other officer comments

This is in accordance with Section 428(5) of the *Local Government Act 1993* and the existing Integrated Planning Framework suite of plans.

## Public consultation

The 2023–2024 Annual Report will be published on the Lismore City Council website by 30 November 2024.

## Conclusion

This report has not been formatted for publication to Council's corporate standard. Desktop publishing will occur as part of the final preparation for publishing to the Council website. As such, citation of sources, footnotes and formatting may change (e.g. data that has been included in this report may be presented graphically in the final publication).

## Attachment/s

1. [↔](#) 2023-2024 Annual Report Final Draft (Over 7 pages)

## Report

<b>Subject</b>	2021 - 2024 State of our City Report
<b>TRIM Record No</b>	BP24/982:EF22/245-2
<b>Prepared by</b>	Coordinator Corporate Planning & Reporting
<b>Reason</b>	To provide Council with a copy of the 2021-2024 State of our City Report
<b>Strategic Theme</b>	Leadership and participation
<b>Strategy</b>	We provide effective management and responsible governance.
<b>Action</b>	Ensure the efficient and effective operation of Council.

### Executive Summary

The *Local Government Act 1993* requires that following an ordinary election of councillors, the council must be presented with a report on the progress of the implementation and effectiveness of the Community Strategic Plan over the term of the previous Council.

The State of our City Report is to be received and endorsed by Council in the second meeting of the newly elected council after a local government election in accordance with section 406(2) of the *Local Government Act 1993*.

The 2021–2024 State of our City Report is therefore presented at this Council meeting consistent with the timing of the local government election held on 14 September 2024. Preparation of the State of our City report is a legislated requirement and part of the Integrated Planning and Reporting framework.

### Recommendation

That the 2021–2024 State of our City Report:

1. be received and endorsed.
2. is appended to the 2023-2024 Annual Report and published on Council's website.

### Background

The Imagine Lismore Community Strategic Plan 2022–2032 has provided the direction for the delivery of Council activities and projects over the previous term of Council. Council has reported on its progress in implementing the Plan through regular Delivery Program progress reports during this period. In addition to the regular progress reporting outlined in the *Local Government Act 1993*, there is a requirement that the newly elected Council must receive and endorse a State of our City Report detailing the plan effectiveness over the previous Council term and whether the community is moving towards or away from the goals set out in the Community Strategic Plan.

Given the postponement of the scheduled local government election in September 2020, the 2021 – 2024 State of our City Report reviews the effectiveness in implementing the Community Strategic Plan over a three year, rather than a standard four-year period.

The 2021–2024 State of our City Report is an analysis of the success in implementing the strategic direction of the Community Strategic Plan over the term of the Council, and aims at answering the following these questions:

- Did Council do what it said it would do towards achieving the objectives of the plan?
- Were these actions effective? Did anything change or start to improve?
- What factors contributed to the outcomes reported and how did they impact the community?

Note, this report has not been formatted for publication to Council's corporate standard. Desktop publishing will occur as part of the final preparation of the Lismore City Council Annual Report 2023-2024. As such, citation of sources, footnotes and formatting may change (e.g. data that has been included in this report may be presented graphically in final format).

## Comments

### Finance

Not Applicable

## Other officer comments

This is in accordance with Section 406(2) of the *Local Government Act 1993* and the existing Integrated Planning Framework suite of plans. The State of our City Report replaces the End of Term Report previously required to be prepared at the end of a council term.

## Public consultation

The 2021–2024 State of our City Report will be an addendum to the 2023-2024 Annual Report and will be published on the Lismore City Council website by 30 November 2024.

## Conclusion

The 2021-2024 State of our City Report has been prepared in accordance with the *Local Government Act 1993* as part of the review of the Imagine Lismore Community Strategic Plan 2022–2032 and it is recommended that it be endorsed so it may be appended to the Annual Report 2023–2024.

This report has not been formatted for publication to Council's corporate standard. Desktop publishing will occur as part of the final preparation of the Annual Report 2023-2024. As such, citation of sources, footnotes and formatting may change (e.g. data that has been included in this report may be presented graphically in the final format).

## Attachment/s

1. [↔](#) 2021 - 2024 State of our City Report Final Draft (Over 7 pages)

# Report

<b>Subject</b>	<b>Sewer Lining Program</b>
<b>TRIM Record No</b>	BP24/970:AF24/5780
<b>Prepared by</b>	Capital Delivery Engineer
<b>Reason</b>	To seek additional funding from the sewer reserves to complete capital works
<b>Strategic Theme</b>	Our built environment
<b>Strategy</b>	Our built environment is managed and enhanced to meet the needs of our growing community.
<b>Action</b>	Ensure new buildings and infrastructure meets relevant standards.

## Executive Summary

The purpose of this report is to seek additional funds from the sewer reserves to complete Financial Year 2025 capital works: Program Sewer 17c Capital Renewals Mains.

## Recommendation

That Council approve the release of an additional \$593,243.08 from Sewer Reserves to be allocated to the Capital Renewals Mains budget.

## Background

The Lismore local government area (LGA) must address its sewer system issues to comply with the *Protection of the Environment Operations Act*, mitigate risk and ensure serviceability to ratepayers. This report briefly outlines the sewer lining initiatives planned for the financial year.

Priority areas include East Lismore, Lismore Heights, South Lismore, Heritage Park, and a problematic sewer line near the Base Hospital. These projects aim to resolve public health orders and community complaints about sewer overflows, odours, and infrastructure degradation.

The estimated cost increase is based on VendorPanel submissions from the T24/3 panel of providers, and the results of asset inspections. The forecast cost of this year's program now exceeds the original budget allocation, necessitating additional funding from sewer reserves. This report seeks approval for the release of the necessary funds from sewer reserves to complete the sewer remediation program this financial year.

## Key Reasons

1. to remediate the sewer system in Lismore's LGA per Council commitment to its community.
2. to ensure Lismore Council's compliance to the *Protection of the Environment Operations Act*.
3. to mitigate risks to the public, environment and Council.

The sewer lining package for this financial year is based on camera inspections of the sewer mains from the Strategic Engineer's 5-year program, intervention by NSW Health and EPA, and areas of concern identified by the water and wastewater maintenance team.

The focus areas for this year are East Lismore, Lismore Heights, South Lismore, Heritage Park and a problematic line near the Base Hospital.

1. Post-investigation of CCTV footage of South Lismore identifies the sewer infrastructure to be in extremely poor condition. Many junctions are beyond serviceable, necessitating deep and costly excavations for remediation. Additionally, a significant number of sewer pipes show displacements or collapses.

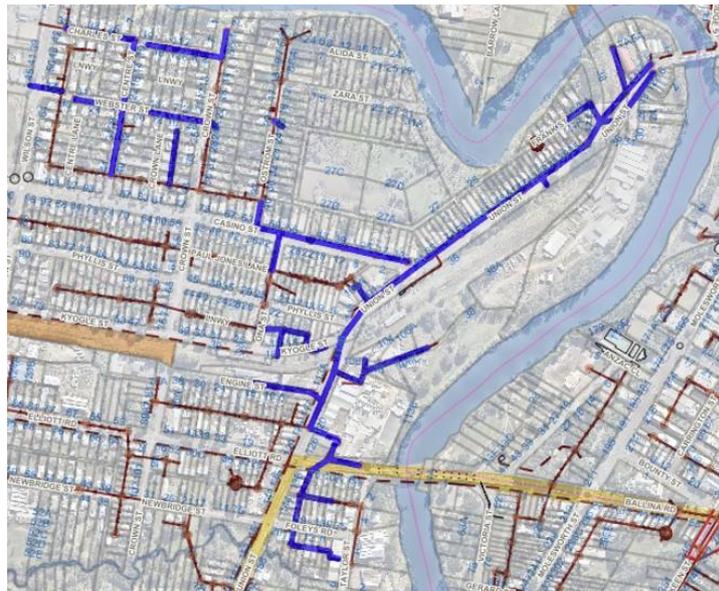


Figure 1: The South Lismore package of works from the Strategic Engineers' program.

2. Sewer overflows at Bruxner Crescent during rain events have led to complaints to NSW Health. Inspections of downstream manholes revealed no blockages. In response, Council will line the upstream sewer assets to seal the system and reduce infiltration, interfacing with previously lined sections.



Figure 2: Lining requires in response to a public health order

3. A further area for remediation is in the Lismore Base Hospital precinct.



Figure 3: Works near the Base Hospital.

4. The fourth area for remediation for this year's program includes relining a section of pipe in Heritage Park, Lismore's CBD. The sewer main is approximately 4.5m deep; without immediate remediation, further degradation would require significant excavation, including shoring and a crane. This project also aims to mitigate significant sinkholes in the newly revamped park and ensure local businesses are not negatively impacted by manual excavation. The current pipe condition may lead to sewage leaching into the environment, posing a public health risk and a pollution event under the *Protection of the Environment Operations Act*. Investigations revealed collapses and displacements in these sections.



Figure 4: Identifies the location of the works at Heritage Park

- The final areas of concern highlighted by Council officers is during precipitation events, sewer overflows are frequent on Oliver Street, East Lismore. Council investigations confirmed no downstream blockages would prevent sewage from flowing away from the manhole. However, camera inspections of the upstream main identified significant root ingress, cracking, and pipe displacements. These defects contribute to stormwater infiltration, which is a primary cause of wet weather overflows. Relining the affected mains will help mitigate these issues. Additionally, a sewer line on New Ballina Road, Lismore Heights, is also prone to frequent overflows and requires immediate inattention in the form of relining. Figure 5 below shows the areas in East Lismore and Lismore Heights to be relined.



Figure 5: Identifies the location of the works in Lismore Heights and East Lismore

In summary 2,614.0 metres of sewer pipes and 1,320.0 metres of the corresponding laterals shall be rehabilitated in this complete program of works.

### Procurement

After the adoption of the T2024-3 Sewer Relining Panel Contract, four packages of works were uploaded to Vendor Panel. As part of this process, all contractors on the panel were invited to submit estimates based on the provided scope of works.

Package of Works	VendorPanel Reference
Sewer Lateral Bruxner Crescent Lining	VP427104
Sewer Reticulated Bruxner Crescent Lining	VP426163
Sewer Main Lateral Lining	VP426860
Sewer Main Reticulated Lining	VP425506

Following the closure of the VendorPanel RFQs, the Water and Wastewater maintenance team has requested the lines mentioned in this report, located in East Lismore and Lismore Heights, be included as a scope and price variation request to the contractors awarded under the Sewer Main and Lateral Lining programs.

## Comments

### Finance

Funds held in sewer reserves total \$44,689,000 at 30 June 2024. This balance is per the draft Financial Statements for the year ended 30 June 2024.

### Public consultation

Not required.

### Conclusion

The proposed sewer lining program for the Lismore LGA is essential for addressing both immediate public health concerns and long-term infrastructural sustainability. The focus on South Lismore, Heritage Park, and the vicinity of the Base Hospital underscores Council's commitment to mitigating sewer overflows, reducing infiltration, and preventing further infrastructure collapse.

Investigations completed since the finalisation of the 2024-2025 budget have identified extremely poor asset condition. Securing an additional \$593,243.08 from the sewer reserves is required to ensure compliance with environmental regulations and enhance the resilience of Lismore's sewer infrastructure.

### Attachment/s

There are no attachments for this report.

# Report

<b>Subject</b>	<b>Nimbin Business Rate Acquittal</b>
<b>TRIM Record No</b>	BP24/914:EF19/217-6
<b>Prepared by</b>	Manager Destination & Economy
<b>Reason</b>	To enable Council to accept the financial reports provided to acquit the expenditure of the Nimbin Business Rate.
<b>Strategic Theme</b>	A prosperous and vibrant city
<b>Strategy</b>	Our community has diverse business and industry, as well as opportunities for investment and growth.
<b>Action</b>	Support and encourage a diverse and competitive mix of business and industry.

## Executive Summary

Following Council resolution of 12 October 2021, the Nimbin Chamber of Commerce are required to provide Council an annual acquittal of the Nimbin Business Rate.

## Recommendation

That Council:

1. accepts the financial report provided by the Nimbin Chamber of Commerce for the expenditure of the Nimbin Business Rate for the period 1 October 2023 to 30 September 2024
2. release the 2024-2025 Nimbin Business Rate amount of \$17,900 (excluding GST) to the Nimbin Chamber of Commerce
3. supports an adjustment of the acquittal reporting period to align with standard end of financial year reporting requirements from 1 October to 30 September to 1 July to 30 June

## Background

The Nimbin Business Rate provides an annual amount from rate revenue to promote business activity on behalf of businesses within the Nimbin business centre. The rate amount for the 2023-2024 period was \$17,100 (excluding GST). This fund is expended by the Nimbin Chamber of Commerce.

The acquittal reporting is for the period 1 October 2023 to 30 September 2024. During the 2023-2024 period the Nimbin Chamber of Commerce supported economic development initiative across five categories, being promotions, murals, professional development of the business community, event sponsorship and administration. The details of the acquittal are included in Attachment 1 – Nimbin Business Rate Acquittal 2023-2024.

## Comments

### Finance

The recommendation is supported as printed. The recommended change in the acquittal period, that is financial years, will align the expenditure of funds report to the period contributions are paid by Council and therefore is also supported.

## Public consultation

Not required.

## Conclusion

The acquittal report provided by the Nimbin Chamber of Commerce for the expenditure of the Nimbin Business Rate has been received. The financial report represents a fair and accurate assessment of the expenditure for the period 1 October 2023 to 30 September 2024 including outcomes achieved for the Nimbin business community and is supported by Council officers.

An invoice for the 2024-2025 period of \$17,900 (excluding GST) has been received (Attachment 2).

## Attachment/s

1. [↓](#) Nimbin Business Rate Acquittal Report 2023/2024
2. [↓](#) Nimbin Business Rate 2024/25 Invoice

**Nimbin Business Rate – Acquittal for Period 1 October 2023 to 30 September 2024**

Nimbin Chamber of Commerce annually receives funding collected through the Business Rate – a rate applied to property owners within Nimbin’s commercial centre. Funds received during the reporting period total \$17,100. The funds are managed by a volunteer management committee and applied to support economic development initiatives throughout the village. The Nimbin Business Rate 23-24 has been distributed within 5 categories

**Promotion**

**Amount**

**Detail**

Promotion has included website hosting, website representation for members, website updates, event creation, publication, promotion on social media and the local Nimbin Good Times, and introducing online ticketing for events. While much of this is provided by volunteers the Chamber has also had to rely on professional expertise. In addition, the Chamber has funded a reprint of the brochure produced for visitors to the village that is distributed through local retail outlets, cafes and restaurants.

\$	2,224.00	The Aether Agency - professional website support
\$	480.00	Wix website hosting
\$	590.90	Nimbin School of Arts - framing of 5 donated photographs representing the ethos and culture of Nimbin. These have been hung in a community owned meeting room
\$	568.18	Lismore City Printery - brochure reprint

Murals

Nimbin’s murals are iconic and are a major contributor to the heritage significance of the village. They are also a major attraction for the many visitors to the village. For over a decade the Chamber has been instrumental in doing its part to care for the murals that adorn our main street, laneways and buildings. Mural donation tins located throughout the village financially support our work. Mural restoration and replacement is a costly exercise and is strategically staged according to identified needs and the availability of muralists. In the past 12 months the Chamber funded an extensive mural that runs alongside the newly created path from the western car park through to Cullen Street. This mural was to be funded from grant funds received by Council for the construction of the path. However rising material costs depleted grant funding, and the Chamber took up the responsibility for delivering a mural. Another mural was created by local First Nation’s artists and is located within the Nimbin Community Centre, alongside the Cultural Centre. Both mural projects supported the engagement of young people in their creation.

\$	3,000.00	Jen Harkness - Council laneway mural
\$	3,000.00	Nimbin Community Centre mural

**Professional development of the business community:**

To support and stimulate local businesses the Chamber organises and/or supports local networking events and workshops. Over the past 12 months considerable energy has gone into supporting our Women in Business initiative. These events are now ticketed and self-funded. We have also actively reached out to Nimbin Central School with the aim of creating stronger links between the school and our business community. It is hoped this initiative will offer more, and meaningful, job experiences for the young people in our area. While these initiatives are self-funded and run on an entirely volunteer basis they assist to promote our professional development initiatives. To this end we have held a number of meetings for members to encourage networking, promoting buy local, sharing new business initiatives and presentations by others. We have also supported and promoted initiatives from Lismore Council’s Destination & Economy team.

\$	1,150.00	AGM venue hire, production and catering
\$	1,000.00	Public speaking workshop
\$	1,000.00	General members' meeting May 2024 venue hire, production and catering
\$	1,000.00	General members' meeting September 2024 venue hire, production and catering
\$	425.00	Two Tarts catering Women in Business Forum
\$	75.00	Church of Aquarius venue hire Women in Business

**Event Sponsorship:**

Events sponsored by the Chamber are done so because they are considered to deliver an economic benefit to the community. Events supported are the annual Nimbin Poetry World Cup, the annual Nimbin Mardi Grass Festival

In addition, the Chamber increases its public liability insurance to ensure events put on by the Chamber are adequately. Women in Business has been a major initiative in this regard. A number of forums have been held to support, share knowledge and build skills amongst local Nimbin businesswomen.

\$	1,000.00	Nimbin Mardi Grass Festival
\$	489.70	Insurance Advisernet public liability
\$	500.00	Nimbin Performance Poetry World Cup

**Admin expenses related to SBRVL management**

Google workspace fee - This is now being managed by the Chamber itself but is essential for communication amongst the committee and the digital consultants

\$	368.03	Ventra ip google workspace Oct-May
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The Quickbooks licence facilitates financial management through customised reporting and provides improved financial oversight of projects, specifically SBRVL projects and grant related activities

\$	300.00	Nimbin Tax & Accounting - quickbooks annual registration.
\$	(70.81)	chamber contribution to above

TOTAL

<b>\$</b>	<b>17,100.00</b>	
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**mbin Chamber of Commerce and Industry**

quittal Transaction Sheet

Invoice Date	Business Name	Business ABN	If No ABN, has a Statement by Supplier been provided?*	Description of Transaction	Amount (excluding GST)	Gst Amount	Invoice Total	Invoice Copy available*
22/11/2023	Nimbin Bush Theatre	74,849,413,953		AGM 2023 venue & catering	\$ 1,150.00	\$ 115.00	\$ 1,265.00	Y
07/12/2023	Two Tarts	26,982,481,936		Catering Women in Business 02.02.2024	\$ 425.00		\$ 425.00	Y
02/02/2024	Church of Aquarius - J Cornish Management	20,080,973,584		Venue Women in Business 02.02.2024	\$ 75.00		\$ 75.00	Y
26/03/2024	Wix.com	ARN ID 300009034519		Wix website hosting	\$ 480.00	\$ 48.00	\$ 528.00	Y
10/04/2024	North Insure	15,003,886,687		Insurance Advisernet public liability	\$ 489.70	\$ 46.00	\$ 535.70	Y
01/05/2024	Nimbin Bush Theatre	74,849,413,953		May Nimbin Networking event venue & catering	\$ 1,000.00	\$ 100.00	\$ 1,100.00	Y
29/06/2024	Nimbin Performance Poetry Cup	none - community organisation		Event sponsorship	\$ 500.00		\$ 500.00	Y
07/07/2024	Mardi Grass Organing Body	42,639,494,819		Event sponsorship	\$ 1,000.00		\$ 1,000.00	Y
21/07/2024	Nimbin School of Arts	26,451,690,621		Pictures framing of 5 Marion Goff pints (Out There)	\$ 590.91	\$ 59.09	\$ 650.00	Y
30/07/2024	Jen Harkness art	59,300,801,878		Mural funding part 1	\$ 1,500.00		\$ 1,500.00	Y
31/07/2024	Nimbin Community Centre	20,011,974,878		Mural funding	\$ 3,000.00	\$ 300.00	\$ 3,300.00	Y
23/08/2024	Nimbin Tax & Accounting	60,797,128,595		Quickbooks annual registration	\$ 300.00	\$ 30.00	\$ 330.00	Y
09/09/2024	Lismore City Printery Pty. Ltd.	82,001,319,580		Reprint of the brochure for visitors	\$ 568.18	\$ 56.82	\$ 625.00	Y
11/09/2024	Jen Harkness art	59,300,801,879		Mural funding part 2	\$ 1,500.00		\$ 1,500.00	Y
11/09/2024	Anthony Kirton, Engage learning & development	54,902,861,783		Design /facilitation public speaking workshop	\$ 1,000.00	\$ 100.00	\$ 1,100.00	Y
17/09/2024	Nimbin Bush Theatre	74,849,413,953		Sept Nimbin Networking event venue & catering	\$ 1,000.00	\$ 100.00	\$ 1,100.00	Y
20/12/2023	The Aether Agency	87,648,548,181		DCM - Professional website & communication support	\$ 820.00	\$ 82.00	\$ 902.00	Y
22/04/2024	The Aether Agency	87,648,548,182		DCM - Professional website & communication support	\$ 714.00	\$ 71.40	\$ 785.40	Y
12/08/2024	The Aether Agency	87,648,548,183		DCM - Professional website & communication support	\$ 690.00	\$ 69.00	\$ 759.00	Y
					\$ 2,224.00			
25/09/2023	VentralP	91,137,543,018		Google workspace	\$ 41.78	\$ 4.18	\$ 45.96	Y
05/10/2023	VentralP	91,137,543,018		Google workspace	\$ 45.23	\$ 4.52	\$ 49.75	Y
05/11/2023	VentralP	91,137,543,018		Google workspace	\$ 45.23	\$ 4.52	\$ 49.75	Y
05/12/2023	VentralP	91,137,543,019		Google workspace	\$ 45.23	\$ 4.52	\$ 49.75	Y
05/01/2024	VentralP	91,137,543,019		Google workspace	\$ 45.23	\$ 4.52	\$ 49.75	Y
05/02/2024	VentralP	91,137,543,020		Google workspace	\$ 45.23	\$ 4.52	\$ 49.75	Y
05/03/2024	VentralP	91,137,543,018		Google workspace	\$ 45.23	\$ 4.52	\$ 49.75	Y
04/04/2024	VentralP	91,137,543,018		Google workspace	\$ 9.64	\$ 0.96	\$ 10.60	Y
05/04/2024	VentralP	91,137,543,018		Google workspace	\$ 45.23	\$ 4.52	\$ 49.75	Y
					\$ 368.01			
					\$ 17,170.80			

**mbin Chamber of Commerce Inc**

Cullen Street  
 1bin NSW 2480  
 asurer@nimbinaustralia.com.au  
 w.nimbinaustralia.com.au  
 V 49142400194



**ix Invoice**

VOICE TO  
 ia Irish  
 more City Council  
 inager Economic Development, PO Box 23A, Lismore 2480

INVOICE 1245  
 DATE 02/10/2024  
 TERMS Net 30  
 DUE DATE 02/11/2024

MEMBERSHIP YEAR  
 24/25

DATE	ACTIVITY	DESCRIPTION	GST	QTY	RATE	AMOUN
	SBRVL	Contribution for Nimbin Business Rate 2024/25	GST	1	17,900.00	17,900.0

3R 2024/25	SUBTOTAL	17,900.0
	GST TOTAL	1,790.0
	TOTAL	19,690.0
	BALANCE DUE	<b>A\$19,690.0</b>

Nimbin Chamber of Commerce Inc  
 BSB 728 728  
 Account No 222 060 93

Nimbin Chamber of Commerce Inc  
 BSB 728 728 Account No 222 060 93  
 Please use your name or invoice number as a reference

## Report

<b>Subject</b>	Planning proposal to introduce certain light industries to RU1, E1 and E2 zones
<b>TRIM Record No</b>	BP24/688:EF24/80
<b>Prepared by</b>	Senior Strategic Planner
<b>Reason</b>	To initiate a Planning Proposal to amend the LEP.
<b>Strategic Theme</b>	Our built environment
<b>Strategy</b>	Our land-use planning caters for all sectors of the community.
<b>Action</b>	Ensure a diverse range of land use and development opportunities are available.

### Executive Summary

Enabling greater diversification and activation of our commercial and rural areas is important to our communities, particularly as Lismore continues its social and economic recovery since the 2022 natural disaster. Council has received numerous enquiries from landholders and potential tenants regarding the use of land for various light industrial uses, including 'creative industries' in the E1 Local Centre and E2 Commercial Centre zones, and 'artisan food and drink industries' in the RU1 Primary Production zone. These land uses are currently prohibited in the respective zones; however, it is considered that the land uses are consistent with the zone objectives and are aligned with Council's Local Strategic Planning Statement (LSPS) and the North Coast Regional Plan.

As such, Council staff have developed a planning proposal that would add 'creative industries' as permissible with consent in the E1 and E2 zones, and 'artisan food and drink industries' as permissible with consent in the RU1 zone. The planning proposal also corrects an error in the E1 zone objectives, adds 'artisan food and drink industries' as a use covered by the Lismore Local Environmental Plan (LEP) 2012 *Clause 6.11 Rural and nature-based tourism development*, and removes an outdated definition of 'small scale' from *Clause 6.11*.

It is recommended that Council supports the planning proposal and seeks a Gateway determination from the Department of Planning, Housing and Infrastructure (DPHI) to ensure our planning framework continues to serve our communities needs and aspirations.

### Recommendation

That Council:

1. supports the planning proposal to introduce additional light industries to the Lismore Local Environmental Plan (LEP) 2012
2. forwards the planning proposal to the Department of Planning, Housing and Infrastructure (DPHI) seeking a Gateway determination and proceeds to public exhibition in accordance with any Gateway requirements
3. confirms that should any objections be made during the public exhibition stage that the General Manager will report back to Council. If no objections are made, the General Manager will proceed in making the LEP

## Background

Council has received numerous enquiries relating to the use of rural lands for activities that would fall under the term ‘artisan food and drink industry’, a type of light industry defined as:

*“a building or place the principal purpose of which is the making or manufacture of boutique, artisan or craft food or drink products only. It must also include at least one of the following—*

- (a) a retail area for the sale of the products,*
- (b) the preparation and serving, on a retail basis, of food and drink to people for consumption on the premises, whether or not liquor, take away meals and drinks or entertainment are also provided,*
- (c) facilities for holding tastings, tours or workshops.”*

Artisan food and drink industries are currently not permissible in the RU1 zone in the Lismore LEP 2012, as ‘industries’ are a prohibited use. While the NSW State Government recently pursued agritourism reforms that allow for farm gate premises in the RU1 zone, this requires agricultural products to be predominately from the subject farm, which can make pursuing uses such as a brewery unworkable in the local area. Adding ‘artisan food and drink industries’ as permissible with consent provides additional opportunities for rural landowners to diversify income streams, particularly along the rail trail route between Bentley and Eltham.

At the same time, Council has also received enquiries relating to the establishment of uses such as artists’ studios in the CBD and other local centres (E1 Local Centre and E2 Commercial Centre zones), which is best defined as ‘creative industry’, another type of light industry.

‘Creative industry’ is a relatively recent addition to the LEP land use table, added on 26 April 2023 as part of the NSW Government’s Employment Zones reforms, which consolidated business and industrial zones into employment zones. Prior to this, the best definition for creative industry development would have been similar existing land use terms such as ‘*information and education facilities*’ or ‘*community facilities*’.

The definition of creative industry is:

*a building or place the principal purpose of which is to produce or demonstrate arts, crafts, design or other creative products, and includes artists’ studios, recording studios, and set design and production facilities.*

Because ‘creative industries’ is now defined as a type of light industry in the LEP, they are currently prohibited in local and commercial centres, even though the E1 and E2 zones are considered suitable zones for such uses. While these types of development could still be approved as ‘*community facilities*’ in instances where the building or place is owned or controlled by a public authority or non-profit community organisation, in other cases ‘creative industries’ is the only applicable land use term.

It is considered that the proposed amendments will help to support growth of Lismore’s creative industries, encourage revitalisation of Lismore post-flood, allow appropriate diversification of rural lands, and support the tourist and visitor economy.

## Proposed amendments to the Lismore LEP

Council has developed a planning proposal to expand the permissible uses in the E1 and E2 zones to allow for ‘*creative industries*’, and also expand the permissible uses in the RU1 zone to allow for ‘*artisan food and drink industries*’. It is considered that these particular light industrial uses are compatible with the relevant zone objectives, and that any economic, social or environmental impacts can be effectively controlled through the development assessment process.

Specifically, the planning proposal adds ‘*artisan food and drink industries*’ as ‘permitted with consent’ in the RU1 land use table. It also adds ‘*creative industries*’ as ‘permitted with consent’ to the E1 and E2 land use tables.

Additionally, the planning proposal adds ‘*artisan food and drink industries*’ as a use covered by *Clause 6.11 Rural and Nature-Based Tourism*, which ensures that tourism development in rural and natural areas does not adversely impact on the agricultural production, scenic or environmental values of the land.

The planning proposal also seeks to remove the definition of small scale in *Clause 6.11 Rural and Nature-Based Tourism*, which is considered outdated and unnecessary. The definition states:

*“small scale means a scale that is small enough to be generally managed and operated by the principal owner living on the property.”*

Following the State Government’s agritourism reforms, up to 100 visitors can now attend a farm gate premises (for example, a farm café) as either exempt or complying development. In many instances, this would require multiple staff and may not be at a scale that could be generally managed and operated by a principal owner living on the property. If the above definition of ‘small scale’ were to be strictly applied, there may be situations where Council could not approve a development application (DA) that could otherwise be pursued through exempt or complying pathways.

It is considered that other provisions of Clause 6.11 can allow for a merit assessment in controlling for scale, including an objective that states that the Clause’s purpose is to ensure tourism development is small scale, and a section of the Clause that indicates that development consent must not be granted unless the consent authority is satisfied that the development is small scale and low impact. Council’s Development Control Plan (DCP) for Rural and Nature-Based Tourism also provides further detail on what is considered small-scale and will be updated to reference artisan food and drink industries if and when the planning proposal gets a Gateway determination.

Finally, the planning proposal removes an objective that was incorrectly added to the E1 zone objectives as part of the NSW Government’s employment zones reform, which consolidated former B1 Neighbourhood Centre and B2 Local Centre zones into the E1 Local Centre zone.

The inaccurate E1 zone objective currently in the LEP reads:

- *To ensure that development is of an appropriate scale to service the needs of the local community and does not detract from the role of the zone as the primary retail, commercial and entertainment centre of Lismore.*

The objective is incorrect because the E2 zone (not the E1 zone) is the primary retail, commercial and entertainment centre of Lismore. Additionally, there are currently another two objectives in the E1 zone that read:

- *To provide for development that does not detract from the role of Zone E2 Commercial Centre as the primary centre of business, retail, community, and cultural activity.*
- *To ensure that development is of an appropriate scale and is compatible with the character of the surrounding neighbourhood.*

It is considered the objective proposed to be removed is phrased incorrectly and duplicates existing objectives. Council approached the Department of Planning, Housing and Infrastructure (DPHI) to correct the error, as it had been incorrectly introduced by the State through their reforms, however correspondence to Council indicated that Council would need to pursue its own planning proposal to amend the error.

## Overview of the Planning Proposal

A planning proposal to facilitate to additional uses is attached to this report as **Attachment 1**. It is summarised below in **Table 1**.

**Table 1: Summary of the Planning Proposal**

PART	REQUIREMENTS	DESCRIPTION OF PLANNING PROPOSAL
1	<b>OBJECTIVES AND INTENDED OUTCOMES</b>	<p>The objective of this Planning Proposal is to:</p> <ul style="list-style-type: none"> <li>• amend the Lismore LEP 2012 to allow creative industries to be pursued in the E1 and E2 business zones,</li> <li>• amend the Lismore LEP 2012 to allow artisan food and drink industries to be pursued in the RU1 Primary Production zone,</li> <li>• rectify an error in the E1 Local Centre zone resulting from the State Government’s employment zones reform.</li> </ul>
2	<b>EXPLANATION OF PROVISIONS</b>	<p>The objectives of this LEP amendment will be achieved through:</p> <ul style="list-style-type: none"> <li>• Removing an inaccurate E1 zone objective</li> <li>• Amending land use tables for the RU1, E1 and E2 zones</li> <li>• Adding ‘<i>artisan food and drink industries</i>’ as a defined use of Clause 6.11 ‘Rural and nature-based tourism development’</li> <li>• Removing the definition of ‘small scale’ from Clause 6.11</li> </ul>
3	<p><b>JUSTIFICATION</b>  <b>Section A – Need for the Planning Proposal</b></p> <p><i>Is the planning proposal a result of an endorsed LSPS, strategic study or report?</i></p> <p><i>Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?</i></p>	<p>The planning proposal is not a result of an endorsed LSPS, strategic study or report. It has been made due to landowner enquiries and internal staff recommendations.</p> <p>The Planning Proposal is considered the best means of achieving the objectives.</p>
	<p><b>JUSTIFICATION</b>  <b>Section B – Relationship to Strategic Planning Framework</b></p> <p><i>Will the planning proposal give effect to the objectives and actions of the applicable regional or district plan or strategy (including any exhibited draft plans or strategies)?</i></p> <p><i>Is the planning proposal consistent with a council LSPS that has been endorsed by the</i></p>	<p>The Planning Proposal is consistent with applicable directions in the North Coast Regional Plan (2041).</p> <p>The Planning Proposal is consistent with Lismore’s Local Strategic Planning Statement.</p> <p>The Planning Proposal is consistent with applicable State and regional studies or strategies.</p> <p>The Planning Proposal is consistent with applicable SEPPs.</p> <p>The Planning Proposal is consistent with applicable Section 9.1 Directions.</p>

PART	REQUIREMENTS	DESCRIPTION OF PLANNING PROPOSAL
	<p><b><i>Planning Secretary or GSC, or another endorsed local strategy or strategic plan?</i></b></p> <p><b><i>Is the planning proposal consistent with any other applicable State and regional studies or strategies?</i></b></p> <p><b><i>Is the planning proposal consistent with applicable SEPPs?</i></b></p> <p><b><i>Is the Planning Proposal consistent with applicable s9.1 Ministerial Directions?</i></b></p>	
	<p><b>JUSTIFICATION</b> <b><i>Section C – Environment, Social and Economic Impact</i></b></p> <p><b><i>Is there any likelihood that critical habitat of threatened species, populations or ecological communities or their habitats, will be adversely affected because of the proposal?</i></b></p> <p><b><i>Are there any other likely environmental effects of the Planning Proposal and how are they proposed to be managed?</i></b></p> <p><b><i>Has the Planning Proposal adequately addressed any social and economic effects?</i></b></p>	<p>The planning proposal does not apply to any specific parcel of land. There is the potential that some artisan food and drink industries could potentially impact upon biodiversity on rural land, as some rural land includes biodiversity value, however it is considered that other provisions of the LEP, DCP and SEPPs would appropriately manage any impacts as part of any development application assessment. Any potential impacts would also need to satisfactorily address any relevant sections of the Biodiversity Conservation Act 2016 at the DA stage.</p> <p>There are no other likely environmental or social effects that cannot be managed appropriately through existing provisions of the LEP, DCP and relevant SEPPs as part of any development application assessment.</p>
	<p><b>JUSTIFICATION</b> <b><i>Section D – Infrastructure (Local, State and Commonwealth)</i></b></p> <p><b><i>Is there adequate public infrastructure for the Planning Proposal?</i></b></p> <p><b><i>What are the views of State and Commonwealth public authorities consulted in accordance with the Gateway Determination?</i></b></p>	<p>The planning proposal will not increase demand for local, State or Commonwealth infrastructure for creative industries. Artisan food and drink industries in RU1 areas may, depending on estimated traffic volumes, require upgrade of public roads, however this would be conditioned in line with Council's Rural and Nature-based Tourism DCP during the DA process, and development would also be subject to s7.11 local contributions. Artisan food and drink industries would also, where connection to reticulated water supply is not available, need to satisfy Council regarding provision of water.</p> <p>No consultation has been conducted pre-Gateway given the minor nature of the planning proposal. State and federal public authorities and government agencies will be consulted in line with any Gateway condition.</p>

PART	REQUIREMENTS	DESCRIPTION OF PLANNING PROPOSAL
4	<b>MAPPING</b>	The planning proposal does not involve any amendments to the Lismore LEP 2012 maps.
5	<b>COMMUNITY CONSULTATION</b>	Council will conduct community consultation in accordance with any Gateway determination. Public exhibition will be undertaken in accordance with the DPE <i>Local Environmental Plan Making Guideline – August 2023</i> and Council's Community Participation Plan.
6	<b>PROJECT TIMELINE</b>	It is estimated that it will take approximately nine months to gazette the LEP amendment following Council endorsement.

## Comments

### Finance

Not required.

## Other officer comments

### Manager Destination and Economy

Over the past 18 months Lismore City Council has received an increase in the number of enquiries relating to the establishment of creative industries within Lismore's commercial centres. The recommendation for inclusion of these activities into our commercial centres is strongly supported and will ensure the growth, diversification, and activation of our commercial centres now and into the future.

## Public consultation

Consultation will be undertaken in line with any Gateway determination and Council's Community Participation Plan.

## Conclusion

The attached planning proposal seeks to amend the Lismore LEP 2012 to provide additional appropriate light industrial uses in the RU1, E1 and E2 zones. These uses will help to support growth of Lismore's cultural industries, encourage revitalisation of Lismore post-flood, allow appropriate diversification of rural lands, and support the tourist and visitor economy.

The Planning Proposal is consistent with the North Coast Regional Plan, Lismore's Local Strategic Planning Statement, the relevant State Environmental Planning Policies and s9.1 Ministerial Directions.

It is recommended that Council supports the planning proposal and seeks a Gateway determination from DPHI.

## Attachment/s

1. [↔](#) Planning proposal - additional light industrial uses (Over 7 pages)

# Report

<b>Subject</b>	<b>2023-2024 Financial Report</b>
<b>TRIM Record No</b>	BP24/909:AF24/3126
<b>Prepared by</b>	Acting Chief Financial Officer
<b>Reason</b>	Legislative requirement - Sections 419 and 420 Local Government Act 1993
<b>Strategic Theme</b>	Leadership and participation
<b>Strategy</b>	We provide effective management and responsible governance.
<b>Action</b>	Ensure the efficient and effective operation of Council.

## Executive Summary

In accordance with Section 419 of the *Local Government Act 1993* the audited financial reports and audit report for 30 June 2024 must be presented to the public at a Council meeting. Before doing so, they must have been advertised in the approved form and submissions from the public invited.

The Audited Financial Statements for the year ended 30 June 2024 were advertised in the prescribed on Council’s website and Council’s Facebook page from the 5 November 2024.

Members of the public can make a written submission to Council up to seven days after the meeting, being 19 November 2024 at 4.30pm. Council must forward a copy of any submission received to the Auditor and take any action it considers appropriate.

## Recommendation

That in accordance with Section 419 of the *Local Government Act 1993*, the Audited Financial Statements for the year ended 30 June 2024 and Audit Report are presented to the public and submission invited from the public.

## Background

Council resolved at the 29 October 2024 meeting:-

That:

1. in accordance with Section 413 (2) (c) of the *Local Government Act 1993* and clause 215 of the *Local Government (General) Regulation 2021*, adopt the Audited Financial Statements for the year ended 30 June 2024 and form an opinion based on the attached ‘Statement by Councillors and Management’ for both the General-Purpose Financial Statements and Special Purpose Financial Statements
2. delegate to the Mayor and a Councillor to sign the ‘Statement by Councillors and Management’ on behalf of Council
3. delegate to the General Manager, on receipt of the Independent Audit Reports, to submit the Audited Financial Statements to the NSW Office of Local Government

4. in accordance with Section 705 of the *Local Government Act 1993* determine the public notice relating to the financial statements will be advertised on Council's website and Council's Facebook page
5. Council present the Audited Financial statements to the public on the 12 November 2024

Council's resolution has been implemented, but it is important to note the public has until 4.30pm on 19 November 2024 to make a submission. Council is to ensure copies of all submissions received are referred to the Auditor, and also take such action as it considers appropriate with respect to any submission, including the giving of notice to the Director-General of any matter that appears to require amendment of the financial reports.

A copy of the Audited Financial Statements for the year ended 30 June 2024 is available for inspection at Council's Corporate Centre and on Council's website.

## Summary of Key Financial Data

The information in the summary below is consistent with the reporting requirements of the NSW Office of Local Government.

### Public Notice – Presentation of Financial Statements

	2024 \$ '000	2023 \$ '000
<b>Income Statement</b>		
Total income from continuing operations	237,551	202,870
Total expenses from continuing operations	142,099	155,075
<b>Operating result from continuing operations</b>	<b>95,452</b>	<b>47,795</b>
<b>Net operating result for the year</b>	<b>95,452</b>	<b>47,795</b>
<b>Net operating result before grants and contributions provided for capital purposes</b>	<b>(8,128)</b>	<b>(13,416)</b>
<b>Statement of Financial Position</b>		
Total current assets	235,586	169,833
Total current liabilities	(133,350)	(59,217)
Total non-current assets	2,034,010	1,830,286
Total non-current liabilities	(48,453)	(52,828)
<b>Total equity</b>	<b>2,087,793</b>	<b>1,888,074</b>
<b>Other financial information</b>		
Unrestricted current ratio (times)	1.94	2.07
Operating performance ratio (%)	(2.08)%	(4.09)%
Debt service cover ratio (times)	3.60	2.89
Rates and annual charges outstanding ratio (%)	12.24%	9.95%
Infrastructure renewals ratio (%)	192.19%	259.01%
Own source operating revenue ratio (%)	43.28%	46.98%
Cash expense cover ratio (months)	16.72	12.04

## **Public consultation**

The Audited Financial Statements for the year ended 30 June 2024, in the prescribed format, have been advertised on Council's website and Facebook page from Tuesday 5 November 2024 seeking public comment until 4.30pm on Tuesday 19 November 2024.

## **Conclusion**

In accordance with the *Local Government Act 1993* the Audited Financial Statements for the year ended 30 June 2024 and the Auditors Report must be presented to the public at a Council meeting. This report is intended to meet this requirement.

The Audited Financial Statements for the year ended 30 June 2024 have been advertised and submissions from the public invited. At the time of preparing this report, no submissions had been received.

## **Attachment/s**

There are no attachments for this report.

## Report

<b>Subject</b>	Investments - August, September & October 2024
<b>TRIM Record No</b>	BP24/955:EF22/122-3
<b>Prepared by</b>	Management Accountant
<b>Reason</b>	Required by Local Government Act 1993, Local Government (General) Regulation 2021 and Council's Investment Policy
<b>Strategic Theme</b>	Leadership and participation
<b>Strategy</b>	We provide effective management and responsible governance.
<b>Action</b>	Ensure the efficient and effective operation of Council.

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## Executive Summary

The *Local Government Act 1993* (Section 625), *Local Government (General) Regulation 2021* (Clause 212) and Council’s Investment Policy requires a monthly report be submitted to Council on investments. The report is to include the source and amount of funds invested, investment portfolio performance for the period and a statement of compliance in relation to the requirements of the *Local Government Act 1993*.

All investments with various financial institutions have been made in accordance with the *Local Government Act 1993* and *Local Government (General) Regulation 2021*.

### Cash and Investments

Investments held at the end of each month are set out below (the balances represent the face value or the purchase price of investments). In addition, Council held cash in various bank accounts; being operational accounts; restricted funds held for grants or held in trust. These funds are not included in the Investment portfolio. Month end balances are set out below:

Month	Face Value of Investments	Cash Accounts
August 2024	\$107,479,199	\$3,928,520
September 2024	\$109,659,199	\$3,159,072
October 2024	\$98,974,199	\$2,305,408

### Advance Flood Funding

Council also holds advance flood funding for approved restoration works on roads, buildings, and waste management. These funds are held in an overnight money market account so as to maintain liquidity, the account is earning a rate of return of 4.48% which includes a special rate of 0.13%. This amount has not been included in the investments held by Council report.

Month end balances are set out below.

Month	Balance Advance Grant Funding
August 2024	\$82,778,310
September 2024	\$82,044,097
October 2024	\$82,347,234

### Socially Responsible Investments

In August the percentage of the portfolio invested in Socially Responsible Investments (SRI) has decreased to 25% from 29%, the total value of SRI’s was reduced to \$27 million from a \$32 million balance the previous month.

In September the percentage of the portfolio invested in Socially Responsible Investments (SRI) has increased to 28% from 25%, the total value of SRI’s was increased to \$30 million from a \$27 million balance the previous month.

In October the percentage of the portfolio invested in Socially Responsible Investments (SRI) has increased to 30% from 28% and the total value of SRI’s has remained at \$30 million.

The portfolio balance will fluctuate from month to month depending on the timing of payments, rates and grant funds being received.

## Investments returns

**August** investments returned 4.92%, this is compared to the annualised Bank Bill (BB) Index bank rate of 4.54%. For the 12 months ended August 2024, Council's portfolio has returned 4.95% compared to the Annualised BB Index bank rate of 4.39%.

**September** investments returned 4.90%, this is compared to the annualised Bank Bill (BB) Index bank rate of 4.45%. For the 12 months ended September 2024, Council's portfolio has returned 4.97% compared to the Annualised BB Index bank rate of 4.41%.

**October** investments returned 4.92%, this is compared to the annualised Bank Bill (BB) Index bank rate of 4.50%. For the 12 months ended October 2024, Council's portfolio has returned 4.98% compared to the Annualised BB Index bank rate of 4.45%.

## Recommendation

That the report be received and noted.

## Background

The *Local Government Act 1993* (Section 625), *Local Government (General) Regulation 2021* (Clause 212) and Council's Investment Policy requires a monthly report be submitted to Council on investments. The report is to include the source and amount of funds invested, investment portfolio performance for the period and a statement of compliance in relation to the requirements of the *Local Government Act 1993*.

## Report on Investments

	Current Month Face Value*	Current Month Current Value**	Previous Month Face Value	Previous Month Current Value	Average Return	AusBond BB Index Annualised Return	Fossil Free Invest
August 2024	\$107,479,199	\$109,323,372	\$109,671,803	\$111,444,997	4.92%	4.39%	25%
September 2024	\$109,659,199	\$111,585,301	\$107,479,199	\$109,323,372	4.90%	4.45%	28%
October 2024	\$98,974,199	\$100,885,418	\$109,659,199	\$111,585,301	4.92%	4.50%	30%

\*The face value represents the purchase price of investments.

\*\*The current value is the value of investments at today's date and includes any interest owed but not paid

The portfolio balance will fluctuate from month to month depending on the timing of payments, rate receipts and grant funds received. In August, September and October Council incurred operational expenses, such as employee costs, creditor payments, expenditure in relation to the capital works program and has incurred further expenditure on flood restoration works which is yet to be reimbursed.

In addition, Council has Cash held in various bank accounts; being operational accounts; restricted funds held for grants or held in trust. These are not included in the Investment portfolio. Month end balances are summarised below.

Month	Balance Cash Accounts
August 2024	\$3,928,520
September 2024	\$3,159,072
October 2024	\$2,305,408

Council also holds advance flood funding to commence approved restoration works. These funds are held in an overnight money market account so as to maintain liquidity, the account is earning a rate of return of 4.48%. These are not included in the Investment portfolio. Month end balances are summarised below.

Month	Balance Advance Grant Funding
August 2024	\$82,778,310
September 2024	\$82,044,097
October 2024	\$82,347,234

### Socially Responsible Investments

Where the opportunity arises Council will seek SRI products, however the investment product will be considered in the context of Council's overall cashflow requirements, the opportunity costs of the product and the security of the investment. Presently there is only a small financial opportunity cost between these investments and other available investment products, however this will be monitored for future investments.

It is important that when deciding on investments Council takes into consideration its overall portfolio strategy and the need to diversify its portfolio. SRI products offer Council a different pool of investment products and therefore can be used as a way to diversify its portfolio.

Council's value of ethical investments as of 31 August 2024 was \$27 million, the percentage of the portfolio held in SRI's is 25%, down from 29% the previous month.

Council's value of ethical investments as of 30 September 2024 was \$30 million, the percentage of the portfolio held in SRI's is 28%, up from 25% the previous month.

Council's value of ethical investments as of 31 October 2024 was \$30 million, the percentage of the portfolio held in SRI's is 30%, up from 28% the previous month.

\* Note - this includes Fossil Fuel Free Investments

### Portfolio structure

Council is limited in its investment options in accordance with the Minister's Investment Order and the Investment Policy adopted by Council. The current portfolio is split between cash and fixed deposits. These offer a lower return to other products however have a greater security around capital protection.

## Lismore City Council Executive Summary - August 2024

### Investment Holdings

	Face Value (\$)	Current Value (\$)	Current Yield (%)
Cash	38,479,199	38,479,199	4.4800
Term Deposit	69,000,000	70,844,174	5.1577
	<b>107,479,199</b>	<b>109,323,372</b>	<b>4.9151</b>

## Lismore City Council Executive Summary - September 2024

### Investment Holdings

	Face Value (\$)	Current Value (\$)	Current Yield (%)
Cash	40,659,199	40,659,199	4.4800
Term Deposit	69,000,000	70,926,102	5.1464
	<b>109,659,199</b>	<b>111,585,301</b>	<b>4.8993</b>

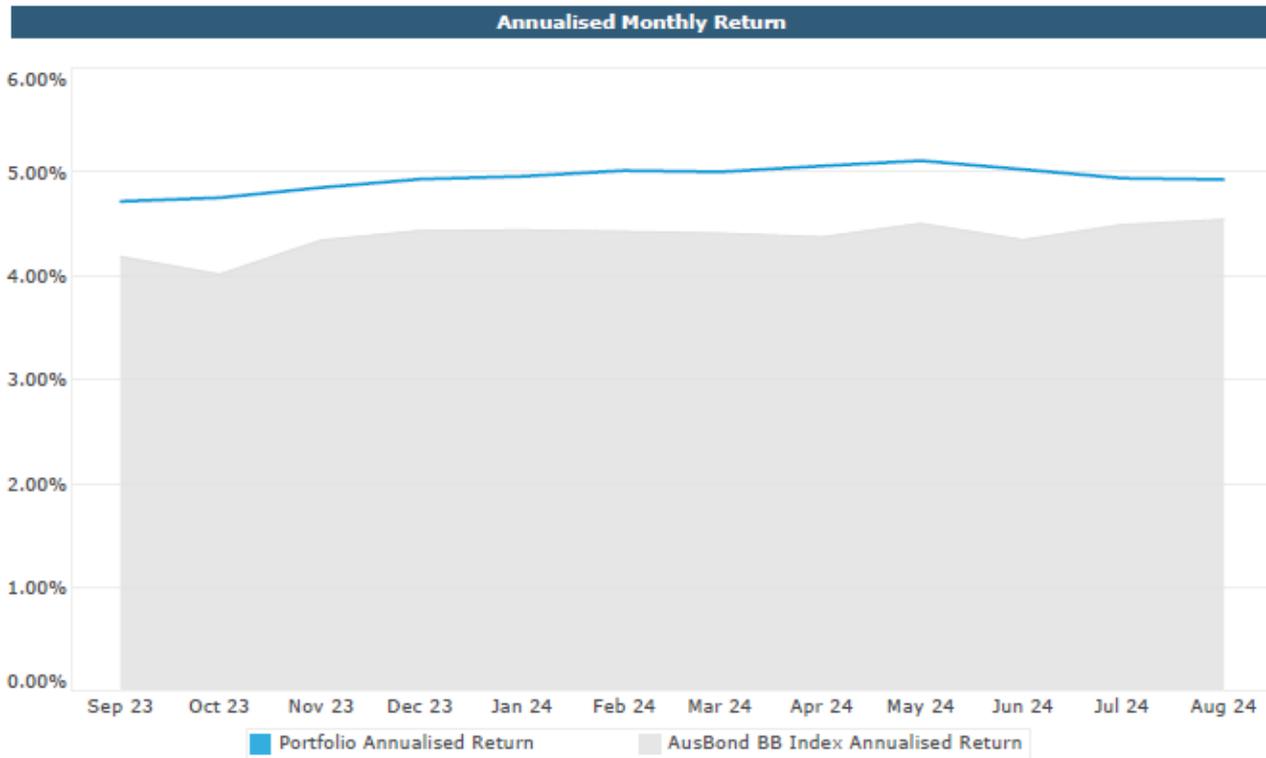
## Lismore City Council Executive Summary - October 2024

### Investment Holdings

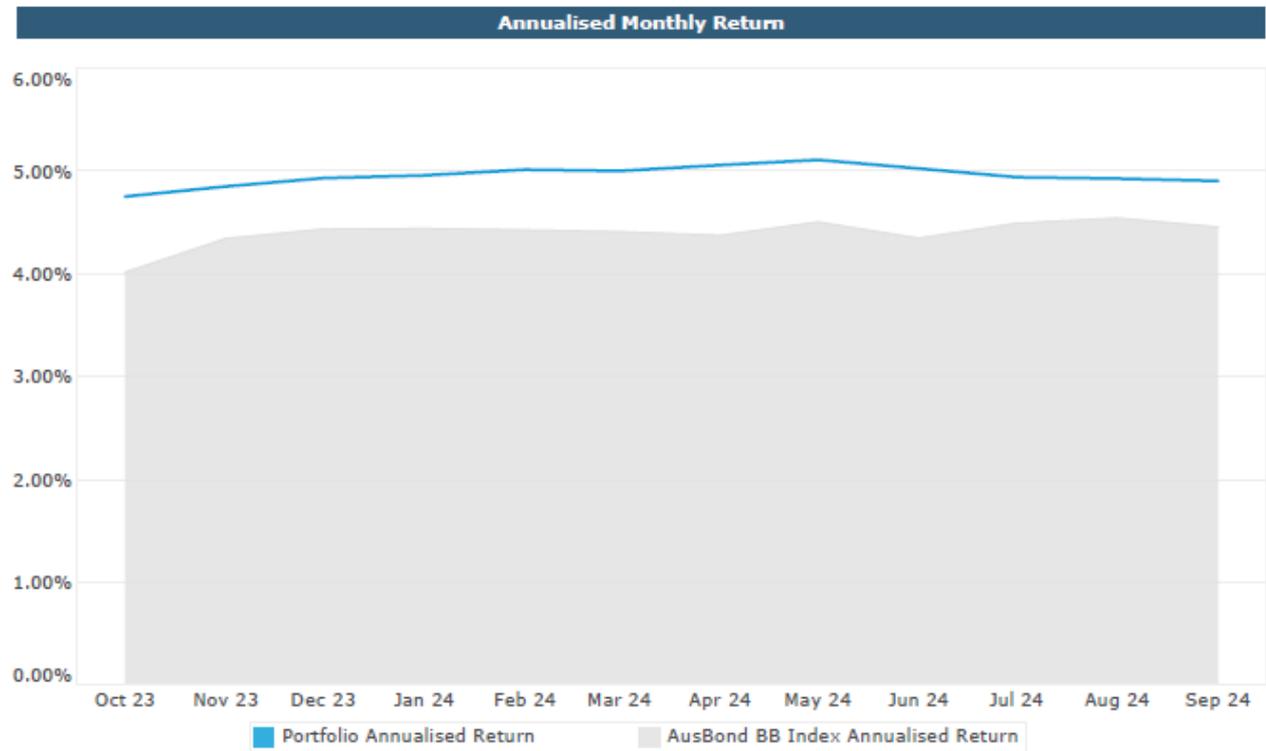
	Face Value (\$)	Current Value (\$)	Current Yield (%)
Cash	29,974,199	29,974,199	4.4800
Term Deposit	69,000,000	70,911,220	5.1275
	<b>98,974,199</b>	<b>100,885,418</b>	<b>4.9314</b>

**Investment Performance**

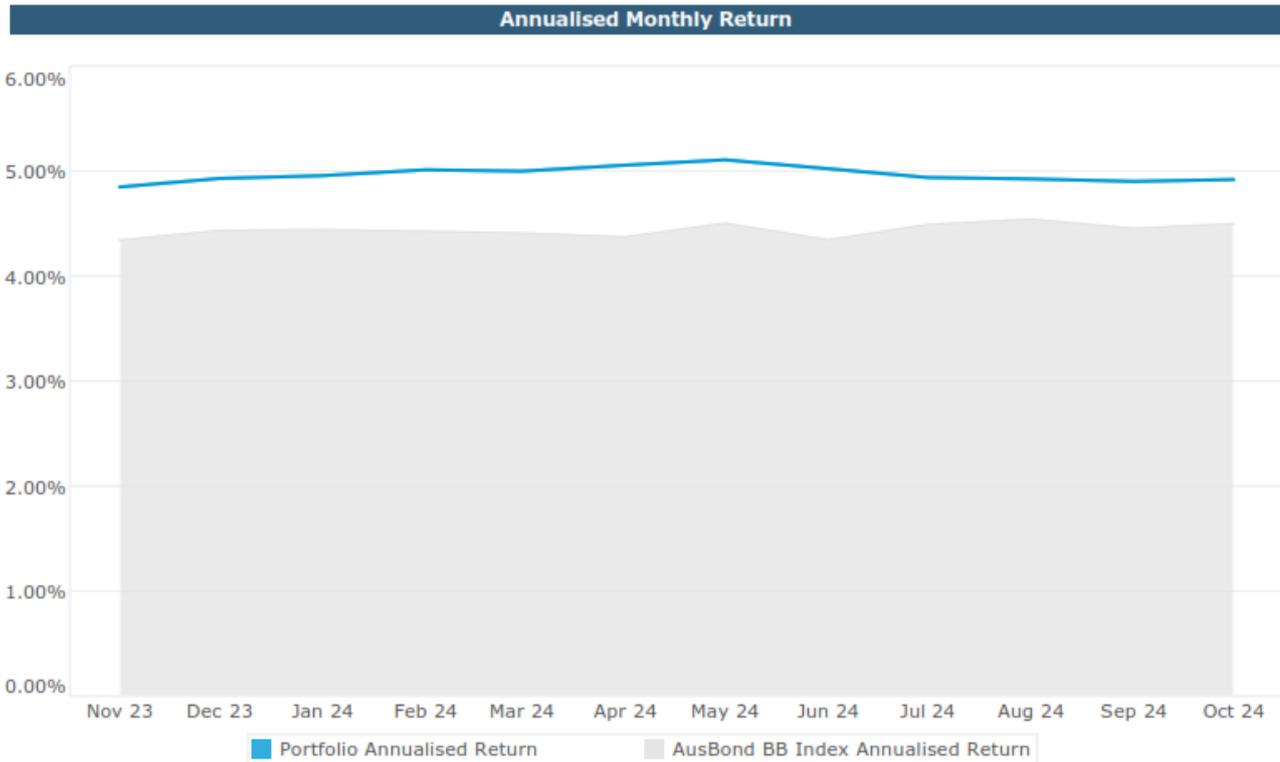
12 Months to August 2024



12 Months to September 2024



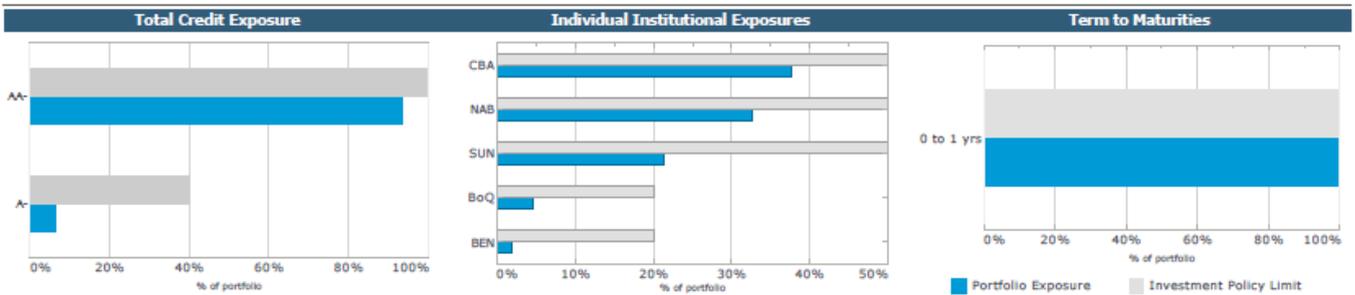
12 Months to October 2024



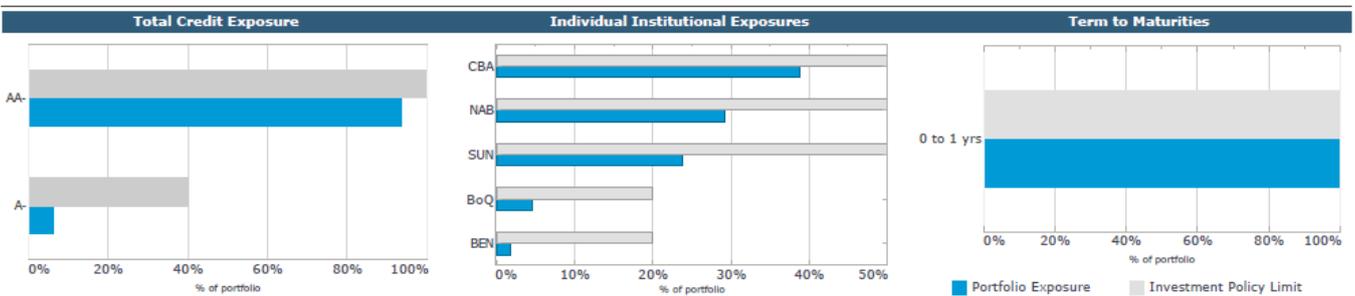
Over the last fourteen months Council has consistently achieved a return better than the Annualised BB Index return.

**Compliance with Policy Requirement**

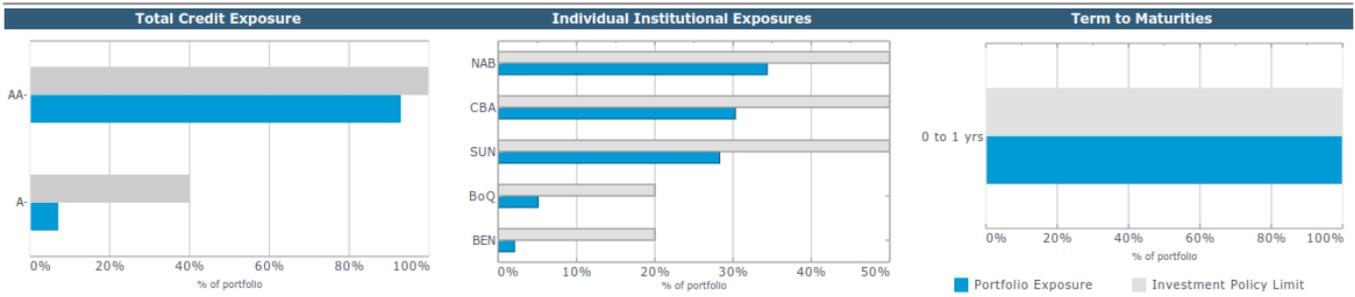
August 2024



September 2024



October 2024



**Socially Responsible Investments (SRI's)**

As part of the current policy framework and within the limits of prevailing legislation, Council's investments will be made in consideration of the principles of ethical investment management.

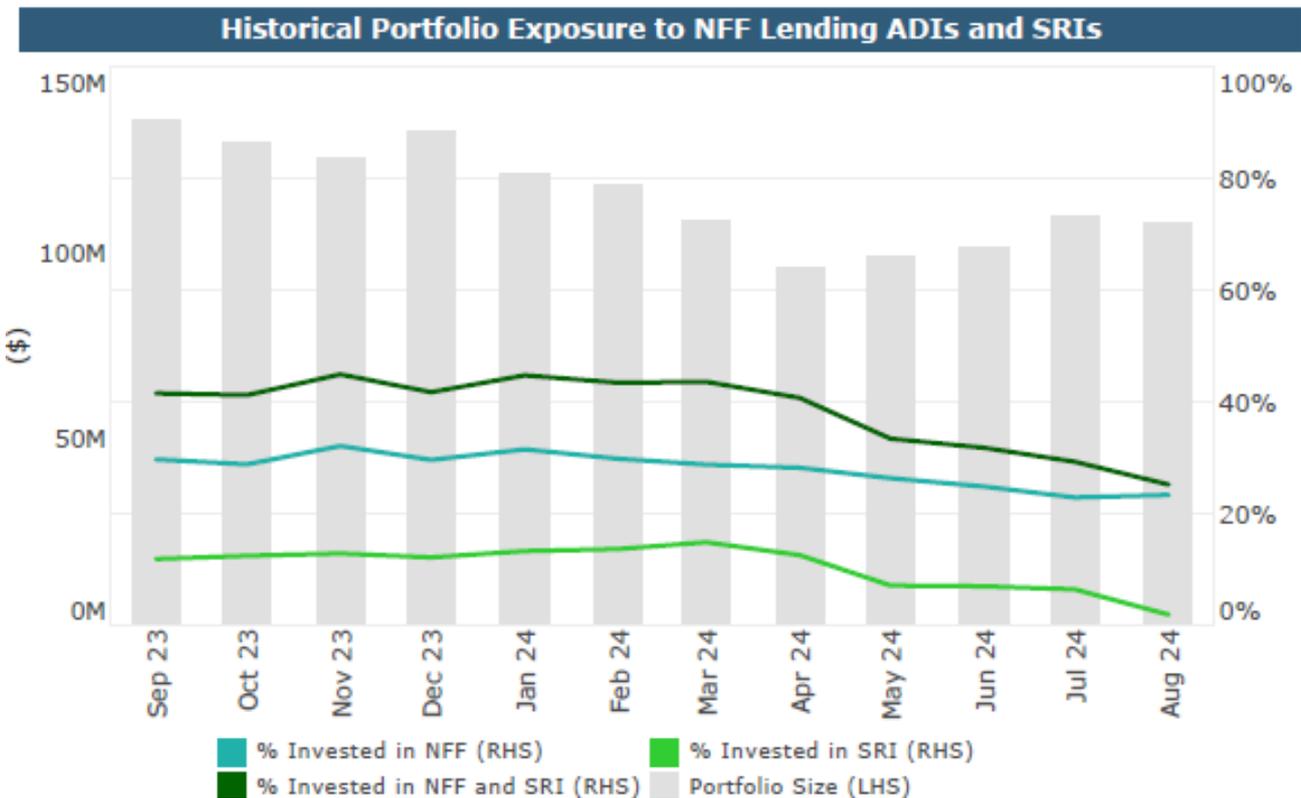
Where possible investments are made to achieve the intention of the investment policy of Council around Ethical Investments, however this must be made within the constraints of the current market, the availability of investment products, maintaining a diverse portfolio that minimises the risk to Council's capital and ensuring compliance with Council's investment policy.

The availability of suitable investments products that fits within the "Fossil Free" category and is within the current policy compliance is limited.

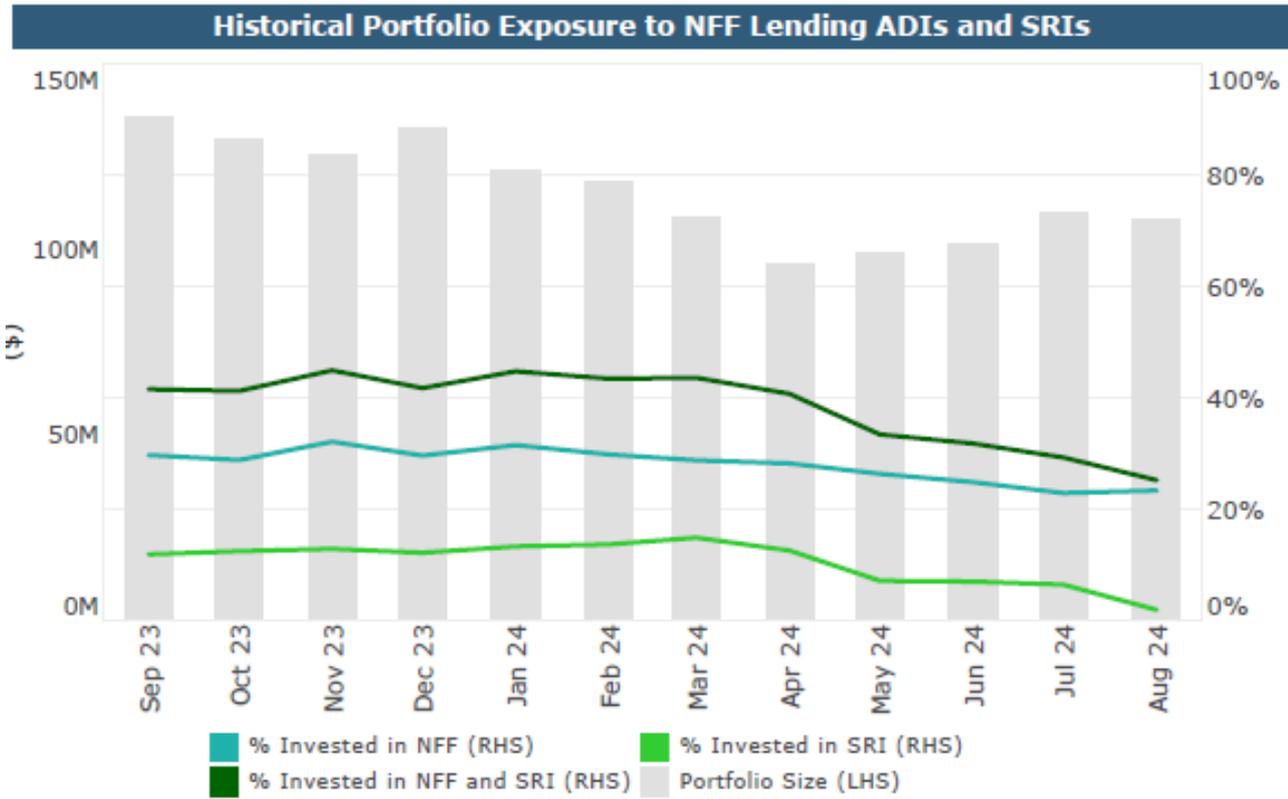
Council will seek SRI products; however, the investment products will be considered in the context of Council's overall cashflow requirements, the opportunity costs of the product and the security of the investment.

Following a request from councillors, Council officers held a briefing in July regarding changing the policy in relation to SRI's. A report will be brought to Council for consideration in early 2025.

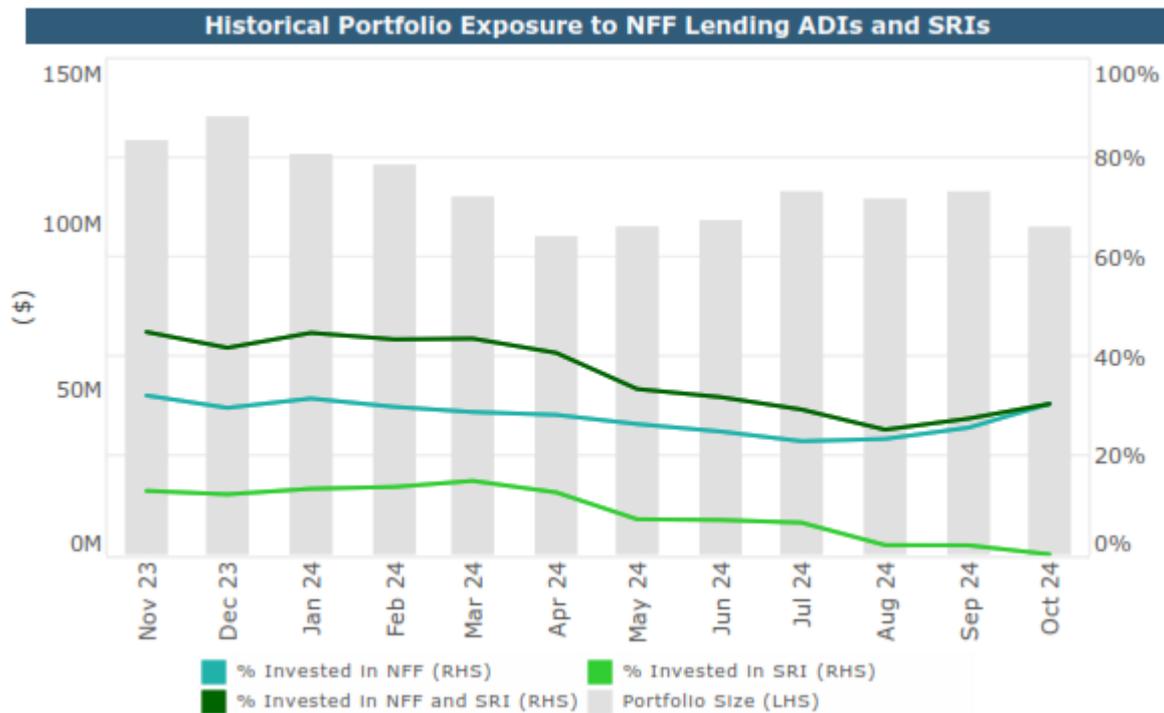
**12 Months to August 2024**



12 Months to September 2024



12 Months to October 2024



## Maintaining adequate liquidity to progress flood restoration works.

An additional constraint on Council moving to Ethical Investments is the requirement to maintain appropriate liquidity to ensure flood restoration works continue within an acceptable timeframe whilst waiting for reimbursement from NSW and Australian Government agencies. Whilst Council has received some advance funding for specific works there is a need to maintain liquidity for works that are outside this scope approved.

The following bank account balances have been included in the Investment Portfolio for each month.

CBA Online Business Saver Account	
Month	Balance at Month End
August 2024	\$38,479,199
September 2024	\$40,659,199
October 2024	\$29,974,199

This account is a short-term overnight money account and is used for liquidity purposes, that is to provide access to funds to meet Council's short term payment commitments. This account is a fossil fuel investment however Council is restricted in its options of available providers to provide short term liquidity whilst providing returns greater than the cash rate.

If this account is excluded, then Council's Ethical Investment ratio for each month is adjusted to the following percentages.

Month	Adjusted Ethical Investment Percentage
August 2024	39.13%
September 2024	43.48%
October 2024	43.48%

## Comments

### Responsible Accounting Officer

All investments with various financial institutions have been made in accordance with the *Local Government Act 1993* and *Local Government (General) Regulation 2021*.

## Conclusion

A report on investments is required to be submitted to Council monthly.

The value of the portfolio for August, September and October 2024 is provided.

## Attachment/s

1. [Investment Report - August 2024](#) (Over 7 pages)
2. [Investment Report - September 2024](#) (Over 7 pages)
3. [Investment Report - October 2024](#) (Over 7 pages)

## Report

<b>Subject</b>	September 2024 Quarterly Budget Review Statement
<b>TRIM Record No</b>	BP24/983:AF24/5720
<b>Prepared by</b>	Corporate Accountant
<b>Reason</b>	In accordance with Clause 203, Local Government (General) Regulation 2021, Council approval is required to amend the 2024/2025 Budget to reflect the actual or anticipated result
<b>Strategic Theme</b>	Leadership and participation
<b>Strategy</b>	We provide effective management and responsible governance.
<b>Action</b>	Ensure the efficient and effective operation of Council.

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## Executive Summary

The Quarterly Budget Review Statement (QBRS) for the quarter ended 30 September 2024 outlines the proposed adjustments to the 2024-2025 budget, including carry forward works and unexpended grants from the 2023-2024 budget year.

The forecast consolidated financial results and cash position reported in the QBRS are:

	Original Budget	Revised Budget
Net Operating Result – Surplus	\$102,135,584	\$106,557,773
Net Operating Result before Capital Grants & Contributions – (Deficit)	(\$14,147,341)	(\$12,823,211)
Funding Sources (Consolidated) & Cash Position – Surplus	\$131,079	\$326,679

### Council’s Underlying Financial Result

The 2024-2025 budget result has been unfavourably impacted by the addition of carry forward works and unexpended grants where works had commenced in the 2023-2024 budget year but will be completed in the 2024-2025 budget year. Most of the revenue for these works was recognised in the 2023-2024 budget year, however the matching expenses will not be incurred until the 2024-2025 budget year. This is adversely impacting the operating result before capital grants and contributions by **(\$279,800)**.

In regards to adjustments for the quarter ending 30 September 2024, the operating result before capital grants and contributions has improved by \$1,603,930, mainly due to a decrease in depreciation budgets.

There has been an increase in Council’s capital works program of \$19.925 million, which includes an increase associated with carry forward works of \$12.69 million.

Council’s unrestricted cash result has improved to a project surplus of \$326,679, mainly due to an increase in Council’s Financial Assistance Grant of \$208,500. The Financial Assistance Grant has been adjusted for 2024-2025 and is based on the assumption that Council will receive 85% of the 2025-2026 entitlement in advance in June 2025, similar to what occurred in June 2024. If the Federal Government decides not to continue to make advance payments as in previous years, Council’s operating result will be unfavourably impacted. This will not impact the net funded position of Council, that is, the funds that are available to undertake the delivery of services in 2024-2025 will not be impacted. Confirmation of the timing of funding will not be advised until May/June 2025.

### Outlook for 2024-2025

Ongoing Flood Recovery – Council’s original budget for 2024-2025 included a significant level of natural disaster restoration works of \$107.29 million. This includes \$21.31 million to complete the restoration of Council’s building assets, along with \$62.678 million for the ongoing restoration of the road network, \$10.55 million for the waste facility, \$11.252 million for water and sewer restoration (managed by Public Works) and \$1.5 million for flood resilience. Budgets for these works have not been adjusted as part of the September QBRS and remain on track at this stage. These budgets will continue to be monitored and may be subject to significant change each quarter if Council encounters any delays in funding approvals, has issues with the availability of contractors and materials or encounters other impacts such as weather events.

Inflationary pressure – whilst the inflation rate appears to be stabilising, it has resulted in higher than usual costs to deliver services. Council has been able to absorb any impacts in the September Quarter, however there is a risk that if the cost of supplies continues to rise, management may have to revise its planned spend to ensure Council meets its budgeted targets.

## Long Term Financial Plan

Whilst Council's underlying financial position as of 30 September 2024 is anticipated to be satisfactory, having regards to the adopted 2024-2025 Operational Plan, there are indicators that require immediate attention to ensure long-term financial sustainability. Council is taking steps to address this through the Capacity, Capability and Recovery Roadmap funding. The revised flood recovery works program may impact Council's Asset Management Plan and the Long-Term Financial Plan projections; however, the overall adopted Plan is still considered achievable. Council will review the plan as part of the development of the 2025-2026 Operational Plan.

The details of changes and other financial information is contained in the attachments to this report.

## Recommendation

That Council adopts the attached September 2024 Quarterly Budget Review Statement and approve the recommended variations.

## Background

The *Local Government (General) Regulation 2021* requires the annual budget to be monitored on an ongoing basis and a quarterly budget review statement prepared and reported to Council. The content is mandated by the NSW Office of Local Government.

The September 2024 Quarterly Budget Review Statement (QBRS) includes the recommended changes to the budget for the quarter ended 30 September 2024. To meet financial reporting purposes, the QBRS has been prepared on a consolidated basis with internal transactions eliminated.

Only variations that can be reliably quantified or where there is substantial risk in meeting budget expectations have been reported.

## September 2024 QBRS – Consolidated Summary

### Financial Results

The following table summarises the movements in the 2024-2025 budget from the original budget adopted in June 2024, to the revised budget position at 30 September 2024:

Item	Adopted 2024-2025 Budget	Carry Forward & Unexpended Grants	<u>Recommended Changes September 2024 QBRS</u>	Revised 2024-2025 Budget
Net Operating Result for the Year	\$102,135,584	\$1,764,964	\$2,657,225	\$106,557,773
Net Operating Result for the Year before Capital Grants & Contributions	(\$14,147,341)	(\$279,800)	\$1,603,930	(\$12,823,211)
Funding Sources (Consolidated) & Cash Position – Surplus	\$131,079	\$0	\$195,600	\$326,679

The net operating result for the year before capital grants and contributions has improved to a projected loss of **(\$12.823)** million. The results for September Quarter have been unfavourably impacted by the addition of carry forward works and unexpended grants in relation to works that had commenced in the 2023-2024 financial year but completed in the 2024-2025 financial year (that is revenues recognised in the 2023-2024 financial year with matching expenses incurred in the 2024-2025 financial year).

It is important to note that the underlying budget position has not been impacted and these changes are required to expend funds in accordance with grant conditions, complete budgeted works that commenced prior to June 2024 but were not completed and to include works where funds have been set aside from the 2023-2024 budget for completion in 2024-2025.

When the impact of carry forwards is excluded, the operating result before capital grants and contributions has improved by \$1.604 million. This is mainly due to a review of depreciation budgets, which have been decreased by \$1.643 million. This includes a reduction in roads, bridges and footpaths depreciation of \$1.218 million, which is mainly due to the ongoing impairment of assets, with restoration works forecast to be ongoing for a number of years. It should be noted however, that as works are completed and impairment is reversed, depreciation will increase.

Ongoing losses before capital grants and contributions is not financially sustainable in the long term, however Council is taking steps to address this as part of the Capacity, Capability and Recovery Roadmap funding.

There has been an increase in Council's capital works program of \$19.925 million, which includes an increase associated with carry forward works of \$12.69 million.

The unrestricted cash result has improved to a surplus of \$326,679.

## **Carry Forward Budgets and Unexpended Grants**

Carried forward budgets include works where a budget was previously approved by Council, works had commenced in the previous year and had funding sources of either further grant income or unexpended grants or reserves held at 30 June 2024. In accordance with clause 211 (3) of the Local Government (General) Regulation 2021, these do not require Council approval as budgets were approved in a previous year and works are committed to.

Carry forward works include \$0.279 million in operating expenditure and \$12.69 million in capital works. The main changes in carried forward budgets are detailed below:

### **Income from continuing operations**

- The increase in capital grants and contributions of \$2,044,764 is due to remaining grant funding for a number of projects. The main grants include \$927,241 in Black Spot funding for works on Wyrallah Road (\$799,557) and Corndale Road (\$127,684), \$660,825 for the Urban Sports Precinct and \$159,625 in Stronger Country Communities funding for improvement works at Heritage Park. There have been other minor adjustments to capital grants and contributions budgets, accounting for other increases and decreases based on what was actually received in the 2023-2024 financial year against what was included in the original budget for the 2024-2025 financial year.

### **Expenses from continuing operations**

- The increase in employee benefits and oncosts of \$216,200 is due to the carry forward of unexpended staff training budgets which is required for programmed training in 2024-2025.
- The increase in materials and services of \$63,600 is mainly due to the carry forward of funding for various information technology costs of \$58,100, along with \$5,500 in unspent funds for South Lismore business centre improvement works

### **Acquisition of Assets**

- The increase in capital works budgets of \$12,690,402 is mainly due to various roads and bridges projects of \$3,246,781, the completion of the Urban Sports Precinct project of \$2,459,115, sewerage capital works of \$2,365,124, water capital works of \$1,279,007, fleet replacements of \$1,090,600, various waste disposal capital works of \$744,900 and Heritage Park improvement works of \$487,042.

- The major roads and bridges carry forward works include:
  - Walsh bridge construction \$1,309,829
  - Wyrallah Road Black Spot works \$799,557
  - Boomerang Creek bridge construction \$255,448
  - Phillip Street pavement strengthening works \$183,400
  - Footpath construction works \$133,000
  - Waddington bridge construction \$128,200
  - Corndale Road Black Spot works \$127,684
- The major sewerage carry forward works include:
  - Northern Front project \$2,032,986
  - Nimbin Sewerage Treatment Plant switchboard replacement \$209,820
- The major water carry forward works include:
  - Esmonde Street Water Reservoir \$354,249
  - Water main renewal Dawson Street Lismore \$319,380
  - Water main renewal Zadoc Street Lismore \$290,307
  - Water main renewal Woodlark Street Lismore \$170,168
- The major waste disposal carry forward works include:
  - Front entrance roadworks \$186,200
  - Leachate Dam and Sedimentation Basin \$152,800
  - Materials Recovery Facility (MRF) roadworks \$90,000
  - Various other capital works \$315,900

Carry forward budgets of \$12,970,202 have been funded by capital grants and contributions of \$2,044,764, unexpended grants of \$3,946,173 and reserve funds of \$6,979,265.

## **Variations Recommended for September Quarter**

A summary of the recommended changes requiring Council approval for the September quarter are as follows:

Income from continuing operations	Amount
User charges and fees	350,000
Grants and contributions – operating	\$605,890
Grants and contributions – capital	\$1,053,295
<b>Total income from continuing operations (increase)</b>	<b>\$2,009,185</b>

The main changes in income from continuing operations are detailed below:

- User Charges and fees are projected to increase by \$350,000. This is due to the original budget having not included a revenue budget for the Lismore Caravan Park.
- Operating grants and contributions have increased by \$605,890. This is partly due to an increase in the Financial Assistance Grant of \$208,500. In addition, an additional \$250,000 has been allocated in Roads to Recovery funding for Phillip Street rehabilitation works, previously funded under the Regional and Emergency Road Repair Fund. Council has also been successful in obtaining funding of \$132,390 to support the preparation of a water model for the Lismore urban area.
- Capital grants and contributions are projected to increase by \$1,053,295. The main increases represent remaining grant funding for a number of capital projects above what was included in the 2023-2024 budget. The major changes include:
  - Fixing Country Bridges projects including increases for Ridgewood bridge \$527,449, Walsh bridge \$394,879 and Boomerang Creek bridge \$139,790, as well as a decrease for Fernside bridge of \$887,617 due to unexpended grant funds being held at 30 June 2024.
  - Various footpath capital projects funded under the Get Active NSW program, totalling \$353,148.

- Council has received a Black Spot funding variation for works on Nimbin Road, increasing grant funding of \$290,203.
- Remaining grant funding of \$235,443 for the Lismore Bus Interchange safety and amenities improvements project

Further details of recommended changes in operating income from continuing operations are included in the QBRS document.

Expenses from continuing operations	Amount
Employee benefits and oncosts	\$25,000
Materials and services	\$969,660
Depreciation and amortisation	(\$1,642,700)
<b>Total expenses from continuing operations (decrease)</b>	<b>(\$648,040)</b>

The main changes in expenses from continuing operations are detailed below:

- Employee benefits and oncosts have increased by \$25,000. The increase is due to funding for the Strong Start Cadetship program to cover training costs which is funded from unexpended grants.
- Materials and services budgets have increased by \$969,660. The main changes are due to the inclusion of an operating expenditure budget for the Lismore Caravan Park of \$310,000 (fully funded from revenue), \$250,000 to undertake strategic planning activities recommended for the Nimbin Water Supply Scheme (funded from water reserves), \$140,000 to fund casual staff for Information and Technology services and \$132,390 due to successful grant funding to support preparation of a water model for the Lismore urban area.
- Depreciation and amortisation is forecast to decrease by \$1,642,700. A review of depreciation budgets has been undertaken, with the major decrease being in roads, bridges and footpaths of \$1,218,400, which is mainly due to ongoing impairment of Council's road network. It should be noted however, that as natural disaster works are completed in the coming years and impairment is reversed, depreciation will increase. Other decreases include \$411,800 in water infrastructure assets and \$190,500 in sewer infrastructure. These decreases have been partially offset by a forecast increase in stormwater drainage depreciation of \$178,000.

Further details of recommended changes in operating income from continuing operations are included in the QBRS document.

Capital Works Budget	Amount
Plant & Equipment	\$53,100
Land, Buildings & Other Structures	\$1,028,300
Roads, Bridges & Footpaths	\$5,912,775
Stormwater drainage	\$240,000
<b>Total Capital Works increase</b>	<b>\$7,234,175</b>

- The increase in plant and equipment of \$53,100 relates to a revote of funds from savings in building maintenance budgets in 2023-2024 to fund an additional vehicle for the property maintenance team.
- There is a proposed increase in land, buildings and other structures capital works of \$1,028,300. The major changes include:
  - Waste disposal wi-fi connection, funded from internal reserves \$332,300

- Quad – it is recommended that Council utilise \$240,000 in S7.11 reserves to fund the construction of two accessible toilets in the Quad precinct. These would be modular toilets and be accessible in one of Council’s most significant open spaces in the Lismore CBD.
- Wyrallah Road Works Depot building works of \$180,000, funded from internal reserves.
- Goonellabah Sports and Aquatic Centre (GSAC) security works, funded from reserves \$78,000
- Hepburn Park – formalising the carpark at the dog off-leash area, funded from internal reserves \$75,000
- There is a proposed increase in roads, bridges and footpaths capital works of \$5,912,775. The main changes include:
  - Ridgewood bridge \$1,787,613, being the remaining budget to complete works, funded by unexpended grants of \$1,080,164, grant revenue of \$527,449 and internal reserves of \$180,000 being Council’s share.
  - Walsh bridge \$1,690,789, being the remaining budget to compete works in addition to carry forwards. Funded by unexpended grants of \$811,335, grant revenue of \$394,879 and internal reserves of \$484,575 being Council’s share.
  - Richmond Hill Road \$900,000, being request to revote funds from other savings in road capital works from 2023-2024.
  - Corndale Road \$422,316, being works brought forward from 2025-2026, funded from unexpended Local Roads and Community Infrastructure (LRCI) grant funds.
  - Nimbin Road Black Spot works \$290,203 – Council received a funding variation increasing capital grants and capital expenditure by \$290,203.
  - Lismore School Bus Interchange \$235,443, being remaining grant funded works being completed in 2024-2025.
  - Boomerang Creek bridge \$430,263, being the remaining budget to compete works in addition to carry forwards. Funded by unexpended grants of \$65,473, grant revenue of \$139,790 and the roads unallocated budget of \$225,000 to fund Council’s share.
- There is a proposed increase in stormwater drainage capital works, being a request for revote of funding of \$240,000 for Newbridge Street drainage works, funded from savings in projects in 2023-2024, with funds held in internal reserves.

Further details of recommended changes in operating income from continuing operations are included in the QBRS document.

## Key Performance Indicators

Of the seven KPI’s included in the September QBRS report, three are unfavourable compared to the benchmarks. These are summarised below:

Key Performance Indicator	Original Budget 2024-2025	Revised Budget 2024-2025	Benchmark
Operating Performance Ratio	(8.57%)	(7.46%)	> 0.00%
Own Source Operating Revenue Ratio	42.37%	41.82%	> 60.00%
Unrestricted Current Ratio	2.05x	2.05x	> 1.50x
Debt Service Cover Ratio	4.11x	4.11x	> 2.00x
Rates & Annual Charges Outstanding Percentage	9.10%	12.24%	< 10.00%

Cash Expense Cover Ratio	11.73 months	11.73 months	> 3 months
Building & Infrastructure Renewals Ratio	367.30%	740.32%	>= 100.00%

Operating Performance Ratio (unfavourable) – the improvement in this ratio mainly is mainly due to a reduction in depreciation, partially offset by the impact of carry forward works and quarterly adjustments as detailed in the QBRS document.

Own Source Operating Revenue Ratio (unfavourable) – this ratio is impacted by an unprecedented level of grant funding, particularly in relation to natural disaster funding post the February 2022 flood.

Rates & Annual Charges Outstanding Percentage (unfavourable) – this ratio is estimated and is based on the adopted 2023-2024 Financial Statements at this stage. This ratio is being impacted by the impacts of the 2022 flood event following one-off rate relief at the time of the flood.

Further details on Council’s KPI’s are contained in the QBRS document.

## Other comments

### Inflationary Pressures

Council’s budgets continue to be impacted by inflationary pressures. Management has been able to absorb this within existing budgets in the September quarter, however there is a risk if the cost of supplies continues to rise, management may have to reduce its planned spend to ensure it meets its budgeted targets.

### Financial Assistance Grant Assumptions

The September QBRS includes a projected increase in the Financial Assistance Grant income budget of \$208,500. This assumes that Council will receive 85% of the 2025-2026 grant in advance as was the case in June 2024. Any change to the Federal Government’s decisions around advance payments will have an impact on Council’s operating result before capital grants and contributions.

## Conclusion

The September QBRS has seen the projected operating result before capital grants improve to a projected loss of **(\$12.823)** million. The capital works budget has increased by \$19.925 million, due to carry forward works of \$12.69 million and quarterly adjustments of \$7.234 million. Council’s unrestricted cash result has improved to a projected surplus of \$326,679 and Council’s projected financial position at year end remains satisfactory.

## Attachment/s

1. ⇨ Quarterly Budget Review Statement 30 September 2024 (Over 7 pages)

# Report

<b>Subject</b>	<b>Pecuniary Interest Returns</b>
<b>TRIM Record No</b>	BP24/967:AF23/5359
<b>Prepared by</b>	Governance & Risk Manager
<b>Reason</b>	Pecuniary Interest Returns are required to be tabled at a Council meeting
<b>Strategic Theme</b>	Leadership and participation
<b>Strategy</b>	We provide effective management and responsible governance.
<b>Action</b>	Ensure the efficient and effective operation of Council.

## Executive Summary

Clause 4.21 of Council's Codes of Conduct requires Disclosures of Interests returns be lodged by councillors and designated persons within 3 months from 30 June each year.

Clause 4.25 requires these returns be tabled at the first Council meeting after the last day the return is required to be lodged.

The written returns have been completed and are now tabled for acknowledgement by Council.

## Recommendation

That the report be received, and the tabled Pecuniary Interest Returns be acknowledged.

## Background

Clause 4.21 of Council's Codes of Conduct requires Disclosures of Interests in written returns be lodged by councillors or designated persons within 3 months from 30 June each year.

These returns must be tabled at a Council meeting. This report serves to table those returns.

Pecuniary Interest Returns for Councillors and Designated Staff have been completed and are tabled.

New councillors will need to complete the disclosures within three months of being elected and those disclosures will then be tabled at a Council meeting.

The following is the list of Designated Persons:

- General Manager
- Senior staff as defined under s332 of the *Local Government Act 1993*
- Any council employee or delegate who is identified in the exercise of a function that could give rise to a conflict of interest (defined as a council officer that reports directly to the Chief Operating Officer, Chief Financial Officer or Chief Community Officer excluding executive assistants)
- Public Officer/Complaints Coordinator

- Councillors

## **Attachment/s**

There are no attachments for this report.

## Reports

<b>Subject</b>	<b>Minutes from External Committees and Organisations</b>
<b>TRIM Record No</b>	BP24/879:EF13/463-6
<b>Prepared by</b>	Executive Officer - General Manager and Mayor & Councillors
<b>Reason</b>	To note minutes from external committees and organisations
<b>Strategic Theme</b>	Leadership and participation
<b>Strategy</b>	Our decisions and actions are open, transparent, effective and in the interests of all.
<b>Action</b>	Manage Council meetings and provide support to Councillors in fulfilling their role.

### Executive Summary

Lismore City Council has representatives that attend and participate in many external organisations and committees.

### Recommendation

That Council notes the draft minutes of Rous County Council, Arts Northern Rivers and Northern Rivers Joint Organisation.

### Attachment/s

1. [↔](#) Rous minutes (Over 7 pages)
2. [↔](#) ANR minutes (Over 7 pages)
3. [↔](#) NRJO minutes (Over 7 pages)

# **Notices of Motion / Questions with Notice**

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## Notices of Motion / Questions with Notice

Subject **Mayoral Attendance Report**

TRIM Record No BP24/894:EF19/25-6

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That Council receives the Mayoral Attendance Report for September and October 2024.

# Notices of Motion / Questions with Notice

## September

- 4-5 Western Australia Waste Conference
- 7 Sample Food Festival 'My Mayor Rules' Cooking Competition
- 9 Lismore Basketball Stadium Reopening
- 17 Citizenship Ceremony
- 21 NSW Reconstruction Authority Community BBQ  
Jiggi Spring Fair  
Northern Rivers Business Awards
- 22 Reconsecration & Renewal Service at Lismore Uniting Church  
Richmond River Historical Society AGM
- 23 Media Event Pineapple Road Sewerage Scheme
- 24 Media Event 2025 North Coast National Launch  
Business After Hours  
National Indigenous Disaster Resilience Gathering
- 25 Media Event Art Gallery Reopening
- 27 Lismore High Year 12 Awards Presentation & Farewell Assembly

## October

- 2 Media Event Lismore Cycling Festival
- 5 Lismore Cycling Festival
- 10 CWA Far North Coast Group AGM
- 11 Southern Cross University Graduation Ceremony
- 14 Lifeblood's Bloody Good Tour
- 15 Council meeting
- 16 Blackmore Family Foundation Tree Planting and Naming Ceremony
- 17 LGNSW Visit  
Australia Day Awards Committee meeting
- 18 Lismore Show Official Opening
- 21 Northern Rivers Community Leaders Forum
- 22 Councillor briefing
- 23 Small Business Month Marketing Masterclass  
Lismore Chamber Business After Hours
- 29 Salvos Thanksgiving  
Extra Ordinary Council meeting
- 30 Rous County Council meeting
- 31 Governor General visit

## Attachment/s

There are no attachments for this report.

# Notices of Motion / Questions with Notice

TRIM Record No: BP24/894:EF19/25-6



Citizenship Ceremony



Media Event: Regional Gallery reopening



Media Event: North Coast National Launch



Media Event: Lismore Cycling Festival



Governor General visit



## Notice of Motion / Question with Notice

**Councillor Andrew Gordon** has given notice of intention to move:

That:

1. the community engagement program endorsed by Council at the April 2024 meeting be superseded and updated to reflect the available time frame and legislative requirements for Council to undertake engagement for a new Community Strategic Plan (for resolution of Council prior to 30 June 2025 as required under the *Local Government Act 1993*).
2. Council DO NOT establish a Reimagine Lismore Advisory Panel and provide a letter to the applicants thanking them and explaining the panel is no longer required as Council is refocusing its efforts towards its Community Strategic Plan

### **Councillor Comment**

#### **Outcome Sought**

Council resolved in February to establish a Reimagine Advisory Panel and endorsed terms of reference for the panel at the April meeting. Expressions of interest have been received however Council has not endorsed any of the applicants.

The need for the panel was identified after much debate about a Citizens Assembly and was intended to advise councillors on technical matters identified in the proposed Vision and Blueprint - Reimagine Lismore program.

For various reasons the program has not been rolled out as originally intended.

Council is now focusing its efforts on meeting statutory requirements and to engage meaningfully with the community to identify strategic objectives to update its Community Strategic Plan (CSP).

This will not be possible if an advisory panel is still to be endorsed by the new Council and then engaged in the manner as set out in the terms of reference.

Councillors are provided technical advice from staff and the need for a separate committee for this purpose now seems redundant.

Similarly the community engagement program endorsed at the April meeting commits Council to a very detailed program of engagement activities that is not possible in the timeframe required to have a new CSP drafted and endorsed by the deadline of 30 June 2025.

The intent of the motion is to allow staff to develop a revised engagement program plan and to deliver engagement activities to inform the new CSP within the available timeframe.

#### **Cost of Implementing**

Nil

#### **Funding Source**

The program is budgeted.

#### **Officer Consulted**

Chief Community Officer

# Notice of Motion / Question with Notice

## ***Officer Comment***

### **Chief Community Officer**

For the reasons outlined above the notice of motion is supported.

## **Attachment/s**

There are no attachments for this report.

**TRIM Record No:** BP24/985:EF19/25-6

## Notice of Motion / Question with Notice

Councillor Big Rob has put the following question with notice:

Can the General Manager please explain exactly why Council is not progressing the name change request from New England Lane to Volpato Lane, and exactly when and how the previously privately owned and unnamed section of road connecting Conway Street to New England Lane was also named New England Lane after it was donated to Council?

### Attachment/s

There are no attachments for this report.

**TRIM Record No:** BP24/986:EF19/25-6

### General Manager's response:

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.

As per the 13 August 2024 Council resolution, the proposal to rename New England Lane to Volpato Lane was submitted to the GNB on 22 August 2024. On the 26 August 2024 the Geographical Names Board **rejected** the proposal.

### Reason for rejection:

Under 6.7.9 of the Addressing Policy Road names are intended to be enduring, and the renaming of roads is discouraged unless there are compelling reasons for a change. Issues that can prompt renaming include the redesign of a road, changed traffic flow, mail or service delivery problems, duplication issues and addressing problems.

### Guideline breaches:

6.7.9 Road names are intended to be enduring, and the renaming of roads is discouraged unless they are compelling reasons for change.

Council may not proceed with a proposal to name or rename a road against an objection made by a relevant party except with the approval of the Minister who administers the Roads Act 1993. A resolution is required to submit an application to the minister.

### New England Lane

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). The lane was named "*New England Lane*" by Government Gazette on 5 July 1966 (refer image 2 below, the attached notice of motion BP24/630 and previous business paper BP24/784).

The remaining 10 metre section of New England Lane, which includes the Right of Way and serves as a continuation of New England Lane, was dedicated to the Council as a public road in 2015 through the registration of DP 1208701 (refer Image 3). DP 549628 demonstrates the Right of Way over 218 Molesworth Street, Lismore (refer Image 4 and attached notice of motion).

# Notice of Motion / Question with Notice

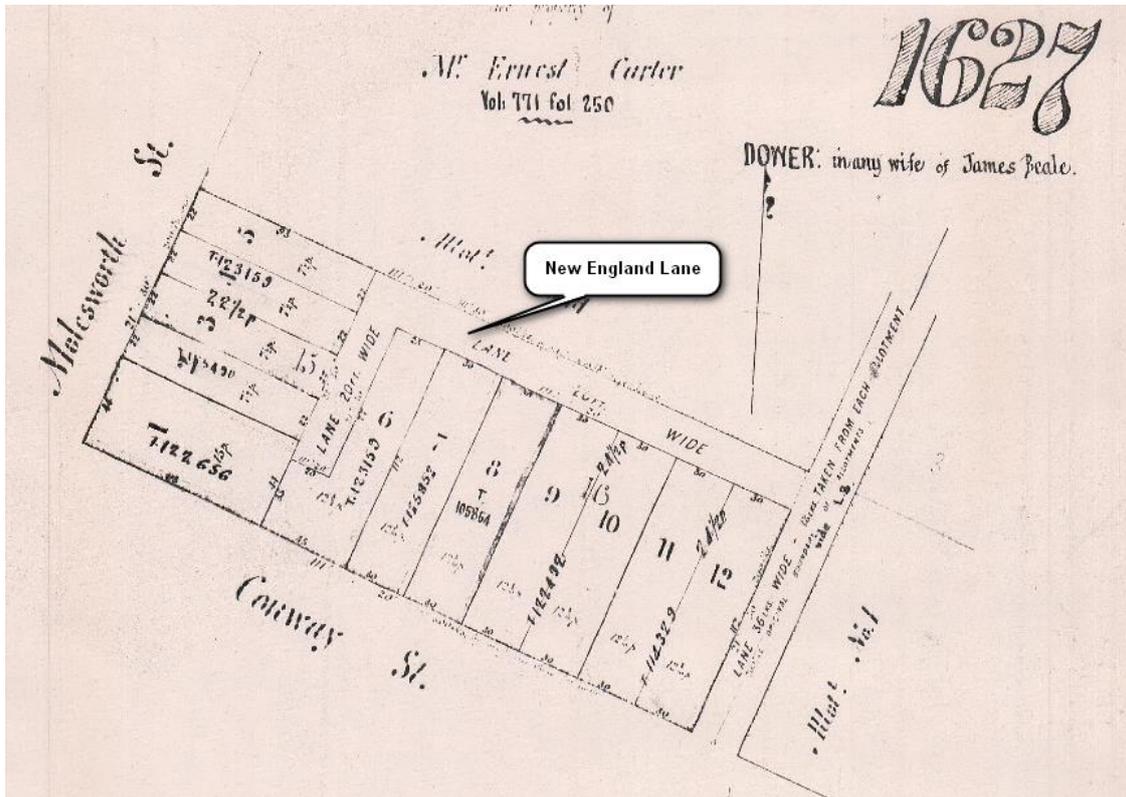


Image 1 DP 1627

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 – Extract from NSW Government Gazette - 15 July 1966

# Notice of Motion / Question with Notice

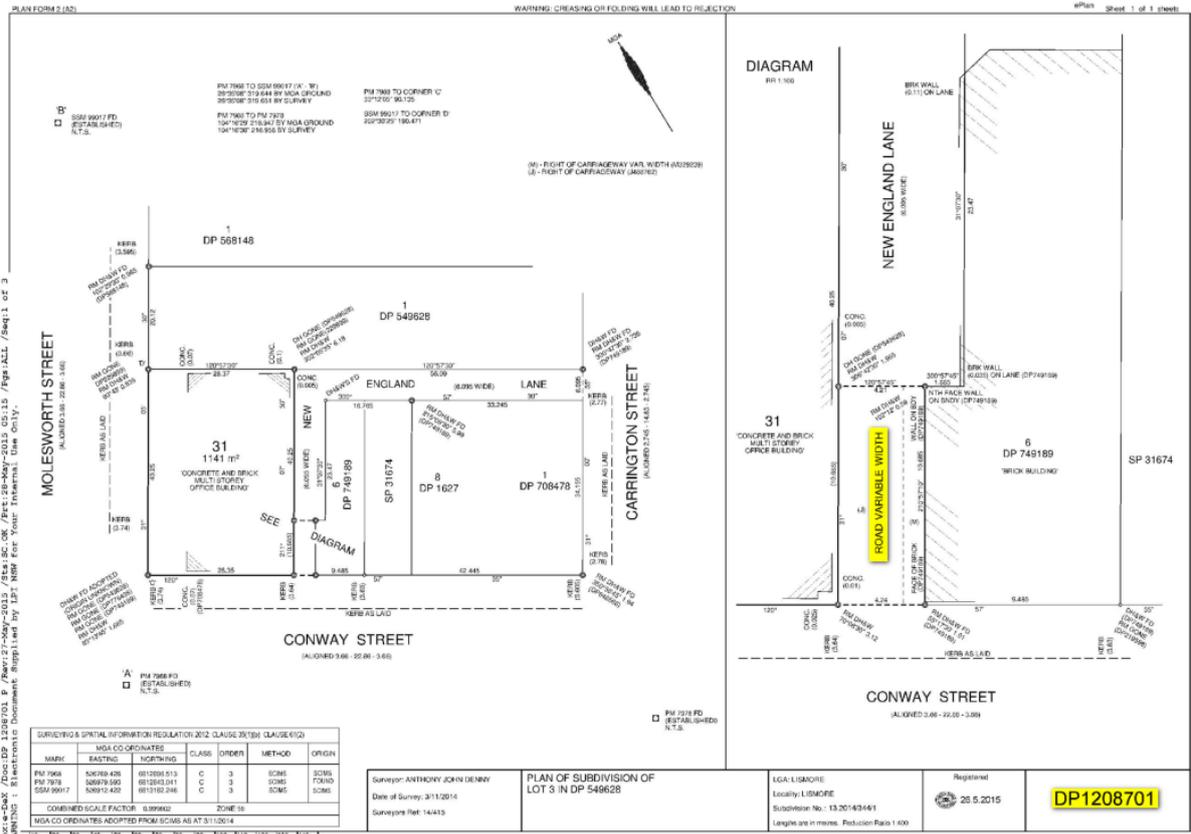


Image 3 DP1208701 Dedicating road reserve.

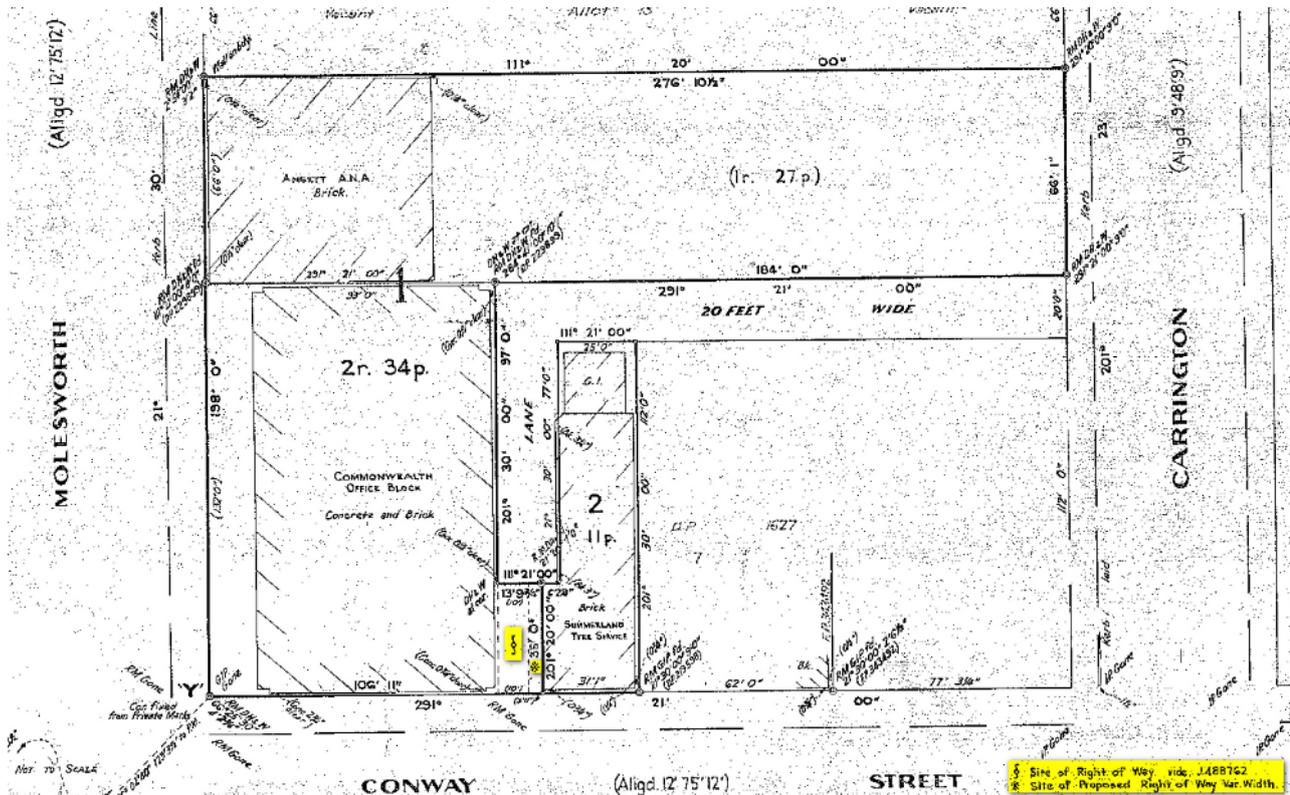


Image 4 DP 549628

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

## Notice of Motion / Question with Notice

Councillor Big Rob has put the following question with notice:

Can the General Manager please outline the costs involved with installing the alternative light installation at Lismore City Hall close to the corner of Ballina Road and Molesworth Street, when it was installed, any maintenance and other costs incurred since installation, any issues or delays securing any parts, its purpose, whether it has been successful in achieving its purpose, how much energy it has generated since it was installed, and why more of the alternative light installations never progressed?



### Attachment/s

There are no attachments for this report.

**TRIM Record No:** BP24/987:EF19/25-6

### General Manager's response:

The light was installed in 2012. Unfortunately, Council does not have current information regarding its operational status following the 2022 flood. At this time, there are no plans for repairs or maintenance.

## Notice of Motion / Question with Notice

Councillor **Big Rob** has put the following question with notice:

Please provide the actual costs associated with providing the last four meetings of the previous council term broken down to each individual line item, if any actual extra income was paid to staff who attended, how many staff are required to attend, why and their role titles, how the work not done by staff attending business hours meetings will be addressed, and if staff members not completing their scheduled work due to attending council meetings will be required to make up the time elsewhere?

### Attachment/s

There are no attachments for this report.

**TRIM Record No:** BP24/991:EF19/25-6

## Notice of Motion / Question with Notice

Councillor Andrew Bing has put the following question with notice:

Could the General Manager please advise if Council has entered into any agreement with the NSW Reconstruction Authority to allow squatters to occupy buy back properties in Pine Street, North Lismore?

If not, does Council have any enforcement powers over the squatters?

Is rubbish being collected from these properties by Council and if so, who is paying for the collection service?

### Attachment/s

There are no attachments for this report.

**TRIM Record No:** BP24/993:EF19/25-6

### General Manager's response:

The *Inclosed Lands Protection Act 1901* (NSW) is the primary legislation addressing trespassing on private property and certain types of public land.

Section 4 of the *Inclosed Lands Protection Act 1901* makes it an offence to enter into "inclosed lands" without permission. "Inclosed lands" are defined as land surrounded by a fence, wall, or other barrier, and may include private homes, farms, business properties, and some government lands.

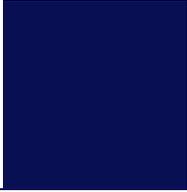
The *Law Enforcement (Powers and Responsibilities) Act 2002* (LEPRA) grants NSW Police the authority to remove or arrest individuals trespassing on property in certain situations. Under LEPRA, police have powers to stop, search, and detain individuals they suspect of trespassing or other criminal behaviour, and they can remove trespassers from properties at the request of the property owner.

Council have liaised with NSW Reconstruction Authority and have been advised that they are currently working in partnership with NSW Police, Sheriff's Office and Homes NSW in response to the occupations. Council have not entered into any agreement with NSW Reconstruction Authority to allow squatters to occupy buy back properties in Pine Street, North Lismore. Nor does Council have the jurisdiction or appropriate enforcement powers to manage trespassing (squatting).

From time to time bins have been collected from these buyback properties in Pine St as part of collections routes, to reduce the risk of illegal dumping of rubbish.

**Confidential Business**

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## 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:

<b>Item</b>	13.1 Tender VP424295 - Esmonde Street CCTV Inspection and Pipelining Project
<b>Grounds for Closure</b>	Section 10A(2) (d i):
<b>Public Interest</b>	Discussion of this matter in an open meeting would on balance be contrary to the public interest because it relates to: commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.
<b>Item</b>	13.2 Code of Conduct Matter
<b>Grounds for Closure</b>	Section 10A(2) (I):
<b>Public Interest</b>	Discussion of this matter in an open meeting would on balance be contrary to the public interest because it relates to: Alleged contraventions of any code of conduct requirements applicable under section 440.

**MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE CITY OF LISMORE HELD IN COUNCIL CHAMBERS ON TUESDAY 15 OCTOBER 2024 AT 6.00PM**

*Please note: These minutes are subject to confirmation at the next Council meeting. Decisions recorded in the draft minutes are subject to the Council's Code of Meeting Practice in relation to rescinding decisions.*

## Present

Mayor, Councillor Krieg; Councillors Battista, Bing, Dalton-Earls, Gordon, Guise, Hall, Jensen, Knight-Smith, Rob, Waters together with Mr Gibbons, General Manager; Mr Hartley, Acting Chief Financial Officer; Dr Logan, Chief Operating Officer; Mr Schubert, Technology Support Officer; Ms Cotterill, Governance & Risk Manager and Mrs Mitchell, Executive Officer to the General Manager & Mayor and Councillors.

## Apologies and Applications for Leave of Absence or Attendance by Audio-Visual Link

63/24

**RESOLVED** that :

1. a leave of absence be received from:

- Councillor Battista for the Extra Ordinary meeting on 29 October 2024
- Councillor Jensen from 30 October to 5 November 2024
- Councillor Waters from 24 October to 28 October 2024 as I will be out of the area

(Councillors Bing/Jensen)

**Voting for:** Councillors Battista, Bing, Dalton-Earls, Gordon, Guise, Hall, Jensen, Knight-Smith, Krieg, Rob and Waters

**Voting against:** Nil

**Councillor Dalton-Earls left the meeting, the time being 6:27PM**

## Confirmation of Minutes

64/24

**RESOLVED** that the minutes of the Lismore City Council held on 13 August 2024 be confirmed.

(Councillors Bing/Guise)

<b>Voting for:</b>	Councillors Battista, Bing, Gordon, Guise, Hall, Jensen, Knight-Smith, Krieg, Rob and Waters
<b>Voting against:</b>	Nil
<b>Absent:</b>	Councillor Dalton-Earls

Councillor Dalton-Earls returned to the meeting, the time being 6:29PM

## Disclosures of Interest

**Clr Rob declared a Pecuniary, Significant Conflict of Interest for the following item:**  
11.4 Rous County Council Delegates  
**Nature:** not disclosed

## Mayoral Minute(s) and Condolence Motions

## Reports of Committees

## Matters Arising

## Reports of the General Manager

### 11.1 Oath or Affirmation of Office by Councillors

65/24 **RESOLVED** that Council notes the General Manager has confirmed all councillors have undertaken the Oath of Office or Affirmation of Office at or before the first Ordinary meeting of the new Council held Tuesday 15 October 2024.

(Councillors Hall/Bing) (BP24/897)

<b>Voting for:</b>	Councillors Battista, Bing, Dalton-Earls, Gordon, Guise, Hall, Jensen, Knight-Smith, Krieg, Rob and Waters
<b>Voting against:</b>	Nil

### 11.2 Election of Deputy Mayor

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MOTION moved that:

1. Council appoint a Deputy Mayor
2. the period of appointment be until September 2025
3. the method of election be by open voting

(Councillors Battista/Bing)

FORESHADOWED MOTION moved that:

1. Council appoint a Deputy Mayor
2. the period of appointment be for a period of two years
3. the method of election be by open voting

(Councillor Rob)

66/24

**RESOLVED** that:

1. Council appoint a Deputy Mayor
2. the period of appointment be until September 2025
3. the method of election be by open voting

(Councillors Battista/Bing) (BP24/792)

**Voting for:** Councillors Battista, Bing, Dalton-Earls, Gordon, Guise, Hall, Jensen, Knight-Smith, Krieg and Waters

**Voting against:** Councillor Rob

At this time the Returning Officer took the Chair to carry out the election for Deputy Mayor.

Councillor Hall nominated by Councillors Jensen and Gordon

Councillor Knight-Smith nominated by Councillors Dalton-Earls and Waters

Following an open vote Councillor Hall was elected as the Deputy Mayor

### 11.3 Committee Delegates

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67/24

**RESOLVED** that:

1. the election of delegates be undertaken for Council's committees and groups
2. if the number of nominations exceeds the number of vacancies an open ballot show of hands process will run

3. if the number of nominations does not exceed the number of vacancies, then the nominees are elected
4. if there are no nominations for a committee a second round of nominations will be conducted. If positions still remain unfilled the committee be hibernated until the next election
5. a briefing be held, as a matter of priority, to discuss the Terms of Reference for the Aboriginal Advisory Group, Disability Inclusion Advisory Group, Nimbin Advisory Group, Sister City Advisory Group, Lismore Villages Advisory Group and the Disaster Management Committee

(Councillors Gordon/Bing) (BP24/791)

**Voting for:** Councillors Battista, Bing, Gordon, Hall, Jensen and Krieg

**Voting against:** Councillors Dalton-Earls, Guise, Knight-Smith, Rob and Waters

68/24

**RESOLVED** that the following councillors be appointed to:

- a. Audit Risk & Improvement Committee – Councillor Bing
- b. General Manager’s Performance Review Committee – Councillors Krieg, Hall and Jensen
- c. Northern Rivers Bushfire Management Committee – Councillor Battista and Councillor Knight-Smith as alternate
- d. Northern Rivers Joint Organisation – Councillor Krieg
- e. NSW Rural Fire Service Zone Liaison Committee – Councillor Battista and Councillor Knight-Smith as alternate
- f. Local Traffic Committee – Councillor Hall
- g. Arts Northern Rivers – Councillor Jensen and Councillor Waters as alternate
- h. Australia Day Awards Committee – Councillors Krieg, Dalton-Earls, Hall and Rob
- i. Flood Risk Management Committee – Councillors Dalton-Earls, Jensen, Knight-Smith, Rob and Waters. The Mayor delegated Councillor Rob as Chair.
- j. Richmond Tweed Regional Library – Councillors Dalton-Earls and Knight-Smith and Councillor Waters as alternate

(Councillors Gordon/Jensen) (BP24/791)

**Voting for:** Councillors Battista, Bing, Dalton-Earls, Gordon, Guise, Hall, Jensen, Knight-Smith, Krieg, Rob and Waters

**Voting against:** Nil

**Councillor Dalton-Earls left the meeting, the time being 7:05PM**

**Councillor Rob left the meeting, the time being 7:05PM**

#### 11.4 Rous County Council Delegates

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69/24 **RESOLVED** that Council conduct an election for the two Council delegates to Rous County Council.

(Councillors Bing/Battista) (BP24/896)

**Voting for:** Councillors Battista, Bing, Gordon, Guise, Hall, Jensen, Knight-Smith, Krieg and Waters

**Voting against:** Nil

**Absent:** Councillors Dalton-Earls and Rob

**Councillor Harper Dalton-Earls returned to the meeting, the time being 7:09PM**

**At this point the meeting adjourned for a short recess to prepare the ballot papers, the time being 7:09PM**

**The meeting resumed at 7:16PM**

At this time the Returning Officer took the Chair to carry out the election of the delegates for Rous County Council.

Nominations were received from Councillors Krieg, Gordon and Waters.

Following a ballot Councillors Krieg and Gordon were elected.

**Councillor Rob returned to the meeting, the time being 7:20PM**

#### 11.5 Casual Vacancies

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70/24 **RESOLVED** that Council, pursuant to section 291A(1)(b) of the *Local Government Act 1993*, declare that casual vacancies occurring in the office of a councillor within 18 months after the last ordinary election of councillors for the Council on 14 September 2024, are to be filled by a countback of votes cast at that election for the office in accordance with section 291A of the Act and directs the General Manager to notify the Electoral Commissioner for NSW of Council's decision within 7 days of this decision.

(Councillors Gordon/Knight-Smith) (BP24/800)

**Voting for:** Councillors Battista, Bing, Dalton-Earls, Gordon, Guise, Hall, Jensen, Knight-Smith, Krieg, Rob and Waters

**Voting against:** Nil

### 11.6 Council's Ordinary Meeting Schedule

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MOTION moved that:

1. Ordinary Meetings of Council for the remainder of 2024 be held on the second Tuesday of the month commencing at 10.00am from 12 November to 10 December 2024
2. an Extra Ordinary Meeting of Council be held on Tuesday 29 October 2024 for the purposes of the Audited Financial Statements at 10.00am
3. Ordinary Meetings of Council for 2025 be held on the second Tuesday of the month commencing at 10.00am from 11 February to 9 December 2025

(Councillors Battista/Gordon)

FORESHADOWED MOTION moved that:

1. Ordinary Meetings of Council for the remainder of 2024 be held on the second Tuesday of the month commencing at 6.00pm from 12 November to 10 December 2024
2. an Extra Ordinary Meeting of Council be held on Tuesday 29 October 2024 for the purposes of the Audited Financial Statements
3. Ordinary Meetings of Council for 2025 be held on the second Tuesday of the month commencing at 6.00pm from 11 February to 9 December 2025
4. a briefing be held in early 2025 to discuss options for future meetings

(Councillor Dalton-Earls)

71/24

**RESOLVED** that:

1. Ordinary Meetings of Council for the remainder of 2024 be held on the second Tuesday of the month commencing at 10.00am from 12 November to 10 December 2024
2. an Extra Ordinary Meeting of Council be held on Tuesday 29 October 2024 for the purposes of the Audited Financial Statements at 10.00am
3. Ordinary Meetings of Council for 2025 be held on the second Tuesday of the month commencing at 10.00am from 11 February to 9 December 2025

(Councillors Battista/Gordon) (BP24/801)

**Voting for:** Councillors Battista, Bing, Dalton-Earls, Gordon, Hall, Jensen and Krieg

**Voting against:** Councillors Guise, Knight-Smith, Rob and Waters

## Applications for Attendance by Audio-Visual Link

72/24 **RESOLVED** that attendance by audio-visual link be approved for Councillor Rob for the remainder of the year due to work commitments.

(Councillors Rob/Krieg)

**Voting for:** Councillors Battista, Bing, Dalton-Earls, Gordon, Guise, Hall, Jensen, Knight-Smith, Krieg, Rob and Waters

**Voting against:** Nil

### 11.7 2024 Local Government NSW Conference

---

MOTION moved that:

1. Council's three voting delegates to the 2024 Local Government NSW Conference are Councillors Krieg, Hall and Waters
2. Council submit the following motion Staff Recommendations Regarding Planning Matters to the conference

(Councillors Rob/Hall)

#### Motion Title

Staff Recommendations Regarding Planning Matters

#### Motion Wording

That LGNSW asks the Minister for Local Government to consider reviewing how planning matters are put before council for consideration.

#### Motion Background

Planning matter items are often put before council with a staff recommendation, often with no alternative option. Since councillors are not planners, and cannot possibly address the many relevant planning matters during a council meeting, it is essential that lawful options are made available so the consent authority can make an informed decision, as opposed to just doing what staff recommend when they have no alternative options available when a decision is to be made.

Staff should not make recommendations to council regarding planning matters, as it portrays wrongdoing by those councillors who do not support a recommendation from qualified planning staff regardless of their reasons. This can then result in expensive and time consuming legal actions which should never have been commenced.

Planning matters should wherever possible be presented to council in a neutral format, with at least one option to approve an application with conditions and at least one refusing it with reasons. Only in exceptional circumstances, where it is not lawfully possible, should only options to refuse or approve be presented.

The consent authority can then make informed decisions based on expert information.

FORESHADOWED MOTION that Council's three voting delegates to the 2024 Local Government NSW Conference are Councillors Krieg, Hall and Waters.

(Councillor Krieg)

73/24

**DEFEATED** that:

1. Council's three voting delegates to the 2024 Local Government NSW Conference are Councillors Krieg, Hall and Waters
2. Council submit the motion Staff Recommendations Regarding Planning Matters to the conference

(Councillors Rob/Hall) (BP24/262)

**Voting for:** Councillors Hall, Jensen and Rob

**Voting against:** Councillors Battista, Bing, Dalton-Earls, Gordon, Guise, Knight-Smith, Krieg and Waters

74/24

On submission to the meeting the foreshadowed motion became the motion and was **RESOLVED** that Council's three voting delegates to the 2024 Local Government NSW Conference are Councillors Krieg, Hall and Waters.

(Councillors Krieg/Bing) (BP24/262)

**Voting for:** Councillors Battista, Bing, Dalton-Earls, Gordon, Guise, Hall, Jensen, Knight-Smith, Krieg, Rob and Waters

**Voting against:** Nil

### **S.1 Additional Committee Delegates**

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This matter was integrated into item 11.3.

## Notices of Motion / Questions with Notice

## Closure

This concluded the business and the meeting terminated at 7.40pm.

CONFIRMED this > > 2024 at which meeting the signature herein was subscribed.

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**MAYOR**

**MINUTES OF THE EXTRA ORDINARY MEETING OF THE COUNCIL OF THE CITY OF LISMORE  
HELD IN COUNCIL CHAMBERS ON TUESDAY 29 OCTOBER 2024 AT 10.00AM**

*Please note: These minutes are subject to confirmation at the next Council meeting. Decisions recorded in the draft minutes are subject to the Council's Code of Meeting Practice in relation to rescinding decisions.*

## Present

Mayor, Councillor Krieg; Councillors Battista, Bing, Dalton-Earls, Gordon, Guise, Hall, Jensen, Knight-Smith, Rob, Waters together with Mr Gibbons, General Manager; Mr Hartley, Acting Chief Financial Officer; Dr Logan, Chief Operating Officer; Mr Butron, Chief Community Officer; Mr Schubert, Technology Support Officer; Ms Cotterill, Governance & Risk Manager and Mrs Mitchell, Executive Officer to the General Manager & Mayor and Councillors.

## Disclosures of Interest

Nil

## Public Forum

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

### Notices of Motion/Questions with Notice

#### 11.1 Council's Ordinary Meeting Schedule

<b>FOR</b>	Nancy Casson
	Jim Richardson

## Altering Order of Business

75/24 **RESOLVED** that the order of business be altered to debate the following matters raised during Public Forum:

- 11.1 Council's Ordinary Meeting Schedule

(Councillors Guise/Rob)

**Voting for:** Councillors Battista, Bing, Dalton-Earls, Gordon, Guise, Hall, Jensen, Knight-Smith, Krieg, Rob and Waters

**Voting against:** Nil

## Notices of Motion / Questions with Notice

### 11.1 Council's Ordinary Meeting Schedule

---

MOTION moved that Council rescind its decision of item 11.6 from the 15 October 2024 meeting.

(Councillor Guise/Knight-Smith)

**Councillor Dalton-Earls left the meeting, the time being 10:40AM**

**Councillor Dalton-Earls returned to the meeting, the time being 10:41AM**

MOVED that the motion be put.

(Councillor Hall)

**Voting for:** Councillors Battista, Bing, Dalton-Earls, Gordon, Hall, Jensen and Krieg

**Voting against:** Councillors Guise, Knight-Smith, Rob and Waters

76/24 **DEFEATED** that Council rescind its decision of item 11.6 from the 15 October 2024 meeting.

(Councillor Guise/Knight-Smith) (BP24/963)

**Voting for:** Councillors Dalton-Earls, Guise, Knight-Smith, Rob and Waters

**Voting against:** Councillors Battista, Bing, Gordon, Hall, Jensen and Krieg

## Reports of the General Manager

### 10.1 2023-2024 Reserves (Internally Restricted)

---

That Council defer making a decision on 2023-2024 Reserves (Internally Restricted) until after councillors have been trained and a briefing is held to determine if any amendments are required to Reserves Policy 1.5.10.

(Councillors Rob/Guise)

FORESHADOWED MOTION that:

1. Council adopts the 2023-2024 Reserves (Internally Restricted) annual report which has internally cash reserves of \$14,026,300 as of 30 June 2024

2. internal reserves used to fund grant funds owed as of 30 June 2024 be reimbursed when funding is received
3. Council have a workshop to review the Reserves Policy 1.5.10

(Councillor Krieg)

**Councillor Jensen left the meeting, the time being 11:09AM**

**Councillor Jensen returned to the meeting, the time being 11:10AM**

**Councillor Dalton-Earls left the meeting, the time being 11:18AM**

**Councillor Dalton-Earls returned to the meeting, the time being 11:19AM**

**Councillor Hall left the meeting, the time being 11:39AM**

**Councillor Hall returned to the meeting, the time being 11:42AM**

**Councillor Battista left the meeting, the time being 11:43AM**

**Councillor Battista returned to the meeting, the time being 11:43AM**

**Councillor Bing left the meeting, the time being 11:48AM**

**Councillor Knight-Smith left the meeting, the time being 11:48AM**

**Councillor Bing returned to the meeting, the time being 11:49AM**

**Councillor Knight-Smith returned to the meeting, the time being 11:49AM**

**Councillor Waters left the meeting, the time being 11:50AM**

**Councillor Waters returned to the meeting, the time being 11:50AM**

**Councillor Jensen left the meeting, the time being 11:55AM**

**Councillor Jensen returned to the meeting, the time being 11:55AM**

77/24 **RESOLVED** that Council defer making a decision on 2023-2024 Reserves (Internally Restricted) until after councillors have been trained and a briefing is held to determine if any amendments are required to Reserves Policy 1.5.10.

(Councillors Rob/Guise) (BP24/907)

**Voting for:** Councillors Guise and Rob

**Voting against:** Councillors Battista, Bing, Dalton-Earls, Gordon, Hall, Jensen, Knight-Smith, Krieg and Waters

78/24 On submission to the meeting the motion was **RESOLVED** that:

1. Council adopts the 2023-2024 Reserves (Internally Restricted) annual report which has internally cash reserves of \$14,026,300 as of 30 June 2024
2. internal reserves used to fund grant funds owed as of 30 June 2024 be reimbursed when funding is received
3. Council have a workshop to review the Reserves Policy 1.5.10

(Councillors Krieg/Battista) (BP24/907)

**Voting for:** Councillors Battista, Bing, Dalton-Earls, Gordon, Hall, Jensen, Knight-Smith, Krieg and Waters

**Voting against:** Councillors Guise and Rob

## **10.2 Audited Financial Statements for the year ended 30 June 2024**

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79/24

**RESOLVED** that:

1. in accordance with Section 413 (2) (c) of the *Local Government Act 1993* and clause 215 of the *Local Government (General) Regulation 2021*, adopt the Audited Financial Statements for the year ended 30 June 2024 and form an opinion based on the attached 'Statement by Councillors and Management' for both the General-Purpose Financial Statements and Special Purpose Financial Statements
2. delegate to the Mayor and a Councillor to sign the 'Statement by Councillors and Management' on behalf of Council
3. delegate to the General Manager to, on receipt of the Independent Audit Reports, submit the Audited Financial Statements to the NSW Office of Local Government.
4. in accordance with Section 705 of the *Local Government Act 1993* determine the public notice relating to the financial statements will be advertised on Council's website and Council's Facebook page
5. Council present the Audited Financial statements to the public on the 12 November 2024

(Councillors Battista/Bing) (BP24/906)

**Voting for:** Councillors Battista, Bing, Dalton-Earls, Gordon, Hall, Jensen, Knight-Smith, Krieg and Waters

**Voting against:** Councillors Guise and Rob

## Closure

This concluded the business and the meeting terminated at 12.10pm.

CONFIRMED this >> 2024 at which meeting the signature herein was subscribed.

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**MAYOR**