

**MINUTES OF THE EXTRA ORDINARY MEETING OF THE COUNCIL OF THE CITY OF LISMORE
HELD IN COUNCIL CHAMBERS ON TUESDAY 25 MARCH 2025 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 Butron, Chief Corporate & Community Officer; Mr Singh-Pangly, Head Finance; Mr Snow, Head Planning & Environment; Ms Robb, Head Corporate Services; Mr Reinhold, Executive Planner; Mr Kelly, 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

Nil

Disclosures of Interest

Clr Gordon declared a Non-Pecuniary, Non-Significant Conflict of Interest for the following item: 9.1 DA24/131: Residential Subdivision - 176 Lots plus 3 Public Reserves
Nature: I am a real estate agent

Clr Gordon declared a Non-Pecuniary, Non-Significant Conflict of Interest for the following item: 9.4 Appointment of Flood Risk Management Committee community members
Nature: some of the applicants are known to me

Clr Gordon declared a Non-Pecuniary, Non-Significant Conflict of Interest for the following item: 9.5 Proposed appointment as Crown Land Manager and lease to Lismore Old Boys Rugby League Football Club Incorporated
Nature: I know most of the members of the Club

Clr Gordon declared a Non-Pecuniary, Non-Significant Conflict of Interest for the following item: 10.6 CBD Business Rates
Nature: I own a premise in the CBD

Clr Rob declared a Non-Pecuniary, Non-Significant Conflict of Interest for the following item: 9.4 Appointment of Flood Risk Management Committee community members
Nature: some of the applicants are known to me

Clr Rob declared a Non-Pecuniary, Non-Significant Conflict of Interest for the following item: 10.6 CBD Business Rates

Nature: I am associate with some premises in the CBD but am a general class of ratepayer

Clr Bing declared a Non-Pecuniary, Non-Significant Conflict of Interest for the following item: 9.5 Proposed appointment as Crown Land Manager and lease to Lismore

Old Boys Rugby League Football Club Incorporated

Nature: My employer is a sponsor of the Club

Clr Dalton-Earls declared a Non-Pecuniary, Non-Significant Conflict of Interest for the following item: 10.7 Cash be accepted at Revolve Shop

Nature: I often use the Revolve Shop

Clr Waters declared a Non-Pecuniary, Non-Significant Conflict of Interest for the following item: 9.4 Appointment of Flood Risk Management Committee community

members

Nature: some of the applicants are known to me

Clr Krieg declared a Non-Pecuniary, Non-Significant Conflict of Interest for the

following item: 9.5 Proposed appointment as Crown Land Manager and lease to Lismore Old Boys Rugby League Football Club Incorporated

Clr Krieg declared a Non-Pecuniary, Non-Significant Conflict of Interest for the following item: 10.6 CBD Business Rates

Nature: I am a business owner but not in the CBD

Matters Arising

8.1 Councillors Expenses & Facilities Policy

45/25 **RESOLVED** that the Councillors Expenses & Facilities Policy be adopted, as per Attachment 1 to the report.

(Councillors Gordon/Battista) (BP25/61)

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

Voting against: Nil

8.2 Questions on Notice

46/25 **RESOLVED** that the Questions on Notice responses provided in this report be noted.

(Councillors Bing/Knight-Smith) (BP25/90)

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

Voting against: Nil

Matter of Urgency

47/25 **RESOLVED** that the following issue be considered.

That Council:

- 1 write to the NSW Police Commissioner and Richmond Police District highlighting safety concerns from CBD businesses and requesting a blitz
- 2 send a copy of the correspondence to Member for Lismore Janelle Saffin and Federal Member for Page Kevin Hogan
- 3 include in the next budget an agreed amount of funding exclusively designed to increase safety in the CBD

(Councillors Battista/Rob)

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

Voting against: Councillors Guise and Knight-Smith

48/25 **MOTION** moved that Council:

- 1 write to the NSW Police Commissioner and Richmond Police District highlighting safety concerns from CBD businesses and requesting a blitz
- 2 send a copy of the correspondence to Member for Lismore Janelle Saffin and Federal Member for Page Kevin Hogan
- 3 include in the next budget an agreed amount of funding exclusively designed to increase safety in the CBD

(Councillors Battista/Bing)

At this point the meeting adjourned for a recess as the webcasting was not working, the time being 10:18AM

The meeting resumed at 10:21AM

RESOLVED that Council:

1. write to the NSW Police Commissioner and Richmond Police District highlighting safety concerns from Lismore businesses and requesting a blitz
2. send a copy of the correspondence to Member for Lismore Janelle Saffin and Federal Member for Page Kevin Hogan
3. include in the next budget an agreed amount of funding exclusively designed to increase safety in the CBD and surrounding areas and seek grant funding
4. ask NSW Police to consider developing a community policing strategy for the CBD and surrounding areas

(Councillors Battista/Bing)

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

Voting against: Councillor Guise

Reports of the General Manager

9.1 DA24/131: Residential Subdivision - 176 Lots plus 3 Public Reserves

MOTION moved that Development Consent be granted to DA24/131, subject to the recommended conditions of consent, outlined in Attachment 1 of the report.

(Councillors Rob/Gordon)

Councillor Bing left the meeting, the time being 10:55AM

Councillor Bing returned to the meeting, the time being 10:56AM

Councillor Dalton-Earls left the meeting, the time being 10:59AM

Councillor Rob left the meeting, the time being 11:00AM

Councillor Jensen left the meeting, the time being 11:00AM

Councillor Rob returned to the meeting, the time being 11:01AM

Councillor Jensen returned to the meeting, the time being 11:02AM

Councillor Dalton-Earls returned to the meeting, the time being 11:02AM

49/25 **RESOLVED** that Development Consent be granted to DA24/131, subject to the recommended conditions of consent, outlined in Attachment 1 of the report.

(Councillors Rob/Gordon) (BP25/91)

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

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

Altering Order of Business

50/25 **RESOLVED** that the order of business be altered to debate the following matters raised during Public Forum –

- 9.5 Proposed appointment as Crown Land Manager and lease to Lismore Old Boys Rugby League Football Club Incorporated
- 9.6 Consent to Assignment of Lease - Nimbin Caravan Park, 29 Sibley St, Nimbin NSW 2480
- 9.8 Advisory Groups
- 10.8 Richmond River Historical Society
- 10.10 North Lismore Plateau Land Giveaway

(Councillors Waters/Hall)

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

Voting against: Councillor Krieg

9.5 Proposed appointment as Crown Land Manager and lease to Lismore Old Boys Rugby League Football Club Incorporated

51/25 **RESOLVED** that Council:

1. supports granting a lease to Lismore Old Boys Rugby League Football Club Incorporated for a term of 5 years with a further option for an additional 5 years with an annual rental of \$1.00 and, to enable Council to facilitate the granting of a lease to Lismore Old Boys Rugby League Football Club Incorporated
2. delegate authority to the General Manager to:
 - i) submit the necessary application to Crown Lands to formalise appointment as Crown Land Manager for Reserve 87667 and manage such land in accordance with the provisions of the *Crown Land Management Act 2016* and relevant regulations
 - ii) submit the necessary application to Crown Lands requesting a change to the reservation purpose to 'community purposes'
 - iii) write to the Department of Planning, Housing and Infrastructure requesting Ministerial consent to enter into a lease with Lismore Old Boys Rugby League

Football Club Incorporated for a term of 5 years with a further option of an additional 5 years under Clause 70(2)(d) of the *Crown Land Management Regulation 2018*

(Councillors Bing/Dalton-Earls) (BP25/70)

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

Voting against: Nil

9.6 Consent to Assignment of Lease - Nimbin Caravan Park, 29 Sibley St, Nimbin NSW 2480

52/25

RESOLVED that Council:

1. consents to the assignment of registered lease AG448854 from the current lessee, the late Peter John Mann and Christine Violet Seymour to Truffle Dog Pty Ltd ACN 680 516 536
2. delegate authority to the General Manager to negotiate the terms of the Deed of Consent and Assignment of registered lease AG448854.
3. delegate authority to the General Manager to negotiate the terms of the new lease with Truffle Dog Pty Ltd ACN 680 516 536.
4. supports consideration of subdividing the land (Lot 6 in DP1248506) into two separate lots, the Caravan Park Area and the Public Pool Complex and Recreational Area

(Councillors Waters/Bing) (BP25/95)

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

Voting against: Nil

9.8 Advisory Groups

MOTION moved that:

1. the Nimbin Advisory Group is disbanded
2. the Koala Implementation Group is disbanded
3. the Koala Advisory Group is established
4. the Lismore Villages Advisory Group is established
5. all Terms of Reference documents relating to Council's advisory groups be withdrawn and the DRAFT LCC Advisory Groups – Terms of Reference

document be adopted in final form

6. councillors be appointed to positions on Council's advisory groups
7. expressions of interest are sought to fill representative positions on Council's advisory groups, to be reported to the May Council meeting

(Councillors Rob/Krieg)

FORESHADOWED MOTION moved that Council retains all current Advisory Groups including the Aboriginal Advisory Group, Disability and Inclusion Advisory Group, Nimbin Advisory Group, Sister City Advisory Group, Koala Implementation Group and establishes a Villages Advisory Group under the existing terms of reference, until a new format for community engagement is presented and adopted by Council through the Community Engagement Strategy and Aboriginal Engagement Framework.

(Councillor Waters)

Councillor Gordon left the meeting, the time being 11:34AM

Councillor Gordon returned to the meeting, the time being 11:35AM

Councillor Battista left the meeting, the time being 11:45AM

Councillor Dalton-Earls left the meeting, the time being 11:45AM

Councillor Dalton-Earls returned to the meeting, the time being 11:45AM

Councillor Battista returned to the meeting, the time being 11:46AM

MOVED that the motion be put.

(Councillor Hall)

53/2554/25 **RESOLVED** that:

1. the Nimbin Advisory Group is disbanded
2. the Koala Implementation Group is disbanded
3. the Koala Advisory Group is established
4. the Lismore Villages Advisory Group is established
5. all Terms of Reference documents relating to Council's advisory groups be withdrawn and the DRAFT LCC Advisory Groups – Terms of Reference document be adopted in final form
6. councillors be appointed to positions on Council's advisory groups
7. expressions of interest are sought to fill representative positions on Council's advisory groups, to be reported to the June Council meeting
8. this be incorporated in the Community Engagement Strategy

(Councillors Rob/Krieg) (BP24/1072)

Voting for: Councillors Battista, Bing, Gordon, Hall, Jensen, Knight-Smith,

Krieg and Rob
Voting against: Councillors Dalton-Earls, Guise and Waters

RESOLVED that Council appoint the following delegates to Council advisory groups –
Sister City – Councillors Battista (Chair), Bing (Deputy), Krieg
Disability Inclusion – Councillors Rob (Chair), Waters (Deputy), Battista, Dalton-Earls, Krieg,
Aboriginal – Councillors Dalton-Earls (Chair), Knight-Smith (Deputy), Hall, Krieg, Rob, Waters
Villages – Councillors Waters (Chair), Rob (Deputy), Battista, Dalton-Earls, Hall, Jensen, Knight-Smith
Koala – Councillors Krieg (Chair), Jensen (Deputy), Bing, Rob, Waters
(Councillors Bing/Knight-Smith) (BP24/1072)

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

Councillor Waters left the meeting, the time being 12:09PM

Councillor Waters returned to the meeting, the time being 12:11PM

Councillor Hall left the meeting, the time being 12:12PM

Councillor Hall returned to the meeting, the time being 12:14PM

Councillor Jensen left the meeting, the time being 12:21PM

Councillor Jensen returned to the meeting, the time being 12:22PM

Councillor Dalton-Earls left the meeting, the time being 12:24PM

Councillor Dalton-Earls returned to the meeting, the time being 12:27PM

Councillor Rob left the meeting, the time being 12:32PM

10.8 Richmond River Historical Society

Can the General Manager please outline the history and details, including the supply of relevant documents (including correspondence) of the offer of a lease on 22 February 2024 to the Richmond River Historical Society.

Can the General Manager please let Council know when the license as passed by resolution in May of 2024 will be executed.

"Resolved that Council note the following documents be executed as negotiated under delegated authority by the General Manager: ... Item 4 License with Richmond River

Historical Society Inc (ABN 58 478 170 223) over Ground Floor Suites 7-8 and the entire First Floor, 165 Molesworth Street, Lismore (being part Lot 1 in DP 118542) for a five-year term to facilitate the maintenance of an archive containing materials and historical artefacts that encapsulate the unique essence of the region. (Ref: AF12/3803)"

Can the General Manager please outline any and all grants received by Lismore City Council pertaining to Lismore Regional Museum. Can the General Manager please outline the legal consequences of those grants, where they exist, in circumstances where Lismore Regional Museum does not move into 165 Molesworth Street.

General Manager's response:

As previously highlighted in the City Notes - 10 February 2025, Council's resolution in May 2024 does not pertain to the offer of a lease/licence over the Municipal Building to the Richmond River Historical Society (RRHS). Under the delegated authority, the General Manager is empowered to execute the negotiations with RRHS. There were preliminary negotiations, but no draft lease was prepared. Therefore, a formal Council resolution is not required to rescind the offer.

Council received a grant of \$104,000 from Create NSW under the CLIRP Arts and Culture Priority Needs Program (PNP) to undertake building restoration work of the Municipal Building. The scope approved in the grant was not dependent on any particular tenant, as it related to maintaining the building as a cultural and heritage asset for the community in perpetuity. There are no legal consequences to the grant in Council choosing to reassess the use of this civic asset, as Council will be upholding the intent of the grant by completing the work. This has been discussed with Create NSW.

Council is not privy to the details of any funding arrangements that may have been sought by RRHS.

Councillor Rob returned to the meeting, the time being 12:33PM

At this point the meeting adjourned for a recess, the time being 12:33PM

The meeting resumed at 1:00PM

10.10 North Lismore Plateau Land Giveaway

Can the General Manager provide an update to council relating to where the North Lismore Plateau Land Giveaway is up to, whether the appropriate Traditional Custodians and a representative entity or structure they agree to have been identified to facilitate transfer, if an entity or structure has been identified, details relating to the intended recipient of the land giveaway, and whether any discussion has occurred or progressed relating to post flood housing options on the available residential land?

General Manager's response:

At the 11 June 2024 Council meeting it was resolved that:

a. i) Council enter negotiations with the Widjabul Wia-bal Gurrumbil Aboriginal Corporation RNTBC (ICN 9856), being the registered native title body corporate that holds native title on trust for Widjabul Wia-bal for the transfer of land ownership of North Lismore Plateau land (NLP land) comprising of Lot 1 in DP 772627, Lot 12 in DP 844585 and Lot 1 in DP 118556

LCC has been working to coordinate a suitable meeting time since August 2024.

The General Manager and officers attended an introductory meeting with the Widjabul Wia-bal Gurrumbil Aboriginal Corporation RNTBC on 3 March 2025. Next steps include a site inspection of the land.

55/25

RESOLVED that Council:

1. suspend all activity in relation to point 1 of Item 49/24 until further notice
2. action points 2, 3 and 4 of Item 49/24 before recommencing activity in relation to point 1
3. undertake this as a matter of urgency

(Councillors Rob/Hall) (BP25/118)

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

Voting against: Councillors Guise and Waters

9.2 Investment Policy

MOTION moved that:

1. Council place on exhibition the Investment Policy for 28 days and receive submissions from the public
2. if any objections are received during the submission period the Policy be reported back to Council for further consideration. If no objections are received during the submission period the Investment Policy is adopted by Council

(Councillors Battista/Bing)

RESOLVED that the motion be put.

(Councillor Rob)

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

Voting against: Councillors Guise, Knight-Smith and Waters

56/25

RESOLVED that:

1. Council place on exhibition the Investment Policy for 28 days and receive submissions from the public
2. if any objections are received during the submission period the Policy be reported back to Council for further consideration. If no objections are received during the submission period the Investment Policy is adopted by Council

(Councillors Battista/Bing) (BP24/794)

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

Voting against: Councillors Guise, Knight-Smith and Waters

9.3 Granting Easement for Airspace Over Council Road Reserve

57/25

RESOLVED that:

1. Council resolves to grant an easement, over the airspace above Larkin Lane (being the stratum denoted in Lot 1 DP 839665) to the adjoining landowner of 65 Woodlark Street, Lismore (Lot 1 DP 780375), 69 Woodlark Street, Lismore (Lot A DP 397258) and 29 Larkin Lane, Lismore (Lot 1 DP 341873), to permit the encroaching structure to remain
2. The General Manager be delegated authority to negotiate the terms of the easement and the sale price in accordance with a valuation prepared by a registered valuer
3. All costs associated with the granting of the easement be borne by the applicant, including but not limited to survey fees, Council fees, Council's legal fees, valuation fees, and Land Registry Service fees
4. The General Manager be delegated authority to sign the following:
 - Deed of agreement for granting of an easement;
 - Transfer granting easement; and,
 - any other documents necessary for the creation and transfer of the easement

(Councillors Gordon/Bing) (BP25/26)

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

Voting against: Nil

9.4 Appointment of Flood Risk Management Committee community members

Councillor Gordon left the meeting, the time being 1:47PM

Councillor Gordon returned to the meeting, the time being 1:49PM

MOTION moved that:

1. the Flood Risk Management Committee Terms of Reference be amended as follows:
 - a) Clause 5 – Membership of the Committee be amended to include ‘up to 9’ instead of 6 community members, with ‘4 other community member (not geographically specific)’ members instead of 1
 - b) Clause 5 – Advisory member Northern Rivers Reconstruction Corporation be amended to NSW Reconstruction Authority
 - c) Clause 5 – the ‘1 technical specialist from Southern Cross University’ is removed
2. the following community members be invited to join Council’s Flood Risk Management Committee:
 - a) Colin Baker as the North Lismore representative
 - b) Graham Askey as the South Lismore representative
 - c) Mark Tirris as the First Nations representative
 - d) Michael Ackrell as the business owner representative
 - e) William Moorhouse as the environmental groups representative
 - f) Alexander Rubin, Demi Flynn, Helen Robinson and Bradley Herd as the non-geographically specific representatives

(Councillors Rob/Hall)

AMENDMENT moved and **DEAFEATED** that:

1. the Flood Risk Management Committee Terms of Reference be amended as follows:
 - a) Clause 5 – Membership of the Committee be amended to include ‘up to 10’ instead of 6 community members, with ‘5 other community member (not geographically specific)’ members instead of 1
 - b) Clause 5 – Advisory member Northern Rivers Reconstruction Corporation be amended to NSW Reconstruction Authority
 - c) Clause 5 – the ‘1 technical specialist from Southern Cross University’ is removed
2. the following community members be invited to join Council’s Flood Risk Management Committee:
 - a) Colin Baker as the North Lismore representative
 - b) Trudy Osborne as the South Lismore representative
 - c) Mark Tirris as the First Nations representative

- d) Michael Ackrell as the business owner representative
- e) William Moorhouse as the environmental groups representative
- f) Alexander Rubin, Demi Flynn, Helen Robinson, Graham Askey and Bradley Herd as the non-geographically specific representatives

(Councillors Waters/Knight-Smith)

Voting for: Councillors Battista, Knight-Smith, Krieg and Waters

Voting against: Councillors Bing, Dalton-Earls, Gordon, Guise, Hall, Jensen and Rob

58/25

RESOLVED that:

1. the Flood Risk Management Committee Terms of Reference be amended as follows:
 - a) Clause 5 – Membership of the Committee be amended to include ‘up to 9’ instead of 6 community members, with ‘4 other community member (not geographically specific)’ members instead of 1
 - b) Clause 5 – Advisory member Northern Rivers Reconstruction Corporation be amended to NSW Reconstruction Authority
 - c) Clause 5 – the ‘1 technical specialist from Southern Cross University’ is removed
2. the following community members be invited to join Council’s Flood Risk Management Committee:
 - a) Colin Baker as the North Lismore representative
 - b) Graham Askey as the South Lismore representative
 - c) Mark Tiris as the First Nations representative
 - d) Michael Ackrell as the business owner representative
 - e) William Moorhouse as the environmental groups representative
 - f) Alexander Rubin, Demi Flynn, Helen Robinson and Bradley Herd as the non-geographically specific representatives

(Councillors Rob/Hall) (BP25/40)

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

Voting against: Councillors Guise, Knight-Smith and Waters

9.7 Investments - February 2025

59/25 **RESOLVED** that the report be received and noted.

(Councillors Bing/Battista) (BP25/125)

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

Voting against: Councillors Guise and Waters

9.9 Councillors Expenses and Facilities Policy - July 2024 to December 2024 Reporting

60/25 **RESOLVED** that Council receive and note the report.

(Councillors Bing/Gordon) (BP25/15)

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 2:01PM

Councillor Dalton-Earls returned to the meeting, the time being 2:09PM

Notices of Motion / Questions with Notice

10.1 Mayoral Attendance Report

61/25 **RESOLVED** that Council receives the Mayoral Attendance Report for February 2025.

(Councillors Krieg/Bing) (BP25/108)

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

Voting against: Councillor Rob

10.2 Richmond Tweed Regional Library Representative

62/25 **RESOLVED** that Council appoint Councillor Krieg as the new representative for the Richmond Tweed Regional Library.

(Councillors Knight-Smith/Bing) (BP25/122)

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

Voting against: Nil

Councillor Waters left the meeting, the time being 2:15PM

10.3 Review of Onsite Sewerage Management

63/25 MOTION moved that Council conduct a review of the Onsite Sewerage Management with view to update to the most current standards and guidelines.

(Councillors Dalton-Earls/Knight-Smith) (BP25/68)

Motion withdrawn

Councillor Waters returned to the meeting, the time being 2:16PM

10.4 Removal of Pine Street Alleged Criminals

MOTION moved that Council:

1. immediately implement all available options to facilitate the removal of the Pine Street alleged criminals from Pine Street North Lismore, including the regular removal of items from public space, the issuing of warnings and infringement notices to anyone illegally camping, vanpacking and holding events without approval, and the regular inspection of structures to determine if they are still ok to be occupied if these actions are permitted
2. write to the Richmond Police District Commander to seek a formal explanation relating to why individuals who have broken into, damaged, stolen from, and continue to remain on inclosed lands, have not been arrested and charged with any offences or forcibly removed from the inclosed lands even though the owners have asked for police assistance
3. write to Janelle Saffin, our State Member of Parliament, asking her to seek out any assistance available to help with the removal of the Pine Street alleged criminals, including seeking out an explanation relating to why police are failing to act to prevent ongoing criminal activity in our area, which is resulting in increasing

criminal activity and anti-social behaviour

4. write to Kevin Hogan, our Federal Member of Parliament, asking him to seek out any assistance available to help with the removal of the Pine Street alleged criminals, including possible action relating to the cancellation of visas where appropriate on character grounds under section 501 of the *Migration Act 1958*

(Councillors Rob/Gordon)

Councillor Knight-Smith left the meeting, the time being 2:17PM

Councillor Knight-Smith returned to the meeting, the time being 2:18PM

Councillor Rob left the meeting, the time being 2:32PM

Councillor Rob returned to the meeting, the time being 2:33PM

Councillor Hall left the meeting, the time being 2:36PM

Councillor Waters left the meeting, the time being 2:38PM

Councillor Waters returned to the meeting, the time being 2:39PM

RESOLVED that the motion be put.

(Councillor Krieg)

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

Councillor Hall returned to the meeting, the time being 2:38PM

64/25

RESOLVED that Council:

1. write to the Richmond Police District Commander to seek a formal explanation relating to why individuals who have broken into, damaged, stolen from, and continue to remain on inclosed lands, have not been arrested and charged with any offences or forcibly removed from the inclosed lands even though the owners have asked for police assistance
2. write to Janelle Saffin, our State Member of Parliament, asking her to seek out any assistance available to help with the removal of the Pine Street alleged criminals, including seeking out an explanation relating to why police are failing to act to prevent ongoing criminal activity in our area, which is resulting in increasing criminal activity and anti-social behaviour
3. write to Kevin Hogan, our Federal Member of Parliament, asking him to seek out any assistance available to help with the removal of the Pine Street alleged criminals, including possible action relating to the cancellation of visas where

appropriate on character grounds under section 501 of the *Migration Act 1958*

(Councillors Rob/Gordon) (BP25/116)

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

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

Councillor Hall left the meeting, the time being 2:43PM

Councillor Jensen left the meeting, the time being 2:43PM

Councillor Jensen returned to the meeting, the time being 2:45PM

10.5 Aboriginal Back Alley Gallery

65/25 MOTION moved that Council examine a plan to establish an Aboriginal art laneways project, subject to funding, and be brought back to a councillor briefing.

(Councillors Rob/Dalton-Earls) (BP25/117)

Councillor Guise left the meeting, the time being 2:55PM

that the time being 3.00pm the meeting continue to 3.30pm.

(Councillors Krieg/Gordon)

Voting for: Councillors Battista, Bing, Dalton-Earls, Gordon, Knight-Smith, Krieg, Rob

Voting against: Councillors Jensen and Waters

Absent: Councillors Guise and Hall

Councillor Guise returned to the meeting, the time being 3:02PM

66/25 **RESOLVED** that Council examine a plan to establish an Aboriginal art laneways project, subject to funding, and be brought back to a councillor briefing.

(Councillors Rob/Dalton-Earls) (BP25/117)

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

Voting against: Councillor Guise

10.6 CBD Business Rates

- 67/25 MOTION that Council:
1. freeze Business - Inner CBD rate increases until parity with Business - Urban rates is achieved
 2. report to Council regarding the opportunity to adjust the relevant ad valorem rates to achieve parity by a pre-determined date

(Councillors Rob/Bing) (BP25/114)

FORESHADOWED MOTION that a workshop be scheduled to explore all options for CBD rates.

(Councillor Battista)

- 68/25 **DEFEATED** that Council:
1. freeze Business - Inner CBD rate increases until parity with Business - Urban rates is achieved
 2. report to Council regarding the opportunity to adjust the relevant ad valorem rates to achieve parity by a pre-determined date

(Councillors Rob/Bing) (BP25/114)

Voting for: Councillors Bing, Dalton-Earls, Gordon and Rob

Voting against: Councillors Battista, Guise, Jensen, Knight-Smith, Krieg and Waters

- 69/25 On submission to the meeting the foreshadow motion became the motion and was **RESOLVED** that a workshop be scheduled to explore all options for CBD rates.

(Councillors Battista/Gordon) (BP25/114)

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

Voting against: Councillor Guise

Absent: Councillor Hall

10.7 Cash be accepted at Revolve Shop

70/25

RESOLVED that Council accept cash for payments at the Revolve Shop, Lismore Recycling and Recovery Centre.

(Councillors Guise/Dalton-Earls) (BP25/120)

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

Voting against: Nil

Absent: Councillor Hall

10.9 Rail Trail

Can the General Manager please provide:

- an accurate cost breakdown of what has been spent to establish the Bentley to South Lismore section of the Rail Trail to date, including all grant funding actually received, any ratepayer funds already used to establish the Rail Trail, any connecting infrastructure and any expected expenditure on finishing the Rail Trail and connecting infrastructure going forward
- the cost of maintaining the Rail Trail to date and going forward
- any unexpected costs which have come up
- the cost to date and any ongoing costs related to staff pursuing additional sections of the Rail Trail, together with their current expected cost to establish if funding is identified?



General Manager's response:

Below is the expenditure to date, any Council works (e.g. signage, slashing etc.) were funded by the recycling credit.

Unexpected or unknowns were mainly:

- poor ground conditions, e.g. the low point outside of town, the subgrade was stabilized and trail concreted for flood longevity
- drainage was heavily silted in places, notably on Kyogle Road, this was cleared from the rail trail to the levee wall as well as several other areas

Council officers have been meeting with Tweed, Richmond Valley and Byron Council officers to discuss the formulation of a Memorandum of Understanding, Governance Model and overall coordination of the management, maintenance and marketing of the Northern Rivers Rail Trail. Costs would be shared between member councils. This figure is currently undetermined and at this stage no commitments have been made by LCC.

The Regional Precincts and Partnerships Program funding submission was submitted last year for the next stage. There are no ongoing costs related to this, funding submissions as they arise will be submitted for future sections, the business cases for these were conducted externally.

The business case from 2023, estimated the remaining sections from Lismore to Booyong at \$37 million.

Building Better Regions Fund - Round 5	\$ 9,918,615.00
TfNSW cleanup	\$ 55,000.00
Recycling Credit	\$ 648,000.00
Nesbitt connection & carpark - 7.11 funding	\$ 272,618.62
Total funding	\$ 10,894,233.62
Project Management - External	\$ 317,905
Surveying, RSA, SRZ	\$ 110,362
Detailed Design	\$ 491,167
Planning approvals & studies	\$ 112,075
Biosecurity	\$ 22,000
Geo-Tech	\$ 21,170
Flood Cleanup	\$ 123,005
Main Contractor	\$ 9,221,180
Designs - trail elements	\$ 52,720
Maintenance (ongoing)	\$ 300,000
Landscaping, signage, screening, misc	\$ 122,649
Total spending	\$ 10,894,233.23

10.11 Arts Northern Rivers

Can the General Manager please provide details relating to Arts Northern Rivers, its structure, cost to ratepayers, how the governing body can influence decision making, how those benefiting financially are selected, and any reasons why council should continue as a member?

General Manager's response:

As previously advised, Arts Northern Rivers is an incorporated association operating under its constitution. The Board is comprised of local government members and co-opted members. The executive is elected by the Board.

Council paid an annual contribution of \$33,755 in 2024-2025.

Council is represented by one councillor on the Board.

How artists or organisations are selected for projects is for the Board to determine.

Arts Northern Rivers is the peak arts organisation for the Northern Rivers region, servicing seven local government areas and is one of 15 Regional Arts Development Organisations that make up Regional Arts NSW, which provides strategic direction for sustainable arts development across the state.

10.12 Replace removed guideposts on Wyrallah Road

When will Council be replacing the two white traffic guideposts that were removed eight months ago from the western side of Wyrallah Road close to the River Bank Road intersection at Monaltrie?

When will Council be fixing the third knocked down one?

General Manager's response:

Council has replaced the guideposts on the western side of Wyrallah Road near River Bank Road. Council in its inspection has identified further guideposts to install on River Bank Road near the intersection that have been logged as a works job that will be attended to on a priority needs basis.

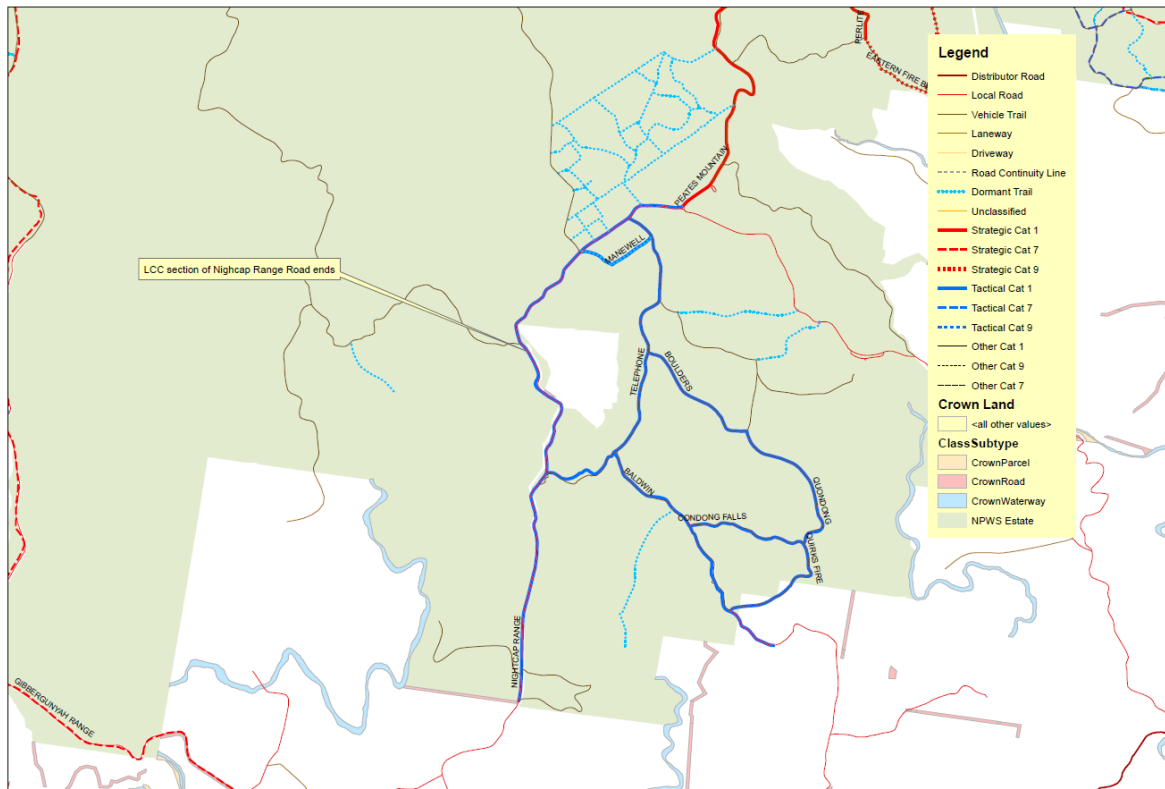
Councillor Dalton-Earls left the meeting, the time being 3:28PM

10.13 Wallace Road and Nightcap Range Road Fire Access and Fire Trail Category 1

Can you General Manager please explain why Wallace Rd and Nightcap Range Rd have not been maintained to the designated Category 1 Fire Access and Fire Trail (FAFT) standard?

Has this issue been under discussion for two years without action being taken?

Is Lismore City Council responsible for the southern section of these roads and NPWS for the northern section?



General Manager's response:

Lismore City Council are currently not the Land Manager of any Category 1 (**Strategic**) Fire Trails.

A large portion of Wallace Road is a **Strategic** Fire Trail Category 1, however the Land Managers for this trail are Crown Lands and National Parks & Wildlife Service. The trail finishes at the Lismore City Council boundary. Lismore City Council maintains our portion of the road to ensure it's trafficable, including regular inspections and maintenance given it provides access to the trail.

Nightcap Range Road is a **Tactical** Fire Trail Category 1 and requires maintenance. A purchase order was provided to a supplier to undertake maintenance activity in early March, however this was delayed due to Tropical Cyclone Alfred. It is planned to be completed over the coming weeks.

71/25

RESOLVED that Council write to Crown Lands and National Parks & Wildlife Service demanding that Wallace Road be maintained.

(Councillors Waters/Knight-Smith) (BP25/124)

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

Voting against: Nil

Absent: Councillors Dalton-Earls and Hall

Closure

This concluded the business and the meeting terminated at 3.29pm.

CONFIRMED 8 April 2025 at which meeting the signature herein was subscribed.

MAYOR