



Council

An Ordinary Meeting of Lismore City Council will be held at the Council Chambers on Tuesday 8 April 2025 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

2 April 2025



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.

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1. Opening of Meeting	
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Reports of the General Manager



Report

Subject	Site-specific Development Control Plan chapter for the proposed urban release area at 1055 Bruxner Highway, Goonellabah
TRIM Record No	BP25/65:AF22/5200
Prepared by	Strategic Planner Coordinator
Reason	To introduce a site-specific Development Control Plan chapter for the proposed urban release area at 1055 Bruxner Highway, Goonellabah
Strategic Theme	Our built environment
Strategy	Our land-use planning caters for all sectors of the community.
Action	Ensure land is available and serviced to meet population growth in locations that are accessible, close to services and employment, and suitable for development.

Executive Summary

In February 2025 Council supported to finalise a Planning Proposal for the rezoning of land at 1055 and 1055A Bruxner Highway to enable residential, mixed use, commercial and industrial development.

The site-specific chapter of Lismore's Development Control Plan (DCP) has now been finalised and is ready for adoption. The site-specific DCP will guide future development applications for this site. The changes made to the chapter following feedback received from the community, are highlighted in this report.

Recommendation

That Development Control Plan, Part B Chapter 11, be adopted and published on the Lismore City Council website.

Background

In November 2023 Council resolved to support a Planning Proposal for land at 1055 and 1055A Bruxner Highway, herein referred to as 'the site'. In February 2025 Council resolved to finalise the Planning Proposal. The final Planning Proposal is now with the Department of Planning, Housing and Infrastructure (DPHI) for finalisation.

The Planning Proposal seeks to amend the zoning, height of buildings and minimum lot size controls applicable to the site to enable new residential, mixed use, local centre, public recreation and industrial land uses. The Planning Proposal also seeks to introduce a new written clause into the Lismore Local Environmental Plan 2012 (LEP) designating the site as an Urban Release Area.

The new Urban Release Area clause includes a control that no development consent on the site can be submitted unless a site-specific DCP is in place. The relevant excerpt of the Urban Release Area control is provided below.

7.3 Development control plan

- 1) *The objective of this clause is to ensure that development on land in an urban release area occurs in a logical and cost-effective manner, in accordance with a staging plan and only after a development control plan that includes specific controls has been prepared for the land.*
- 2) *Development consent must not be granted for development on land in an urban release area unless a development control plan that provides for the matters specified in subclause (3) has been prepared for the land.*
- 3) *The development control plan must provide for all of the following—*
 - a) *a staging plan for the timely and efficient release of urban land, making provision for necessary infrastructure and sequencing,*
 - b) *an overall transport movement hierarchy showing the major circulation routes and connections to achieve a simple and safe movement system for private vehicles, public transport, pedestrians and cyclists,*
 - c) *an overall landscaping strategy for the protection and enhancement of riparian areas and remnant vegetation, including visually prominent locations, and detailed landscaping requirements for both the public and private domain,*
 - d) *a network of active and passive recreation areas,*
 - e) *stormwater and water quality management controls,*
 - f) *amelioration of natural and environmental hazards, including bush fire, flooding and site contamination and, in relation to natural hazards, the safe occupation of, and the evacuation from, any land so affected,*
 - g) *detailed urban design controls for significant development sites,*
 - h) *measures to encourage higher density living around transport, open space and service nodes,*
 - i) *measures to accommodate and control appropriate neighbourhood commercial and retail uses,*
 - j) *suitably located public facilities and services, including provision for appropriate traffic management facilities and parking.*
- 4) *Subclause (2) does not apply to development for any of the following purposes—*
 - a) *a subdivision for the purpose of a realignment of boundaries that does not create additional lots,*
 - b) *a subdivision of land if all of the lots proposed to be created are to be reserved or dedicated for public open space, public roads or any other public or environmental protection purpose,*
 - c) *a subdivision of land in a zone in which the erection of structures is prohibited,*
 - d) *proposed development on land that is of a minor nature only, if the consent authority is of the opinion that the carrying out of the proposed development would be consistent with the objectives of the zone in which the land is situated.*

Officers have drafted the attached Development Control Plan (DCP) chapter to guide future development across the site and address the Urban Release Area requirements. The Chapter will be included in Lismore's existing DCP framework under Part B as Chapter 11. Existing chapters under part A of Lismore's DCP framework will also apply to the site.

It is recommended the DCP be adopted.

What is a Development Control Plan & the Broader Planning Framework

The primary purpose of a DCP is to give development guidance that facilitates and helps achieve the objectives and types of permissible development of the Local Environmental Plan (LEP). DCPs are prepared and adopted by Local Government only – meaning, they do not need approval or endorsement from DPHI. Lismore City Council can, and does, update all DCPs regularly to ensure they are enabling the desired outcomes.

Lismore's existing DCP is made up of two parts, with Part A containing 19 chapters and Part B containing 6 chapters. Part A contains controls that apply to particular forms or aspects of development generally throughout Lismore. Part B contains more specific controls that are applicable to specific geographical areas. Both Parts A and Part B may be applicable to a development and are to be read in conjunction with each other.

The attached draft DCP is proposed to become Chapter 11 of Part B.

In line with other site-specific DCP chapters, the attached chapter includes controls on aspects of development that are or need to be specific to development at the site. The site-specific chapters aim not to repeat controls already present in any of the Part A DCP chapters.

Due to the proposed density of development at the site, the NSW Apartment Design Guide and the NSW Low-Rise Housing Diversity Code will also be applicable to certain types of development at the site.

NSW Apartment Design Guide

The NSW Apartment Design Guide applies to new apartments (meaning residential flat buildings, mixed use developments with a residential component or shop top housing) that are 3 or more storeys and have 4 or more dwellings. The State Environmental Planning Policy (Housing) 2021 specifies at clause 149 that the Apartment Design Guide prevails over development control plans in relation to the following aspects:

- Visual privacy
- Solar and daylight access
- Common circulation and spaces
- Apartment size and layout
- Ceiling heights
- Private open space and balconies
- Natural ventilation
- Storage

The Low-Rise Housing Diversity Code

The Low-Rise Housing Diversity Code is a code within the State Environmental Planning Policy (Exempt and Complying Development Codes) that makes it quicker and easier to build homes that offer an alternative to apartments and freestanding houses by allowing dual occupancies, manor houses and terraces of 1 or 2 storeys to be built under a complying development pathway. The code prescribes design guides that, if followed, can enable dwellings to gain approvals within 20 days.

Controls in the attached chapter therefore do not apply to development applications for apartments that are 3 or more storeys and contain 4 or more dwellings, nor does it apply to any development seeking complying development approval under the low-rise housing diversity code.

Development Control Plan, Part B Chapter 11

The draft DCP has been prepared in accordance with Division 3.6 of the *Environmental Planning & Assessment Act 1979*.

The DCP has been drafted by Lismore City Council officers. Lismore City Council then engaged a local architecture firm to review and refine the draft controls and provide the precinct structure plan, the section diagrams and other sketches included in the DCP. After receiving submission from the public, officers have refined the DCP, to accord with the feedback received and the amendments made to the planning controls under the Planning Proposal.

Structure

The DCP sets a vision for the site. This, together with the planning principles provide guidance to the preparation and assessment of development applications.

The DCP then introduces five (5) precincts (to be shown in the updated Figure 1 within the attached DCP), setting out intentions and preferred land uses for each. The use of precincts has been included due to the size and scale of the site and the intention to get a detailed and accumulating increases in density from general residential in the north down through medium density mixed use development in the middle and industrial in the south. The use of precincts enables different controls to be applied to different areas (precincts) across the site. An overview of the five precincts is as follows:

1. General residential

At the north end of the site, this precinct is intended to enable general residential development.

2. Medium density residential

This precinct is intended to enable medium-density housing with diverse housing typologies, single detached dwellings will not be in accordance with the DCP. Buildings in this precinct must be designed in accordance with the building height and minimum lot size controls.

3. Local centre

This precinct applies to the land proposed for an E1 Local Centre zoning. It is the area of the Urban Release Area where commercial and community uses are enabled as well as shop top housing. Single detached dwellings will not be in accordance with the DCP. The precinct controls within the DCP enable a 'High Street' type village centre with a high-quality public realm (footpaths, outdoor seating etc). Buildings within the village centre may have up to a five storey presentation to street and are required to have active street frontages. Together with the provision of on-street parking, active street frontage and setback controls will enable the village centre to operate much like a typical 'High Street' that is human-centred, with access for deliveries and operations via a rear lane. The village centre adjoins a key parcel of public open space that is to be integrated with the Tucki Tucki Creek reserve.

4. Mixed use

This precinct is intended to enable commercial development as well as shop top housing. Single detached dwellings will not be in accordance with the DCP. Mixed-use developments are permissible, in accordance with the MU1 Mixed Use land use zoning. Buildings in this precinct must be designed to provide a maximum four storey presentation to the street, with any upper levels setback to minimize the bulk and scale to the street.

5. Industrial

The final most southern precinct of the site enables general industrial development.

There is no DCP precinct for the areas of public recreation as no site-specific controls will apply here. Other chapters of the Lismore DCP, such as Chapter 11 on Buffer Areas and Chapter 14 on Vegetation Protection, will apply here.

The DCP contains controls on aspects of subdivision (Part 2) and aspects of development design (Part 3) that relate specifically to one or more of the precincts as outlined above.

The controls seek to achieve and enable a coherent estate that offers a variety of dwelling types.

The DCP includes and refers to an indicative Precinct Structure Plan that guides the layout and road network and hierarchy for the future DAs. The Precinct Structure Plan has gone through many iterations

as feedback from various internal officers, public agencies and the community has been received and considered. *The proposed Precinct Structure Plan is shown at Appendix 1 of the attached draft DCP.*

Community Consultation

Feedback from the public was welcomed between 13 March 2024 and 1 May 2024. The community were invited to provide feedback in relation to the future of the site as a whole – in relation to the Planning Proposal and the draft DCP. The consultation was advertised via:

- Local Matters
- Media Release
- Social Media
- A letter in the post to adjoining landowners

The proposal was also picked up by the local news. During the consultation period, officers held 3 meetings with nearby landowners.

A total of 83 unique submissions were made, 69 via the online survey on Lismore’s Your Say webpage and 14 via a ‘freeform’ letter or email (excluding duplicates).

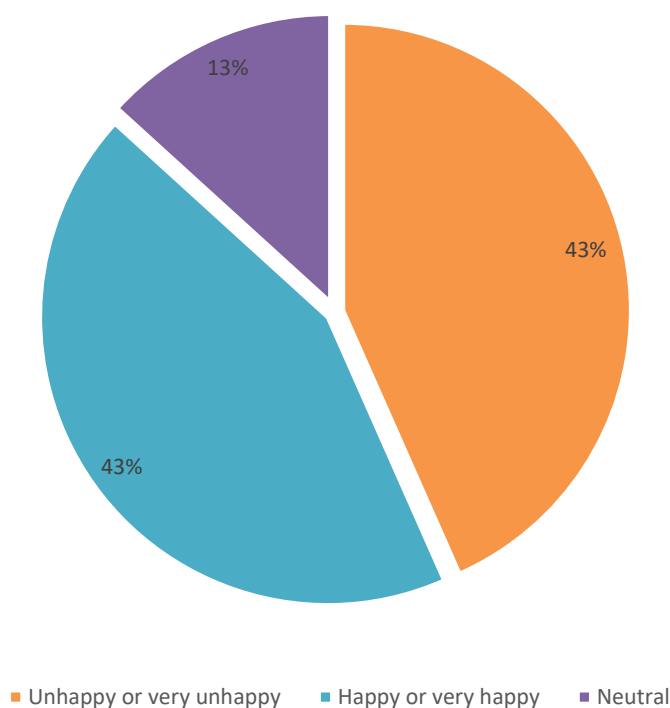
The first question in the survey asked how individuals felt about the Planning Proposal. The 14 letters have been classified into the same terms by officers using the following methodology:

- where a submission clearly supported the proposal, it was recorded as very happy or happy,
- where a submission made some recommendations for improvement it was recorded as neutral, and
- where a submission made objections, it was recorded as very unhappy or unhappy.

The results show that 13% of respondents have a neutral feeling towards the proposal whilst 43% are unhappy or very unhappy and another 43% are very happy or happy.

Figure 1 - Level of content from community

Community Sentiment on Proposal



Changes to the DCP as a result of the consultation and changes to the Planning Proposal

Amendment	Reasoning
Section 1 - Introduction	
Removal of the name Harmony Estate	During the consultation Council asked the community for any name alternatives. Two names were suggested: Rainbow Place and Chrysalis. Neither of these names, nor Harmony Estate, are preferred. Rather, staff recommend waiting until a suitable name is put forward by the applicant at DA stage.
Removal of reference to enabling house relocations	Staff will still work to enable house relocations wherever possible. This change has been made only because the NSW Reconstruction Authority (RA) have not formally entered any agreements.
Update of zoning references	To accord with changes made to the Planning Proposal. Reasons outlined in the report to Council February 2025 (attached).
Administrative updates to the vision narratives, precinct figure, relationship with other planning controls and definitions. This also includes: <ul style="list-style-type: none"> - avoidance of terminology such as 'should' to instead be more directive, - the removal of all controls that were repetitive across Lismore's existing DCP framework, - the street section diagrams have been updated to reference the changed planning controls. 	To improve legibility, usability, fix errors and create consistency across the document.

<p>Section 2 - Subdivision Controls</p>	
<p>Note added upfront to improve clarity of when existing DCP chapters apply. Repetitive controls removed.</p>	<p>To improve clarity and reduce the need for repetition.</p>
<p>ELEMENT: Site Layout; Street Network; Street Design, Construction and On-site Parking</p> <ul style="list-style-type: none"> - repetitive controls removed - dwellings per hectare added as a density control - A control been added to ensure subdivision reflects the precinct visions, this was previously lacking, and it was felt that the visions didn't have enough weighting for the planners to sufficiently consider them in assessing DAs, - A control has been added for precinct 2 and 4 to ensure a suitable density, in accordance with the zone objectives and precinct visions, can be achieved, - A control has been added for precinct 2 and 4 to encourage lots to be accessed via rear or internal lanes, this the street environment, safety by reducing parking, footpath crossovers and high traffic flows, - A control has been added for precinct 3 (the local centre) to ensure all lots are serviced and accessible via vehicle from the rear lane, this improves the environment and safety of the main local centre street and ensures businesses can still receive deliveries and the like, - To support the inclusion of lanes, design controls for what is expected of a lane have been added to table 1 – street hierarchy, 	<p>Overall, there was general consensus and support for residential uses. There was a mix of both support and concern for affordable/ social housing. There were requests for; resident-led housing or cohousing; requests for the entirety of the proposal area to be used for residential; and for the residential and industrial zonings to be reversed so that the industrial zone is in the north and the residential in the south.</p> <p>When asked about minimum lot size, many didn't mind or know but supported housing and diverse housing and many others wanted bigger blocks due to fear of 'ghettoes'.</p>
<p>ELEMENT: Public Open Space</p> <p>Controls to guide the provision and delivery of public open space have been improved to ensure that the medium density housing residents still have significant access to high-quality public open space. This includes:</p> <ul style="list-style-type: none"> - insertion of table 2 that includes level of required embellishment for each parcel of public open space. - controls that require delivery of public open space to be consistent with the now adopted Open Space Strategy. - controls for 50% of the off-road trail to have suitably space trees for shade coverage. - controls to ensure public open space is accessible via the footpath network. - insertion of performance criteria to clarify the intention, benefit and function of the public open space. <p>The controls around public open space have been designed to intentionally enable:</p> <ul style="list-style-type: none"> - active and passive recreation, including play - ample space for community events, activities and social interaction, such as markets or community gardens - the protection remnant vegetation - provide connection throughout the estate and to Goonellabah - open space that is accessible to all 	<p>With changes to the planning controls that will best enable the delivery of medium density development, staff felt it important to ensure that high quality public open space will be critical for quality of living. This responds to the community concerns raised that high density living results in 'ghettoes' and comments received around the importance of green space.</p> <p>Strengthening the controls give Council planning staff the greatest support in negotiating and enabling the delivery of high quality public open space equipment.</p> <p>The NSW Biodiversity and Conservation Science Division recommended that some of the lowland subtropical rainforest trees in the northern area of the site be protected.</p>

Section 3 – Development Controls	
<p>ELEMENT: Housing Density and Diversity The formatting and controls have been refined to ensure that diverse housing, in accordance with the vision, can be achieved.</p>	<p>Overall, there was general consensus and support for residential uses. There was a mix of both support and concern for affordable/ social housing. There were requests for; resident-led housing or cohousing; requests for the entirety of the proposal area to be used for residential; and for the residential and industrial zonings to be reversed so that the industrial zone is in the north and the residential in the south.</p> <p>When asked about minimum lot size, many did not mind or know but supported housing and diverse housing and many others wanted bigger blocks due to fear of 'ghettoes'</p>
<p>ELEMENT: Setback, street frontages and public realm and local centre parking Controls have been:</p> <ul style="list-style-type: none"> - removed to avoid repetition - simplified to best enable high quality design. This has been updated to reflect the wide road widths required by table 1 (subdivision controls) - clarified to ensure buildings are visually aesthetic and do not impact neighbouring properties in terms privacy and solar access - added to address the quality of the public realm - added to address car parking - added to ensure car parking is fit for the future in terms of enabling the future installation of EV charging 	<p>Feedback received raised the importance of designing for safety and security as well as requesting for less of the land to be used for commercial development, or in some instances no commercial at all. Changes to the planning controls (made via the Planning Proposal resolved on at the February meeting) addressed these concerns and as a result the DCP also needed to be amended.</p>
<p>ELEMENT: Sustainable Performance Controls have:</p> <ul style="list-style-type: none"> - been removed to avoid repetition - ensure that developments can be fit for purpose 	<p>To ensure that development in the local centre can respond to the communities needs.</p>
<p>ELEMENT: Private Open Space Controls have:</p> <ul style="list-style-type: none"> - been added to ensure medium density housing still provides sufficient private open space 	<p>To ensure that all residents have suitable access to some open space, enabling them have opportunity for fresh air, gardening and the like.</p>

Finance

Not applicable.

Conclusion

Lismore City Council, prior to consenting to any development applications at 1055 and 1055A Bruxner Highway, must have an adopted site-specific DCP chapter. The attached DCP provides clear planning guidance that compliments the planning controls applicable to the site and best enables the objectives and visions of the site.

Officers recommend this DCP be adopted and published on the website.

Attachment/s

1. Final Draft DCP, Part B Chapter 11 - Urban Release Area at 1055 Bruxner Highway (Over 7 pages)
2. Council Report - Planning Proposal to rezone an Urban Release Area at 1055 Bruxner Highway, Goonellabah, February 2025 (Over 7 pages)
3. Redacted Submissions (Over 7 pages)
4. Redacted Survey Results (Over 7 pages)

Report

Subject	DCP Housekeeping Amendments
TRIM Record No	BP25/99:CDR24/1290
Prepared by	Strategic Planning Project Officers
Reason	Update Council on community consultation feedback and seek endorsement
Strategic Theme	Our built environment
Strategy	Our built environment is managed and enhanced to meet the needs of our growing community.
Action	Ensure new development enhances the area in which it is located.

Executive Summary

Development Control Plan (DCP) housekeeping amendments are frequently made to ensure the DCP remains relevant, clear and correct. Amendments are identified by planning officers through DCP use and application. A report identifying minor changes to seven (7) of the DCP Chapters was presented to Council on 11 December 2024. Council resolved to place the amended chapters on public exhibition for a period of 21 days and should there be no objections that the DCP chapters be adopted, or if objections were raised, a further report be made to Council.

The DCP amendments have now been publicly exhibited. Three (3) submissions were made. Submissions have resulted in four adjustments in two of the chapters, including adding reference information to improve clarity. A summary of the submissions, officer responses and the resultant change to the amendments is provided in Table 1 of this report.

It is recommended that Council adopt the seven (7) DCP chapters with revised amendments to chapters 1 and 6.

Recommendation

That Council:

1. adopts the revised Development Control Plan housekeeping amendments
2. allows for the tracked changes to be accepted before the chapters come into effect and are put onto the Council website

Background

In December 2024, Council considered a report on housekeeping amendments for seven Development Control Plan (DCP) 2012 chapters in Part A of the DCP:

- Chapter 1 – Residential Development
- Chapter 3 – Industrial Development
- Chapter 4 – Rural and Nature-Based Tourism Development
- Chapter 5A – Urban Residential Subdivision
- Chapter 6 – Subdivision and Infrastructure (Village, large lot residential and rural)
- Chapter 11 – Buffer Areas
- Chapter 18 – Extractive Industries

Council resolved to put the amended chapters on public exhibition and that should objections be made to the amended DCP chapters a further report be made to Council outlining the submissions received and any subsequent changes (resolution 111/24).

Public consultation occurred through placement on the Lismore City Council website and advertising in the Building and Development Newsletter and Local Matters Issue 273. Feedback from the public was welcomed between 17 January and 18 February 2025.

What we heard

There were 3 submissions to the public consultation (Attachment 1), which are summarised below.

Chapter and Element	What we heard	Officer response	Changes to the proposed housekeeping amendments
1. Car parking spaces	Acceptable Solution A12.1 wording was confusing in relation to the distances required for car parking.	Figure 16 provides clear examples of how this wording works, to allow space for a car to be fully off the road, but it is not specifically referred in A12.1.	Text referring to Figure 16 has been added, this provides examples with distances clearly marked.
1. Dwelling setbacks along state roads in rural areas.	<p>Objection to the proposed change to remove the reference to Roads and Maritime Services (RMS) roads in the Definitions, while only including the building setback for the Bruxner Highway and Bangalow Road in the setback provisions (leaving out Nimbin Road, Blue Knob Road, Dunoon Road, Rous Road, Coraki Road and Eltham Road, which were previously listed as RMS roads).</p> <p>This changes the setbacks for RU5 properties along those roads, from 28m to 10m and for RU1 and E3 properties, from 28m to 15m. The change is not 'housekeeping', but changes the meaning, which requires community discussion.</p> <p>The RMS roads are now classified differently, and the setbacks are no longer consistent across the new classifications, for roads that were not classified RMS previously. The community needs to be consulted regarding whether consistent setback rules are important.</p>	<p>Officers understand and agree with the concerns raised.</p> <p>The changes were intended to correct the outdated RMS reference but not change the setback distance.</p> <p>This proposed change will be removed.</p> <p>Setbacks for different road classifications will be deferred to the next full review of the DCP. The review process will include community consultation.</p>	The proposed changes have been removed.

<p>3. Outdated terminology for economic precincts</p>	<p>Objection to removing the sections 'Siting of certain industries' and 'Zoning controls'</p>	<p>The terminology in these sections has changed in State Legislation and the Lismore LEP, resulting in the DCP being inconsistent with the statutory terms in the LEP. The groupings in the removed sections and the zoning terminology no longer exist, making these sections redundant.</p>	<p>No adjustment made to the proposed changes.</p>
<p>4. Vegetation and landscaping, specifically when a Vegetation Management Plan is required.</p>	<p>Objection to the new wording of section A7.3 in relation to when a Vegetation Management Plan is required, as it changes the meaning and weakens the requirements for a VMP which undermines Council's biodiversity policies.</p>	<p>This chapter applies to small-scale Rural and Nature Based Tourism development only. The aim of the chapter is to enable a balance of development to ensure both the sensitive natural environment and productive agricultural lands are protected whilst also enabling socio-economic outcomes.</p> <p>The controls in the chapter complement the existing LEP controls under CI6.11 which also offer protection for the natural environment.</p> <p>The new wording is intended to better describe when a Vegetation Management Plan is required for a range of development sizes and situations.</p> <p>All development being assessed by this chapter will be small-scale – meaning small enough to be managed by the principal owner living on the land. The new wording provides balance in supporting diversification of land uses (socio-economic outcomes) and protection of the natural environment.</p> <p>Each application will be assessed by suitably qualified officers and the DCP wording still clarifies that the VMP be prepared to Council's satisfaction.</p>	<p>No adjustment made to the proposed changes.</p>

<p>6. Updating the public open space requirements in village and large lot residential subdivision developments to be consistent with the Lismore Open Space Strategy</p>	<p>The wording of the change in A26 does not indicate the minimum standards for a structure plan and makes reference to embellishments, but the section on embellishments has been removed. The proposed changes are unclear about who has input, and community input should be mandatory for open space in villages.</p>	<p>The proposed wording updates Chapter 6 to be consistent with the Lismore Open Space Strategy 2024-34. The Open Space Strategy was widely consulted within the community and provides detailed guidance on the recreational and play elements required in a park for the radius of community it is servicing.</p> <p>Structure plans, as referred to in A26.1 are prepared in negotiation with officers, including the Sport and Recreational Lead and will accord with the Open Space Strategy prior to being embedded into a DCP (either a site-specific DCP or Chapter 5A).</p> <p>The proposed DCP wording purposefully does not set embellishment limits as it needs to be applicable to developments of all sizes. Rather, it enables and guides applicants and officers to apply the principles and expectations of the Open Space Strategy to any development. Planning officers and the Sport and Recreation Lead will assess applications against the Open Space Strategy and be best placed to negotiate where required.</p>	<p>To improve clarity, copy of the Play Hierarchy for Social and Family Recreation table from the Lismore Open Space Strategy has been included as an appendix to Chapter 6, this links the requirements and minimum standards to the Chapter.</p>
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As a result of the feedback received, Council officers have adjusted the text in Chapters 1 and 6 in accordance with the feedback table.

Feedback was also received on Chapters 11 and 18, however the feedback was not relevant to elements of the chapters subject to housekeeping amendments. These have been recorded for a future DCP review.

Officers have responded to all questions raised by submitters.

Chapter 5A received no objections nor submissions to the proposed housekeeping amendments.

Comments

Finance

Not applicable.

Conclusion

There were 3 submissions to the public consultation on the proposed housekeeping amendments. As a result of feedback, 2 proposed amendments were removed and 2 amendments were edited to improve clarity: in Chapter 1, reference to Figure 16 demonstrating the car parking distance was added and in Chapter 6, the table of the Hierarchy of Play from the Open Space Strategy was added to clarify the requirements for open spaces.

Once adopted, the 7 chapters with housekeeping amendments will be published on the Council website. The Introduction chapter will also be amended to reference this amendment (amendment number 36). Public notice of the adoption will be given, in accordance with the Environmental Planning and Assessment Regulation 2021, and the amendments then come into effect.

Attachment/s

- | | |
|---|----------------|
| 1. Submissions to Housekeeping Amendments 2025 | (Over 7 pages) |
| 2. Housekeeping updates DRAFT Part A Chapter 1 Residential DevelopmentV2 | (Over 7 pages) |
| 3. Housekeeping update DRAFT Part A Chapter 3 _Industrial Development | (Over 7 pages) |
| 4. Housekeeping update DRAFT Part A Chapter 4 Rural and Nature-Based Tourism Development | (Over 7 pages) |
| 5. Housekeeping update DRAFT Part A Chapter 5A Urban Residential Subdivision | (Over 7 pages) |
| 6. Housekeeping updates DRAFT Part A Chapter 6 Village Large Subdivision and InfrastructureV2 | (Over 7 pages) |
| 7. Housekeeping updates DRAFT Part A Chapter 11 - Buffer Areas | (Over 7 pages) |
| 8. Housekeeping update DRAFT Part A Chapter 18 Extractive Industries | (Over 7 pages) |

Report

Subject	Investments - March 2025
TRIM Record No	BP25/162:EF22/122-3
Prepared by	Management Accountant
Reason	Required by Local Government Act 1993, Local Government (General) Regulation 2021 and Council's Investment Policy
Strategic Theme	Leadership and participation
Strategy	We provide effective management and responsible governance.
Action	Ensure the efficient and effective operation of Council.

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 including Council’s operational bank accounts, restricted funds held for specific grants projects that required separate bank accounts to be held as well as amounts 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 for Operations	Restricted Cash Accounts
March 2025	\$112,909,861	\$2,148,876	\$2,042,965

Investments Reserved

Note that while Council holds significant investments the majority of these investments relate to externally and internally restricted assets. Externally restricted assets include unexpended grants, developer contributions, water and sewer funds, Stormwater Management, Domestic Waste, Waste Minimisation and Trust funds. Internally restricted assets include unexpended special rate variations, carry forward works, Emergencies reserve, Economic Development and Growth reserve and the Public Infrastructure and Buildings reserve. Reserves are made up of the water fund, the sewer fund, developer contributions, and grant funded projects that do not require a separate bank account.

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 to maintain liquidity and the account is earning a rate of return of 4.18% (RBA cash rate plus 0.08%). 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
March 2025	\$55,610,565

Socially Responsible Investments

In March the percentage of the portfolio invested in Socially Responsible Investments (SRI) has decreased to 35% from 45%, the total value of SRI’s was decreased to \$39 million from a \$47 million balance the previous month.

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

Investments returns

March investments returned 4.78%, this is compared to the annualised Bank Bill (BB) Index bank rate of 4.16%. For the 12 months ended March 2025, Council's portfolio has returned 4.94% compared to the Annualised BB Index bank rate of 4.46%.

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
March 2025	\$112,909,861	\$114,285,103	\$104,740,788	\$106,109,249	4.78%	4.16%	35%

*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 March, Council received payments relating to the second & third rates instalment, 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 approximately \$2.149 million held in various bank accounts, being operational accounts. These are not included in the Investment portfolio.

Council also held approximately \$2.043 million in restricted bank accounts; being amounts held for specific grants that required bank accounts and amounts held in trust. These are not included in the Investment portfolio.

Council also holds advance flood funding of approximately \$55.611 million to expend on 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 4.18%.

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 March 2025 was \$39 million, the percentage of the portfolio held in SRI’s is 35%, down from 45% the previous month.

* Note - this includes Fossil Fuel Free Investments

Portfolio structure

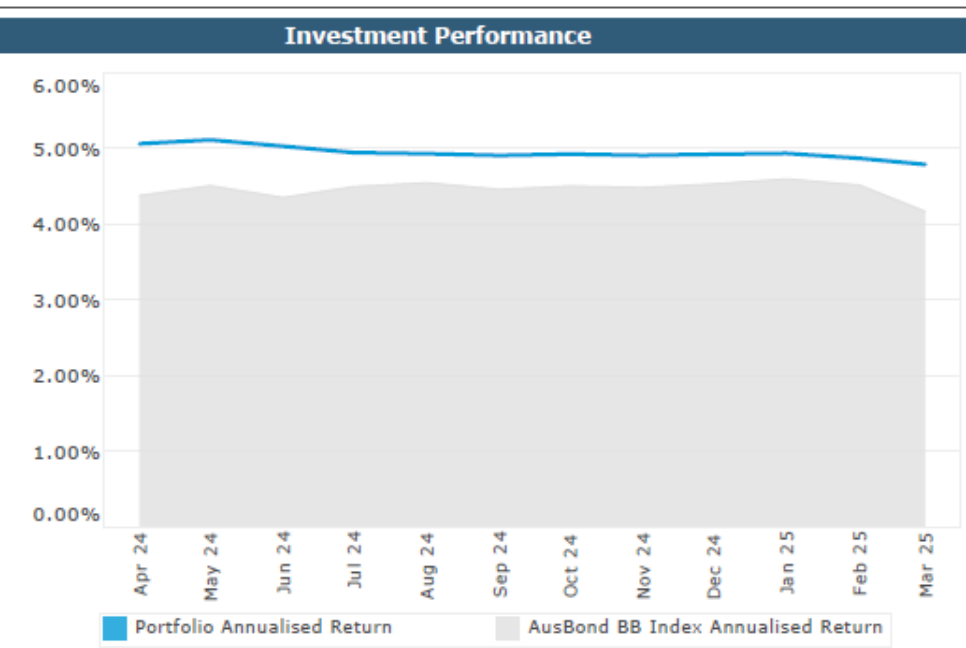
Council is limited in its investment options in accordance with the Minister’s Investment Order and the Investment Policy adopted by Council. The current portfolio is split between cash and fixed deposits. These offer a lower return to other products however have a greater security around capital protection.

**Lismore City Council
Executive Summary - March 2025**

Investment Holdings

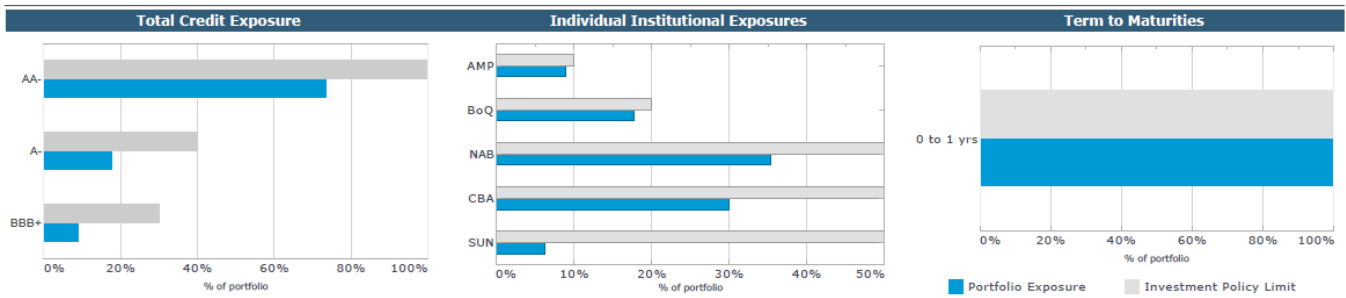
	Face Value (\$)	Current Value (\$)	Current Yield (%)
Cash	33,909,861	33,909,861	4.1793
Term Deposit	79,000,000	80,375,242	4.9568
	112,909,861	114,285,103	4.7233

Investment Performance



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

Compliance with Policy Requirement



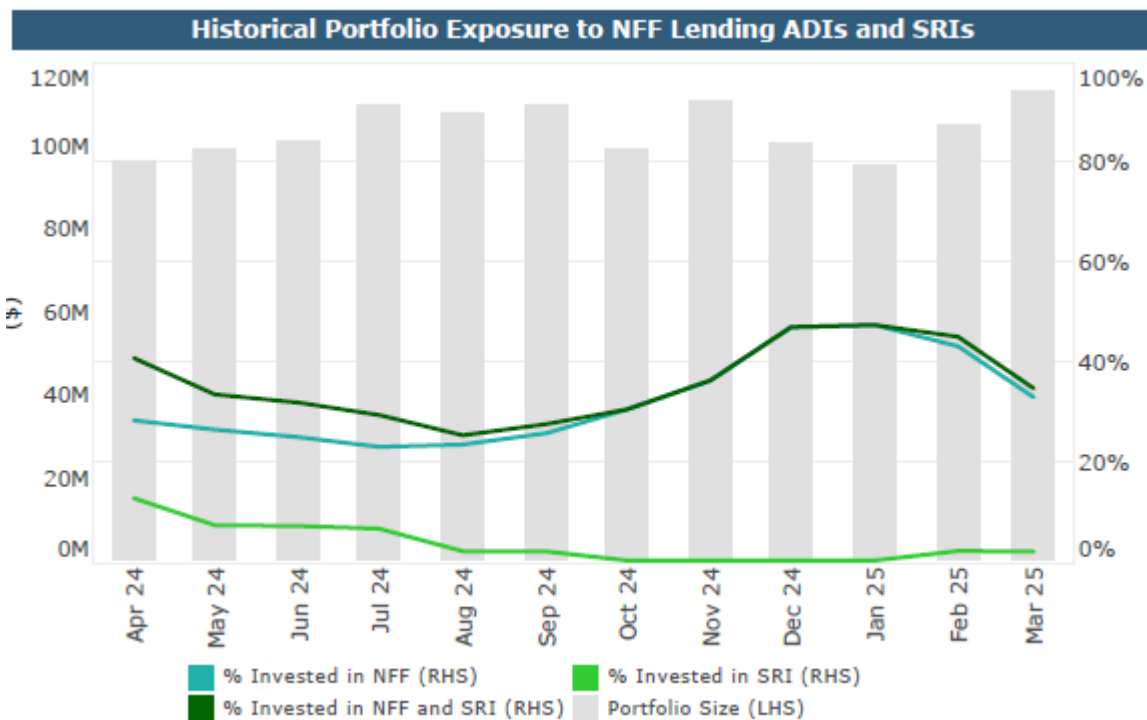
Socially Responsible Investments (SRI's)

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.



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 amount has been included in the Investment Portfolio - Commonwealth Bank of Australia \$33,895,051. This 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 these accounts are excluded, then Council's Ethical Investment ratio is 49.38%.

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 March 2025 is provided.

Attachment/s

1. LCC March 2025 Prudential Investment Report (Over 7 pages)

Notices of Motion / Questions with Notice



Notices of Motion / Questions with Notice

Subject **Mayoral Attendance Report**

TRIM Record No BP25/152:EF19/25-7

That Council receives the Mayoral Attendance Report for March 2025.

March

- 3 Senator Tony Sheldon visit
 Media interviews – 2GB, ABC Statewide
- 4 Kevin Hogan MP & Senator Perin Davey
 Media interviews – 7 News, 9 News, A Current Affair
- 5 Media interviews – Today Extra, 2GB, SBS World News, ABC Melbourne, 7 News, Prime News, Paul Murray Show
- 6 Media interviews – Sunrise, ABC News, 9 News, 4BC, 7 News
- 7 Media interviews – Sky News, ABC News, 2GB, Sunrise, Steve Price Show, ABC 7.30 Program
- 8 Media interview – BBC News
- 9 Media interviews – Today, Sunrise
- 10 Media interviews – Sunrise, Sky News, Radio FIVEaa, Morning Show
 Meeting with Prime Minister Anthony Albanese
- 12 Meeting with Australian Defence Force
 Meeting with Australian Red Cross
- 13 Meeting with Premier Chris Minns
- 17 Northern Rivers Community Leaders Forum
- 18 Meeting with SES Deputy Commissioner
 Meeting with Recovery Coordinator
 Site Inspection – Eastwood Estate
 Councillor briefing
- 19 Rous County Council workshop
 Media interview – ABC 7.30 Program
- 20 Citizenship Ceremony
- 21 Media Event: Nimbin Rainbow Walk
- 25 Extraordinary Council meeting
- 26 Business After Hours
- 27 Community Strategic Plan workshop
- 27-28 Country Mayors Association
- 31 Councillor workshop

Notices of Motion / Questions with Notice

Attachment/s

There are no attachments for this report.

TRIM Record No: BP25/152:EF19/25-7



Citizenship ceremony

Nimbin Rainbow Walk



Country Mayors Association

Notice of Motion / Question with Notice

Councillor Jeri Hall has given notice of intention to move:

That Council writes a supporting letter to the Bexhill Quarry Parklands Association.

Councillor Comment

Outcome Sought

Bexhill Quarry is a beautiful, natural tourist attraction in our LGA which is known throughout the area and the country. This letter provides support to the Bexhill Quarry Parklands Association in their efforts to transform the Quarry into a regional parkland bringing tourism and economic development to our town.

Cost of Implementing

Nil

Funding Source

Nil

Officer Consulted

Nil

Officer Comment

General Manager

In 2023 Crown Lands sent a community update to Council regarding the Bexhill Quarry, stating “Crown Lands has recently replaced damaged fencing around the abandoned Bexhill Quarry Site and wish to advise the community that the site is a closed site with no legal access (access requires trespass on TfNSW land and Crown land)”

Council recently contacted Crown Lands, as landowners for the site, to seek its current position on the site and was provided the following comment:

“The Bexhill Quarry is a contaminated area, a safety review completed by Legacy Mines as the regulators of the site identified several dangerous hazards, including a steep unstable quarry wall approximately 25 to 30 metres above the water, an unknown depth increasing the risk of drowning, unknown underwater structures including dumped vehicles and high levels of acidity in the water which may be harmful to swimmers.

Public recreation of the reserve is not supported due to the contamination and public risk.”

Attachment/s

There are no attachments for this report.

TRIM Record No: BP25/150:EF19/25-7

Notice of Motion / Question with Notice

Councillor Virginia Waters has given notice of intention to move:

That Council:

1. begins the process to exercise due diligence and develop the business case to support the potential acquisition of 40 Cullen Street, Nimbin (the former Vinnies building)
2. prepares a formal Expression of Interest (EOI) requesting St Vincent's to provide Council and its community partners with sufficient time to undertake the required due diligence and business case development
3. commits to working in partnership with the Nimbin Chamber of Commerce, Aquarius Archives Centre, and other relevant community organisations to explore
 - a. the acquisition opportunity as a priority
 - b. opportunities for a collaborative approach to ensuring its viability into the future as a self-financing operation
4. includes Cullen Street, Nimbin, in the upcoming Council Property Strategy Review, recognising it as a significant opportunity and its cultural, community and economic significance

Councillor Comment

Outcome Sought

It has recently come to attention that the property at 40 Cullen St, Nimbin (1018m²), the former St Vincent's de Paul building, has been placed on the market, with the owners currently seeking expressions of interest (EOI). This property represents a rare and timely opportunity for council to establish a physical presence in Nimbin.

The Nimbin Chamber of Commerce and community stakeholders, including the Aquarius Archives Centre, have approached Council seeking to collaboratively explore the opportunity to acquire the building as a key council and community asset.

This proposal aligns with the Nimbin Place Plan, unanimously adopted by Council in November 2024. The Place Plan specifically identified 40 Cullen Street as a preferred site, stating:

"The community of Nimbin desire a permanent public library and community hub. In addition to a library the site could host a museum, archive centre, visitor information centre as well as shared spaces for use by the community." (Pg. 32, Nimbin Place Plan 2024)

The Plan further noted that the building is an "underutilised facility in the perfect geographic location" with ample floor space and on-site parking, negating the need for significant capital investment compared to constructing a new facility elsewhere.

This is also reinforced by the Lismore, Nimbin and Villages Destination Management Plan (DMP) 2024-2028 which identifies the re-establishment of a Visitor Information Centre (VIC) in Nimbin as a priority. The DMP notes that VICs remain essential for delivering reliable, high quality and impartial visitor services, even in the digital age. It also highlights the value of co-located VICs with attractions or public facilities a model 40 Cullen Street is suited to.

Re-establishing a VIC in Nimbin is supported by Nimbin Chamber of Commerce (identified as a priority in their recent business survey) it will support visitor engagement, boost overnight stays, and contribute to the economic recovery in one of NSW's most distinctive and previously visited communities, one of the

Notice of Motion / Question with Notice

jewels in the LGA crown. It is vital in reestablishing Nimbin within the region's tourism future. The closure of both the Nimbin and Lismore VICs in March 2020 has been a significant loss to the visitor economy and local businesses, and this proposal provides a strategic opportunity.

Community stakeholders have confirmed broad support for exploring this opportunity. However, significant due diligence is required to assess acquisition costs, redevelopment requirements, and operational risks.

Given time constraints related to the current EOI process, an immediate priority is to seek an extension from St Vincent's to allow a thorough business case to be developed in collaboration with the community.

Cost of Implementing

Financial implications will be fully explored during the due diligence and business case development phase.

Funding Source

The funding to be included in the due diligence and business case development phase; include consideration of acquisition costs, refurbishment and operational costs, and potential partnerships to offset long-term Council expenditure, actively seeking grant funding or possible sales of other assets to offset.

Council to also inclusion for this project in the upcoming budget and delivery program to ensure the project can progress.

Officer Consulted

General Manager

Officer Comment

Head of Finance

Formal sign off to be provided in due course pending progressing with business case development.

Property Services Manager

40 Cullen Street, Nimbin being Lot 21 DP6835 is offered for sale via Expressions of Interest closing 28 April 2025 at 12pm, see attached Information Memorandum.

Once the budget has been identified and the decision to acquire the property is supported, the process is as follows: Engage a valuer to conduct an independent valuation to determine the market value of the subject site, providing the basis for an offer to be submitted via the EOI process.

Due diligence can be conducted before making an offer to the landowner. If time does not permit, the EOI may be subject to a due diligence process, or Council may negotiate a due diligence period as a condition of the contract, allowing access to the property for necessary investigations. The landowner would be required to sign any necessary documents to facilitate Council's due diligence. If Council, at its sole discretion, is not satisfied with the due diligence findings, it may rescind the EOI/contract.

Due diligence may include:

- survey reports,
- building and pest inspections,
- condition report to inform ongoing maintenance budget,
- review of current Das/planning advice,
- soil testing,
- and other relevant assessments.

Notice of Motion / Question with Notice

A resolution of Council is required to acquire real property which delegate authority to the General Manager to negotiate the terms of the EOI submission, purchase price and the terms of any subsequent contract for the sale and purchase of land, the resolution will include the proposed classification of the land upon acquisition being either operational or community.

Head of Customer Experience

Feedback received through the last two annual budget processes with the RTRL member councils, indicates there is no appetite to increase operating costs for libraries for the foreseeable future.

Attachment/s

1. [↓](#) INFORMATION MEMORANDUM - 40 Cullen Street, Nimbin

TRIM Record No: BP25/148:EF19/25-7



40 CULLEN STREET, NIMBIN NSW 2480

INFORMATION MEMORANDUM

EXECUTIVE SUMMARY

ADDRESS	40 Cullen Street, Nimbin NSW 2480
TITLE	Lot 21 DP6835
ZONING	RU5 - Village
SITE AREA	1,012m ² *
FRONTAGE	20m* to Cullen St
COUNCIL RATES	\$1,703.00*
WATER RATES	\$552.00*
LEASE	Vacant Possession
TOWN PLANNING	Upper Hunter Shire Council

*Approximately.



METHOD OF SALE
 40 Cullen Street, Nimbin is offered for sale via Expressions of Interest closing 28th of April 2025 at 12pm (AEST).

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THE LOCATION

LOCATION OVERVIEW

Nimbin is a lush hinterland town located 75 minutes inland from Byron Bay. It is located 766km north of Sydney via the Pacific Highway and Lismore, and 179km south of Brisbane. Historically a small town in the middle of a dairy and timber district, Nimbin is now known as a hub of counterculture and alternative social activities thanks to the 1973 Aquarius Festival.

Today it remains a popular tourist destination for people participating in alternative lifestyle choices among the rainforest-shrouded Northern Rivers region of New South Wales far North Coast. The town of 1,607 people lies in the Lismore City Council LGA and contributes to the regions strong \$3 billion Gross Regional Product through its strong tourism and retail trade industries.

SUBJECT SITE DESCRIPTION

The site lies on a rectangular shaped parcel to the west of Cullen Street. The site slopes down from the road with parking to the rear accessed via the side driveway. The 1,017m² site lies directly across from Nimbin Multi-Purpose Service, a major local community service centre providing medical and emergency services to the surrounding region.

SURROUNDING DEVELOPMENT OVERVIEW

Underpinning Nimbin's prosperous future lies recent Local, State and Federal government investment into the Northern Rivers region. Previous projects include the State and Federal governments Rainbow Road Walking Track and several nearby road infrastructure projects like the Nimbin Road Slip, while concept designs are moving ahead from the Minns Labor Government for a new water filtration and treatment system that will produce better quality water for the town's 2,422* residents. From a local perspective, Lismore City Council continues to support the local economy with upgrades to bridges, roadways and streetscapes.





METHOD OF SALE

40 Cullen Street, Nimbin is offered for sale via Expressions of Interest closing 28th of April 2025 at 12pm (AEST).

Offers must clearly address the following matters (at a minimum):

- Price, deposit amount and settlement period
- Due diligence time required (if any)
- Board and other approval processes
- Capacity to complete
- Funding requirements
- Any other conditions and approvals
- Process and timing

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40 CULLEN STREET, NIMBIN NSW 2480

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Notice of Motion / Question with Notice

Councillor Big Rob has given notice of intention to move:

That Council organise CBD flood response planning sessions in late November and late February each year, inviting experienced flood and weather forecasters from the local Lismore SES unit and the BOM to speak about expectations, to assist attendees to better understand and prepare for flood and weather events regularly experienced in the Lismore area.

Councillor Comment

Outcome Sought

Significantly improved flood preparedness and more accurate information dissemination.

Cost of Implementing

TBA

Funding Source

TBA

Officer Consulted

Nil

Officer Comment

Head of Shared Services

The development of the LCC Emergency Management Framework and revision of operational response plans will take this request into consideration noting other existing points of contact with relevant agencies.

As per the Council resolution regarding Flood Awareness Week (flood preparedness campaign), should the Live Flood Ready campaign continue as an annually funded activity, activities such as the outlined can also be considered. This would need to be included in the 2025-2026 budget.

The below media release was issued regarding the campaign.

Following feedback from the community, Lismore City Council has launched a new flood preparedness campaign – Live Flood Ready – to raise awareness in households, on how to prepare for one of Lismore’s most recognised natural hazards.

Council has partnered with the lead emergency service, the NSW SES, to bring together up-to-date information and tips on how to prepare for a flood in one easy-to-access location so households can make informed decisions about their flood risk.

Lismore Mayor Steve Krieg said the approach of tropical Cyclone Albert was a reminder that is important that we do not become complacent.

“Those who have lived in Lismore all their lives understand the reality is Lismore is built on a floodplain, and we will flood again,” he said.

“It is up to each one of us to ensure that we are prepared, we have a plan, and we are ready to act if we need to. We all have a role to play and should not solely rely on SES volunteers in a severe weather event.”

Notice of Motion / Question with Notice

The four-week campaign, which will encourage the community to go to the updated flood information section of Council's website, will include jargon-free flood terminology, tips and tools to Live Flood Ready, available apps to download, and links to the NSW SES and other useful websites and social media pages to follow and stay informed.

In addition to this education campaign, Council will also work closely with the NSW Reconstruction Authority and NSW SES on a regional program later this year to increase community flood-risk awareness. The Australian Government will fund this work through the Northern Rivers Recovery and Resilience Program (NRRRP).

Did you know Council's role during a local flood emergency is to:

- *serve as a conduit for key information on the emergency event from the State Emergency Service and police.*
- *support the NSW SES, the lead agency in an emergency, with the resources, people and equipment they need to manage the emergency and any follow-up recovery actions.*
- *continue our constant and close monitoring of Council-managed open spaces, reserves, facilities, telemetry, levee system and roads for any impacts*
- *mobilise our own resources, people and equipment to respond to any identified impacts.*
- *provide key information to the community and relevant stakeholders about how Council's services or facilities are impacted such as Water and Sewer Services, Waste Collection and availability of Council Services.*
- *support community led approaches to coping with emergencies.*

Council works closely with the Local Emergency Management Committee (LEMC) to ensure that all aspects of Emergency Prevention, Preparedness, Response, and Recovery are well supported and resourced.

Attachment/s

There are no attachments for this report.

TRIM Record No: BP25/145:EF19/25-7

Notice of Motion / Question with Notice

Councillor Big Rob has given notice of intention to move:

That Council staff action the previous resolution of Council requiring the establishment of a Disaster Management Committee prior to the end of the current financial year.

Councillor Comment

Outcome Sought

Staff prompt compliance and improved community safety.

Cost of Implementing

TBA

Funding Source

TBA

Officer Consulted

Nil

Officer Comment

Head of Shared Services

The function of the Disaster Management Committee is being included as part of the development of the LCC Emergency Management Framework. This is expected to be completed prior to the end of the current financial year with recommendations to be presented to the Executive and councillors.

Attachment/s

There are no attachments for this report.

TRIM Record No: BP25/146:EF19/25-7

Notice of Motion / Question with Notice

Councillor Big Rob has given notice of intention to move:

That Council organise an open public consultation session to consider and identify solutions to any local crime concerns, inviting our Federal and State MPs, police, ambulance and hospital representatives, as well as local security firms, to contribute to the discussion and to help resolve any issues.

Councillor Comment

Outcome Sought

Many members of our community are sharing concerns about local crime. Whether or not crime is actually increasing is to be determined, noting that reporting rates might just be dropping off as many become frustrated and no longer call for assistance. Regardless, the perception that crime is increasing, it is worsening, responses are mostly inadequate, and that punishment is almost non-existent is quite real and growing. Before the issues can be addressed, we need to understand exactly what is going on so we can start working on solutions to resolve any issues.

Cost of Implementing

TBA

Funding Source

TBA

Officer Consulted

Nil

Attachment/s

There are no attachments for this report.

TRIM Record No: BP25/154:EF19/25-7

Notice of Motion / Question with Notice

Councillor Big Rob has put the following question with notice:

Can staff please explain why documents should not come back to council for 'signing'?

Attachment/s

There are no attachments for this report.

TRIM Record No: BP25/151:EF19/25-7

General Manager's response:

As councillors have previously been advised, in May 2021 the following was resolved:

13.3 Use of Council Seal

That:

1. a briefing be scheduled concerning documents for signing and sealing.
2. in the interim, agreements be signed by the General Manager under existing delegations **to avoid commercial disadvantage to Council and the proposed occupiers** that could suffer if agreements were required to be reported to Council prior to being signed.

(Councillors Marks/Bird) (BP21/343)

Voting for: Councillors Bird, Casson, Cook, Ekins, Marks and Moorhouse

Voting against: Councillors Guise and Lloyd

A briefing was held on 6 July 2021. As there were no further resolutions the status quo remains with the General Manager signing leases, licences, MOUs and associated documents, as per their delegations.

A Documents for Signing report to Council will only occur when a resolution of Council is required. Any documents signed under this delegation will be advised to councillors via City Notes.

Notice of Motion / Question with Notice

Councillor Big Rob has put the following question with notice:

Not including excessive spending on footpath painting and other 'art', can the General Manager please outline the plan and expected completion date for the CBD clean up following the 2022 floods, and any plan for ongoing maintenance of the Lismore CBD?

Attachment/s

There are no attachments for this report.

TRIM Record No: BP25/144:EF19/25-7

General Manager's response:

Plans are underway for the creation of a precinct-based model that will see a specific CBD work team created with appropriate budget and staffing allocated for ongoing maintenance of the CBD commensurate with community expectations within the 2025-20/26 financial year.

In regard to work undertaken since the 2022 flood, please see the below list of finalised and ongoing Flood Restoration Team projects relating to the CBD and surrounding area. There is no specific date for completion of all projects, however indicative completion dates are within the 2025-2026 financial year.

Lismore Library
Lismore Municipal Building - Old Council Chambers
Lismore City Hall
Laurie Allen Centre
Visitor Information Centre
Family Support Network - Old Scout Hall
Stocks Park (Cedar Log Shed)
Lismore Old Gallery
Lismore Memorial Baths
Lismore Regional Gallery
CWA Building
Croquet Club
Lismore Transit Centre
The Quad Park
Urban Road Package 2 - Minor Works Package
Road furniture CBD - bollards, street lighting, signage
CBD Drain Cleaning - Drainage (Various)
Urban pavement, drainage and furniture damages
Browns Creek Pump Station

CBD Tractor Pump Station
Hollingsworth Pump Station
Gasworks Pump Station
Snow St and Chain St Pump Stations
Mechanical Trash Rack - Browns Creek
Mechanical Trash Racks - Hollingsworth
Mechanical Trash Racks - Gasworks
Hollingsworth Flood Gate Refurbishment
Fibre Connect all Pump Stations
Widen Browns Creek Culvert Brewster Street

Notice of Motion / Question with Notice

Councillor Big Rob has put the following question with notice:

Can the General Manager please confirm if new developments are required to address access issues, direct councillors to any legislation which may exempt council from including adequate disabled access to such infrastructure as the recently opened Nimbin Rainbow Walk and the Rail Trail, outline the parts of the Walk which are accessible, and explain why council would decide to progress new infrastructure without adequate disabled access if every new development is required to address access issues?

Attachment/s

1. [Council's Equity in Access Policy](#)

TRIM Record No: BP25/147:EF19/25-7

General Manager's response:

New developments are required to address the *Disability Discrimination Act* (DDA) under section 23, but also recognises that 'unjustifiable hardships' may exist in delivering universal access. There are no minimum technical compliance standards under the DDA that can be referred to for footpaths. However, Australian Standard 1428 parts 1 and 2 provide guidelines on what can be considered good practices in these regards. Successful claims against DDA complaints demonstrate there is/are 'unjustifiable hardship(s)' (i.e. cost, technical difficulties, use of buildings/places) and only the Federal Magistrates Court may determine when an unjustifiable hardship exists.

Nimbin Rainbow Road Walking Track

Consideration has been given to accessibility for the Nimbin Rainbow Track during the planning and design phase of the project. The design process included consultation (including the LCC Disability Inclusion Advisory Group) where it was understood that wheelchair access would be a priority for the community, however, only where achievable given the significant land grades experienced in the southern section of the land. Significant effort was placed in the design phase to achieve accessibility grades in the northern portion, achieving accessibility for over 60% of the overall track, and ensuring that 90% of the picnic facilities, bins, artworks, seating, shade shelter and interpretive signage were accessible. Due to the known difficult terrain, particularly on the southern section, and to maintain environmental outcomes, the project was designed as a 'track', as deemed by its name, the Nimbin Rainbow Road Walking Track, and as such was designed on the principles and standards based on the Australian Standards for Walking Tracks – AS 2156, aiming to achieve a walking track to similar standards as those in nearby National Parks.

Design Process:

- the project scope and objectives were to design a "track" in keeping with Nimbin and its community.
- the Business Case referenced the walking track would be designed to the Australian Walking Track Standards.
- the Australian Standard for Walking Tracks (AS2156) was referenced during design development of the Nimbin Rainbow Walking Track where it was considered that a Class 1 Track (accessible) would be achieved in areas with smaller grades, and a Class 2 Track (minimal use of steps) where grades were steep.

Notice of Motion / Question with Notice

Consultation:

- consultation through the design process included the Disability Inclusion Advisory Group where feedback was provided to the group regarding the significant grades that could not achieve accessible standards.
- two workshops in Nimbin with selected community members and land holders resolved that maintaining the naturalness of the walk was important including accessibility were possible. Both items were considered during the design.
- the project was advertised on a Your Say Lismore page.
- the Development Application was advertised in the usual manner.

The Review of Environmental Factors (REF):

- highlights that wheelchair access was achieved to parts of the track.
- did not require any further design consideration for accessibility.

Please find attached Council's Equity in Access Policy:

- the objective is to "provide for 'reasonable' equity in access....".
- the policy requires public open spaces to be developed to the design standards in the Building Code of Australia and AS1428 which has been achieved.

Rail Trail

The technical specification for the Rail Trail was developed in accordance with the Australian Standard AS 1428 (Design for Access and Mobility) and the Austroads Guide to Design Part 6A: Paths for Walking and Cycling. The technical specification served as the foundation for the design process. The final design and construction adhered to these standards.

Additionally, the online detailed accessible amenity information was updated upon completion of the Lismore to Bentley section. For more details, please refer to the link below.

<https://www.northernriversrailtrail.com.au/about/users-and-usage/access-for-all>



POLICY MANUAL

Policy title:	EQUITY IN ACCESS AND PROVISION OF FACILITIES TO PUBLIC SPACES AND PUBLIC BUILDINGS FOR PEOPLE WITH DISABILITY AND SPECIFIC NEEDS POLICY
Policy number:	5.2.10
Objective:	To provide for reasonable equity in access and provision of facilities to public spaces and public buildings for people with disability and specific needs.
Link to community vision/service:	Quality of Life, Infrastructure
Program Area:	Environmental Health & Building Services; Planning Services; Roads and Parks
Policy created: 8/12/92	Council reviewed: 5/9/95, 14/7/98, 11/9/07
Last reviewed by staff: 11/9/07	TRIM Ref: ED10/15903 & ED16/27093

STATEMENT OF INTENT:

The needs of people with a disability are to be considered in all Council works and approvals.

DEFINITIONS:

For the purposes of this policy the following definitions apply:-

- "developer" includes Council and private and public sector developers.
- "Public Spaces" includes footpaths; carparks; public toilets; market places, plazas or the like; public and commercial swimming pools; parks and gardens; and pedestrian areas between these facilities; and areas external to buildings on non-public land that links any of the foregoing to the buildings on the land.
- "Public Buildings" means buildings ordinarily accessible to members of the public and includes buildings in private and public ownership.

1. All new public buildings of all classes shall provide appropriate access and facilities for people with disability.
2. When carrying out significant renovation or alteration works to public buildings, developers are required to provide access for the people with disability where it is reasonable to do so, having consideration for the Disability Discrimination Act and the requirements of the Building Code of Australia (BCA).
3. All new public spaces shall be developed to the design standards provided in The Building Code of Australia and AS1428.

5. When carrying out reconstruction or significant maintenance works to public spaces, developers shall provide access for people with disability as contained in Item 3 of this policy unless it is unreasonable to do so and evidence to this effect is provided and approved by Council.
6. Accessible toilet facilities shall be unisex, and, if using MLAK system, add details to the NSW MLAK register.
7. Approved baby change facilities shall be provided within accessible toilet facilities and the facility shall be provided with appropriate signage.
8. If there are provisions within this policy which requires a lesser standard than required by the objectives or provisions of the Building Code of Australia (BCA) then the BCA requirements have priority.

Confidential Business



Confidential Matters – Closed Council Meeting

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

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

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

Clause 34 of Council Code of Meeting Practice

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

Recommendation

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

Item	12.1 RFQ Q25/11 Urban Rivers and Catchments Program
Grounds for Closure	Section 10A(2) (d i):
Public Interest	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.
Item	12.2 T2025-08 Supply and Delivery of Ready Mixed Concrete Tender
Grounds for Closure	Section 10A(2) (d i):
Public Interest	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.
Item	12.3 T2025-07 Supply or Supply & Installation of Road Safety Barrier Systems
Grounds for Closure	Section 10A(2) (d i):
Public Interest	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.

Item	12.4 General Manager appointment
Grounds for Closure	Section 10A(2) (a):
Public Interest	Discussion of this matter in an open meeting would on balance be contrary to the public interest because it relates to: personnel matters concerning particular individuals (other than councillors).

**MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE CITY OF LISMORE HELD IN
COUNCIL CHAMBERS ON TUESDAY 11 FEBRUARY 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 Drew, Acting Chief Operating & Financial Officer; Mr Butron, Chief Corporate & Community Officer; Mr Hewage, Financial Accountant; Mr Campbell, IT Operations Coordinator; 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

Nil

Confirmation of Minutes

1/25 **RESOLVED** that the minutes of the following meeting be confirmed:

- Ordinary Council meeting 10 December 2024
- Confidential Council meeting 10 December 2024
- Extraordinary Council meeting 19 December 2024

(Councillors Gordon/Jensen)

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

Voting against: Nil

Disclosures of Interest

Clr Gordon declared a Non-Pecuniary, Non-Significant Conflict of Interest for the following item:

11.3 Planning Proposal to rezone an Urban Release Area at 1055 Bruxner Highway, Goonellabah

Nature: I am a real estate agent

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:

Reports of the General Manager

11.2 DA5.2023.301.1 - Subdivision to create two (2) lots and the construction of a new dwelling on proposed Lot 2 and associated infrastructure at 7 Booyong Road, Clunes

AGAINST	Deb McKenzie
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Notices of Motion / Questions with Notice

12.2 Property Strategy

AGAINST	Robert Smith, Richmond River Historical Society, Lismore Museum
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Councillor Jensen left the meeting, the time being 10:47AM

Councillor Jensen returned to the meeting, the time being 10:48AM

12.5 Lismore Chamber of Commerce Funding

FOR	Felicity Hyde, Business Lismore
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Councillor Bing left the meeting, the time being 10:50AM

Councillor Bing returned to the meeting, the time being 10:52AM

Councillor Hall left the meeting, the time being 10:57AM

Councillor Hall returned to the meeting, the time being 10:58AM

Public Question Time

Mr Jim Richardson asked the following questions:

Can the General manager please advise councillors, and the public, of the estimated cost of both staff hours and materials for installing signage for a named bridge on a minor road, and the volume of potholes that might be repaired with the same resourcing?

Thank you for the question, I will take the question on notice and provide a response, as per the Code of Meeting Practice, in 10 days.

Can the General Manager outline the reasoning behind having female staff addressed by their preferred honorific, in the proposed Code of Meeting Practice, yet omitting any provision for other preferred honorifics unrelated to marital status?

Thank you for the question, there is no reason. Councillors can make any amendment to this clause.

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

Altering Order of Business

2/25 **RESOLVED** that the order of business be altered to debate the following matters raised during Public Forum:

- 11.2 DA5.2023.301.1 - Subdivision to create two (2) lots and the construction of a new dwelling on proposed Lot 2 and associated infrastructure at 7 Booyong Road, Clunes
- 12.2 Property Strategy
- 12.5 Lismore Chamber of Commerce Funding

(Councillors Hall/Battista)

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

Voting against: Nil

Absent: Councillor Dalton-Earls

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

11.2 DA5.2023.301.1 - Subdivision to create two (2) lots and the construction of a new dwelling on proposed Lot 2 and associated infrastructure at 7 Booyong Road, Clunes

MOTION moved that Council:

1. defer consideration of this matter till the March ordinary Council meeting
2. request the General Manager to bring back conditions for approval for this development application

(Councillors Guise/Knight-Smith)

AMENDMENT moved that Council:

1. defer consideration of this matter till the March ordinary Council meeting
2. request the General Manager to provide an option with conditions allowing councillors to approve this development application

(Councillors Rob/Hall)

Councillor Knight-Smith left the meeting, the time being 11:31AM

Councillor Knight-Smith returned to the meeting, the time being 11:32AM

FORESHADOWED MOTION moved that pursuant to Section 4.16 of *the Environmental Planning & Assessment Act 1979 (EP&A)*, development application No. 5.2023.312.1, for the subdivision of one lot to create 2 lots and associated driveway, carport, vegetation management works and on-site effluent disposal systems at 7 Booyong Road Clunes, be **refused** for the following reasons:

1. the proposed development does not provide for the orderly development of the site or good design and amenity of the built environment due to undersized lots and unacceptable sewage management arrangements (Section 1.3 of the *EP&A Act 1979*).
2. the proposed development is inconsistent with the following clauses of *Lismore Local Environmental Plan 2012* (Section 4.15(1)(a)(i) of the *EP&A Act 1979*):
 - a. Clause 2.3 – Zone objectives
 - b. Clause 4.1 – Minimum subdivision lot size
 - c. Clause 4.6 – Exceptions to development standards
 - d. Clause 6.4 – Drinking water catchments
 - e. Clause 6.9 – Essential services
3. the proposed development is inconsistent with the following requirements of the *Lismore Development Control Plan, Part A, Chapter 1 – Residential Development* (Section 4.15(1)(a)(iii) *EP&A Act 1979*):
 - a. Element 4.10 – On-Site Sewage and Waste Water Management.
4. the proposed development is inconsistent with the following requirements of the *Part A, Chapter 6 – Village Subdivision of the Lismore Development Control Plan* (Section 4.15(1)(a)(iii) *EP&A Act*):
 - a) Element 4.1 – Lot Size

- b) Element 4.9 – Sewer (non-reticulated areas)
5. the site is not suitable for the proposed development (Section 4.15(c) of the *EP&A Act 1979*)
 6. the proposed development is not in the public interest (Section 4.15(e) of the *EP&A Act 1979*)

(Councillor Gordon)

AMENDMENT moved and **DEFEATED** that Council:

1. defer consideration of this matter till the March ordinary Council meeting
2. request the General Manager to provide an option with conditions allowing councillors to approve this development application

(Councillors Rob/Hall)

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

Voting against: Councillors Battista, Bing, Gordon, Jensen, Krieg and Waters

RESOLVED that the motion be put.

(Councillor Dalton-Earls)

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

Voting against: Councillors Guise, Rob and Waters

3/25 On submission to the meeting the motion was **DEFEATED** that Council:

1. defer consideration of this matter till the March ordinary Council meeting
2. request the General Manager to bring back conditions for approval for this development application

(Councillors Guise/Knight-Smith) (BP24/737)

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

Voting against: Councillors Battista, Gordon, Hall, Jensen, Krieg and Rob

Councillor Jensen left the meeting, the time being 11:43AM

Councillor Jensen returned to the meeting, the time being 11:45AM

Councillor Hall left the meeting, the time being 11:50AM

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

Councillor Waters returned to the meeting, the time being 11:52AM

Councillor Hall returned to the meeting, the time being 11:53AM

- 4/25 FORESHADOWED MOTION that pursuant to Section 4.16 of the *Environmental Planning & Assessment Act 1979 (EP&A)*, development application No. 5.2023.312.1, for the subdivision of one lot to create 2 lots and associated driveway, carport, vegetation management works and on-site effluent disposal systems at 7 Booyong Road Clunes, be **refused** for the following reasons:
1. the proposed development does not provide for the orderly development of the site or good design and amenity of the built environment due to undersized lots and unacceptable sewage management arrangements (Section 1.3 of the *EP&A Act 1979*).
 2. the proposed development is inconsistent with the following clauses of *Lismore Local Environmental Plan 2012* (Section 4.15(1)(a)(i) of the *EP&A Act 1979*):
 - a. Clause 2.3 – Zone objectives
 - b. Clause 4.1 – Minimum subdivision lot size
 - c. Clause 4.6 – Exceptions to development standards
 - d. Clause 6.4 – Drinking water catchments
 - e. Clause 6.9 – Essential services
 3. the proposed development is inconsistent with the following requirements of the *Lismore Development Control Plan, Part A, Chapter 1 – Residential Development* (Section 4.15(1)(a)(iii) *EP&A Act 1979*):
 - a. Element 4.10 – On-Site Sewage and Waste Water Management.
 4. the proposed development is inconsistent with the following requirements of the *Part A, Chapter 6 – Village Subdivision of the Lismore Development Control Plan* (Section 4.15(1)(a)(iii) *EP&A Act*):
 - a) Element 4.1 – Lot Size
 - b) Element 4.9 – Sewer (non-reticulated areas)
 5. the site is not suitable for the proposed development (Section 4.15(c) of the *EP&A Act 1979*)
 6. the proposed development is not in the public interest (Section 4.15(e) of the *EP&A Act 1979*)

(Councillors Gordon/Battista) (BP24/737)

RESOLVED 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

- 5/25 **RESOLVED** that pursuant to Section 4.16 of the *Environmental Planning & Assessment Act 1979 (EP&A)*, development application No. 5.2023.312.1, for the subdivision of one lot to create 2 lots and associated driveway, carport, vegetation management works and on-site effluent disposal systems at 7 Booyong Road Clunes, be **refused** for the following reasons:

1. the proposed development does not provide for the orderly development of the site or good design and amenity of the built environment due to undersized lots and unacceptable sewage management arrangements (Section 1.3 of the *EP&A Act 1979*).
2. the proposed development is inconsistent with the following clauses of *Lismore Local Environmental Plan 2012* (Section 4.15(1)(a)(i) of the *EP&A Act 1979*):
 - a. Clause 2.3 – Zone objectives
 - b. Clause 4.1 – Minimum subdivision lot size
 - c. Clause 4.6 – Exceptions to development standards
 - d. Clause 6.4 – Drinking water catchments
 - e. Clause 6.9 – Essential services
3. the proposed development is inconsistent with the following requirements of the *Lismore Development Control Plan, Part A, Chapter 1 – Residential Development* (Section 4.15(1)(a)(iii) *EP&A Act 1979*):
 - a. Element 4.10 – On-Site Sewage and Waste Water Management.
4. the proposed development is inconsistent with the following requirements of the *Part A, Chapter 6 – Village Subdivision of the Lismore Development Control Plan* (Section 4.15(1)(a)(iii) *EP&A Act*):
 - a) Element 4.1 – Lot Size
 - b) Element 4.9 – Sewer (non-reticulated areas)
5. the site is not suitable for the proposed development (Section 4.15(c) of the *EP&A Act 1979*)
6. the proposed development is not in the public interest (Section 4.15(e) of the *EP&A Act 1979*)

(Councillors Gordon/Battista) (BP24/737)

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

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

12.2 Property Strategy

MOTION moved that:

1. the General Manager be requested to develop a Property Strategy, and an implementation model to implement the findings of the Property Strategy
2. the Strategy to include options for Council office presence in the CBD
3. the Property Strategy and implementation model be brought back to Council

(Councillors Krieg/Bing)

AMENDMENT moved that:

1. the General Manager be requested to develop a Property Strategy, and an implementation model to implement the findings of the Property Strategy
2. the Strategy to include options for Council office presence in the CBD
3. the Property Strategy and implementation model be brought back to Council
4. the General Manager immediately execute a lease to the Richmond River Historical Society at 165 Molesworth Street, Lismore as per the information supplied in the business paper in May 2024

(Councillors Knight-Smith/Guise)

FORESHADOWED AMENDMENT moved that:

1. the General Manager be requested to develop a Property Strategy, and an implementation model to implement the findings of the Property Strategy
2. the Strategy to include options for Council office presence in the CBD
3. the Property Strategy and implementation model be brought back to Council
4. priority be given to find a suitable location for the Richmond River Historical Society

(Councillor Battista)

Councillor Dalton-Earls left the meeting, the time being 12:30PM

Councillor Dalton-Earls returned to the meeting, the time being 12:33PM

6/25 AMENDMENT moved and DEFEATED that:

1. the General Manager be requested to develop a Property Strategy, and an implementation model to implement the findings of the Property Strategy
2. the Strategy to include options for Council office presence in the CBD
3. the Property Strategy and implementation model be brought back to Council
4. the General Manager immediately execute a lease to the Richmond River Historical Society at 165 Molesworth Street, Lismore as per the information supplied in the business paper in May 2024

(Councillors Knight-Smith/Guise) (BP25/35)

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

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

Councillor Jensen left the meeting, the time being 12:40PM

Councillor Jensen returned to the meeting, the time being 12:41PM

7/25 On submission to the meeting the foreshadowed motion was **RESOLVED**:

1. the General Manager be requested to develop a Property Strategy, and an implementation model to implement the findings of the Property Strategy
2. the Strategy to include options for Council office presence in the CBD
3. the Property Strategy and implementation model be brought back to Council
4. priority be given to find a suitable location for the Richmond River Historical Society

(Councillors Battista/Krieg) (BP25/35)

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

Voting against: Councillors Guise and Waters

8/25

The foreshadowed motion became the motion and was **RESOLVED:**

1. the General Manager be requested to develop a Property Strategy, and an implementation model to implement the findings of the Property Strategy
2. the Strategy to include options for Council office presence in the CBD
3. the Property Strategy and implementation model be brought back to Council
4. priority be given to find a suitable location for the Richmond River Historical Society

(Councillors Battista/Krieg) (BP25/35)

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

Voting against: Councillors Guise

At this point the meeting adjourned for a recess, the time being 12:54PM

The meeting resumed at 1:21PM

Matter of Urgency

9/2510/2 **DEFEATED** that the following issue be considered.
5

That Council implement the 14 May 2024 resolution regarding the licence agreement for the Richmond River Historical Society.

(Councillors Guise/Knight-Smith)

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

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

Councillor Gordon left the meeting, the time being 1:26PM

11/25 **DEFEATED** that Council immediately advise Richmond-Tweed Regional Library of its interest in the property at 2 Centenary Drive, Goonellabah.

(Councillors Rob/Bing)

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

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

Absent: Councillor Gordon

The Mayor ruled the matter not urgent with his casting vote.

Councillor Gordon returned to the meeting, the time being 1:27PM

12.5 Lismore Chamber of Commerce Funding

12/25 MOTION moved that a proposal to allocate annual funding to Business Lismore commencing in the 2024-2025 Operational Plan on a similar basis to the funding allocated annually to the Nimbin Chamber of Commerce be prepared for consideration by council at a workshop and invite representatives from Business Lismore to attend.

(Councillors Rob/Bing) (BP25/1)

AMENDMENT moved that a proposal to allocate annual funding to Business Lismore commencing in the 2024-2025 Operational Plan on a similar basis to the funding allocated annually to the Nimbin Chamber of Commerce be prepared for consideration by council at a briefing and invite representatives from Business Lismore to attend.

(Councillor Guise)

Lapsed due to want of a seconder

13/25 **RESOLVED** that a proposal to allocate annual funding to Business Lismore commencing in the 2024-2025 Operational Plan on a similar basis to the funding allocated annually to the Nimbin Chamber of Commerce be prepared for consideration by council at a workshop and invite representatives from Business Lismore to attend

(Councillors Rob/Bing) (BP25/1)

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

Voting against: Councillor Guise

Mayoral Minute(s) and Condolence Motions

Reports of Committees

9.1 Lismore Flood Risk Management Committee - 4 December 2024

14/25 **RESOLVED** that the minutes from the 4 December 2024 meeting be received and the recommendations contained therein be adopted.

(Councillors Rob/Bing) (BP24/1123)

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

Voting against: Nil

9.2 Australia Day Awards Committee Minutes - 7 January 2025

15/25 **RESOLVED** that the minutes be received and noted.

(Councillors Rob/Hall) (BP25/16)

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

Voting against: Nil

At this point Councillor Battista disclosed a significant interest in item 10.1, question 12.6. If it is discussed he will leave the Chamber.

Matters Arising

10.1 Questions on Notice

16/25 **RESOLVED** that the Questions on Notice responses provided in this report be noted.

(Councillors Hall/ Bing) (BP24/1125)

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

Voting against: Nil

10.2 Code of Meeting Practice Review

MOTION moved that Council do not adopt the Code of Meeting Practice Review until the outcome of the NSW Government review.

(Councillors Rob/Knight-Smith)

FORESHADOWED MOTION moved that Council adopt the Code of Meeting Practice as attached to the report, with the inclusion that Public Access is livestreamed.

(Councillor Gordon)

17/25 **DEFEATED** that Council do not adopt the Code of Meeting Practice Review until the outcome of the NSW Government review.

(Councillors Rob/Knight-Smith) (BP25/38)

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

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

18/25 AMENDMENT moved and **DEFEATED** that Council adopt the Code of Meeting Practice as attached to the report, with an amendment to clause 4.1 Public Access that it is retained in the meeting.

(Councillors Waters/Knight-Smith) (BP25/38)

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

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

19/25 AMENDMENT moved and **DEFEATED** that Council adopt the Code of Meeting Practice as attached to the report, with the inclusion that Public Access is livestreamed and the following is excluded:

- 3.10(a) "A councillor may submit no more than three (3) notices of motion to be considered at each Ordinary meeting of the Council."
- 3.14(a) "A councillor may submit no more than three (3) questions with notice for response at each Ordinary meeting of the Council."

(Councillors Rob/Guise) (BP25/38)

Voting for: Councillors Guise, Knight-Smith and Rob

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

20/25 AMENDMENT moved and **DEFEATED** that Council adopt the Code of Meeting Practice as attached to the report, with the inclusion that:

- Public Access is livestreamed
- Clause 4.8 be amended to have four speakers for and four speakers against

(Councillors Knight-Smith/Guise) (BP25/38)

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

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

21/25 **RESOLVED** that Council adopt the Code of Meeting Practice as attached to the report, with the inclusion that Public Access is livestreamed.

(Councillors Gordon/Dalton-Earls) (BP25/38)

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

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

Altering Order of Business

22/25 **RESOLVED** that That the order of business be altered to debate 11.3

(Councillors Waters/Dalton-Earls)

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

Voting against: Nil

11.3 Planning Proposal to rezone an Urban Release Area at 1055 Bruxner Highway, Goonellabah

MOTION moved that:

1. Council support the Planning Proposal for 1055 and 1055A Bruxner Highway, Goonellabah (Lot 42, DP 868366 and Lot 1, DP 957677) for amendments to the Local Environmental Plan as detailed in this report
2. the Planning Proposal and accompanying maps and studies, be sent to the Department of Planning, Housing and Infrastructure for finalisation in accordance with the Gateway determination
3. the Voluntary Planning Agreement be finalised and signed by the General Manager and the General Manager be delegated to make minor amendments prior to signing, provided the amendments do not alter the intent of the Voluntary Planning Agreement
4. area be set aside for urban agriculture/a community garden

(Councillors Guise/Waters)

23/25

FORESHADOWED MOTION moved that:

1. Council support the Planning Proposal for 1055 and 1055A Bruxner Highway, Goonellabah (Lot 42, DP 868366 and Lot 1, DP 957677) for amendments to the Local Environmental Plan as detailed in this report
2. the Planning Proposal and accompanying maps and studies, be sent to the Department of Planning, Housing and Infrastructure for finalisation in accordance with the Gateway determination
3. the Voluntary Planning Agreement be finalised and signed by the General Manager and the General Manager be delegated to make minor amendments prior to signing, provided the amendments do not alter the intent of the Voluntary Planning Agreement

(Councillor Gordon)

RESOLVED that the motion be put.

(Councillor Rob)

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

Voting against: Councillors Guise

24/25

On submission to the meeting the motion was **DEFEATED** that:

1. Council support the Planning Proposal for 1055 and 1055A Bruxner Highway, Goonellabah (Lot 42, DP 868366 and Lot 1, DP 957677) for amendments to the Local Environmental Plan as detailed in this report

2. the Planning Proposal and accompanying maps and studies, be sent to the Department of Planning, Housing and Infrastructure for finalisation in accordance with the Gateway determination
3. the Voluntary Planning Agreement be finalised and signed by the General Manager and the General Manager be delegated to make minor amendments prior to signing, provided the amendments do not alter the intent of the Voluntary Planning Agreement
4. area be set aside for urban agriculture/a community garden

(Councillors Guise/Waters) (BP25/22)

Voting for: Councillors Guise and Waters

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

Councillor Hall left the meeting, the time being 2:44PM

25/25 On submission to the meeting the foreshadowed motion was **RESOLVED** that:

1. Council support the Planning Proposal for 1055 and 1055A Bruxner Highway, Goonellabah (Lot 42, DP 868366 and Lot 1, DP 957677) for amendments to the Local Environmental Plan as detailed in this report
2. the Planning Proposal and accompanying maps and studies, be sent to the Department of Planning, Housing and Infrastructure for finalisation in accordance with the Gateway determination
3. the Voluntary Planning Agreement be finalised and signed by the General Manager and the General Manager be delegated to make minor amendments prior to signing, provided the amendments do not alter the intent of the Voluntary Planning Agreement

(Councillors Gordon/Rob) (BP25/22)

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

Voting against: Councillor Guise

Absent: Councillor Hall

Reports of the General Manager

11.1 Delivery Program Progress Report - July to December 2024

26/25 MOTION moved that Council receive and endorse the attached Delivery Program Progress Report for the period July to December 2024.

(Councillors Battista/Bing)

Councillor Jensen left the meeting, the time being 2:49PM

Councillor Jensen returned to the meeting, the time being 2:51PM

27/25 **RESOLVED** that Council receive and endorse the attached Delivery Program Progress Report for the period July to December 2024.

(Councillors Battista/Bing) (BP25/29)

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

Voting against: Councillors Guise and Rob

Absent: Councillor Hall

11.4 December 2024 Quarterly Budget Review Statement

28/25 **RESOLVED** that Council adopts the attached December 2024 Quarterly Budget Review Statement and approve the recommended variations.

(Councillors Battista/Gordon) (BP25/33)

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

Voting against: Councillor Guise

Absent: Councillor Hall

11.5 Investments - December 2024 and January 2025

29/25 **RESOLVED** that the report be received and noted.

(Councillors Gordon/Bing) (BP25/25)

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

Voting against: Councillors Guise and Waters

Absent: Councillor Hall

Councillor Waters left the meeting, the time being 3:20PM

Councillor Waters returned to the meeting, the time being 3:21PM

11.6 Pecuniary Interest Returns

30/25 **RESOLVED** that the report be received, and the tabled Pecuniary Interest Returns be acknowledged.

(Councillors Gordon/Bing) (BP25/23)

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

Voting against: Nil

Absent: Councillor Hall

11.7 2025 Australian Local Government Association National General Assembly

31/25 **RESOLVED** that Council's:

1. delegates to the 2025 ALGA National General Assembly are Councillors Krieg, Hall, Dalton-Earls and Knight-Smith
2. voting delegate is Councillor Krieg

(Councillors Gordon/Bing) (BP25/32)

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

Voting against: Nil

Absent: Councillor Hall

Notices of Motion / Questions with Notice

12.1 Mayoral Attendance Report

32/25 **RESOLVED** that Council receives the Mayoral Attendance Report for December 2024 and January 2025.

(Councillors Krieg/Gordon) (BP25/19)

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

Voting against: Councillor Rob

Absent: Councillor Hall

At this point the meeting adjourned for a recess, the time being 3:30PM

The meeting resumed at 3:43PM

12.3 LGNSW Membership

MOTION moved that Council resign membership from Local Government NSW effective immediately.

(Councillor Rob)

Lapsed due to want of a seconder.

Councillor Waters left the meeting, the time being 3:45PM

Councillor Waters returned to the meeting, the time being 3:46PM

12.4 Renaming of Walsh Bridge, Tuncester

33/25 **RESOLVED** that the unnamed bridge on Wilson Street South, South Lismore be named the "Lenny Perren Bridge".

(Councillors Gordon/Jensen) (BP25/17)

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

Voting against: Nil
Absent: Councillor Hall

12.6 Establishment of a Youth Advisory Group

34/25 **RESOLVED** that a report to be brought to Council outlining the structure, objectives, and operational framework for establishing a Youth Advisory Group (YAG), with a focus on best practices from surrounding councils who have established a YAG.

(Councillors Dalton-Earls/Knight-Smith) (BP25/34)

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

Voting against: Nil

Absent: Councillor Hall

12.7 Policy Number 3.1.1 Definition of Nuclear Free Peace Zone Policy

MOTION moved that Council repeal policy number 3.1.1.

(Councillors Rob/Gordon)

Councillor Dalton-Earls left the meeting, the time being 4:05PM

Councillor Dalton-Earls returned to the meeting, the time being 4:11PM

Councillor Dalton-Earls left the meeting, the time being 4:13PM

Councillor Dalton-Earls returned to the meeting, the time being 4:14PM

FORESHADOWED MOTION that Council review policy number 3.1.1.

(Councillors Guise/Waters)

35/25 **RESOLVED** that Council repeal policy number 3.1.1.

(Councillors Rob/Gordon) (BP25/20)

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

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

Absent: Councillor Hall

12.8 LGNSW Membership

Can the General Manager please outline the annual cost of membership of LGNSW, the average cost of councillor travel and attendance at the various conferences each year, and the direct benefits council receives to justify all that expenditure of ratepayers' funds?

General Manager's response:

The Local Government NSW (LGNSW) 2024-2025 membership for Lismore City Council was \$58,815. The annual conference is the only conference attended every year by councillors with a specific budget allocated. Dependent on the location the registration, accommodation and travel costs are \$8,000-10,000 in total. Any other conferences are the personal choice of a councillor to attend for professional development.

"The role of LGNSW is to support, promote, advocate for, and represent the local government sector so members are in the best possible position to serve our NSW communities.

This is done by:

- Providing policy advice, management support and grants to members
- Empowering members to deliver quality services to meet the needs of their local community
- Providing effective, responsive, and accountable leadership on policy issues
- Enhancing community awareness and perception of local government
- Shaping the industrial environment in which the sector operates."

Source LGNSW website

LGNSW:

- also hosts a number of conferences and facilitates over 50 courses for employees
- provides free legal and policy advice on a wide range of issues
- facilitates over 40 free networks for employees to connect, share information, resources and knowledge with peers throughout NSW

Local Government Procurement (a wholly owned subsidiary of LGNSW) provides free advice on issues such as probity, governance, auditing and legislation compliance to member councils. This advice is complemented with a range of business tools, including procurement management resources with guidelines and benchmarking materials.

12.9 Arts Northern Rivers

Can the General Manager please explain how Arts Northern Rivers operates, advise whether it is a council committee, advisory group or otherwise operates under a formal agreement or Deed as a public or private entity, clarify under what authority councillors are appointed as Board members of Arts Northern Rivers, and explain why individuals who are not elected or accountable to ratepayers can Chair the organisation?

General Manager’s response:

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.

12.10 Priority Projects Register

Can the General Manager please provide an update regarding how council is progressing with each of the five identified priorities (in order of priority) appearing on the Priority Projects Register, why there is so much focus on priority 3, and why the public facing messaging is that priority 3 is a done deal once funding can be identified when there is no council resolution to progress any of the identified priorities?

General Manager’s response:

Council adopted the top five priority projects on 21 November 2023 (see table below), as a direction to the General Manager to progress to the next stage of development.

Since this time, officers have commenced work on business cases to ensure they are shovel-ready, prepared for future funding opportunities. Progress on projects is summarised below:

- Resilience Feasibility Study – Awaiting CSIRO study and recommendations
- Airport Masterplan – Draft report being developed
- Rail trail – First stage complete, Stage 2 (project costings and business case available), Funding being sought for future stages
- Event Legacy Program – Business case to be developed and funding sought
- Riverside Precinct – Awaiting CSIRO study to be completed as recommendations may impact this project. Business case and funding to be sought in the future

Identified and <u>prioritised</u> projects	
Project Name	Description
Resilience Feasibility Study	Undertake a study to explore flood mitigation, adaptation and resilience measures across our community. This will deliver confidence to our community and underpin everything we do and ensure projects in the future adapt

	and respond to our environment and minimise exposure to risk.
Regional Airport Master Planning and Redevelopment	Undertake a master planning exercise to understand the redevelopment opportunities of the Lismore Regional Airport. This work will ensure we develop our airport to meet our communities future needs. These studies will help us identify what kinds of opportunities our Lismore Regional Airport can offer to our community over the next 20 years and will include some feasibility studies to understand economic opportunity.
Northern Rivers Rail Trail Stage 2 - South Lismore to Booyong	The NRRT is a 130km recreational walking and cycling trail within the disused corridor from Casino to Murwillumbah. This project will deliver a commitment to the remainder of the Lismore LGA section of the track that will increase both the economic and social / recreational benefits to Lismore.
Event Legacy Program	The Event Legacy Program will plan, organise and deliver a special series of events across the Lismore LGA occurring over the period of a month, each year. Events will draw people from nearby regions and interstate to Lismore and its villages. The Program will put Lismore on the map as a go-to place for these events and will grow as this annual event evolves.
Riverside Precinct Development (Bridge to Bridge)	Based on previous community input through the 'Bridge to Bridge' project this will design and develop Lismore's central riverside precinct into a creative and active area including the exploration of a pedestrian bridge link between South Lismore and the Lismore CBD. The precinct will entice interaction with Lismore's river system. A staged approach will ensure embellishments can be developed gradually and the project can adapt as our community reconnects with its river system. This precinct will become a new nature-based tourism drawcard for Lismore.

12.11 Urban Rivers & Catchments Program

In relation to the Urban Rivers & Catchments Program, can the General Manager please identify the private land interests receiving a direct benefit from staff efforts to secure a grant, and explain why council staff are working on behalf of and chasing grants for private land owners when council have so much community land in desperate need of funding?

General Manager's response:

As councillors have previously been advised Lismore City Council's application to the Urban Rivers and Catchments grant is for a consortium-based delivery of 16 projects

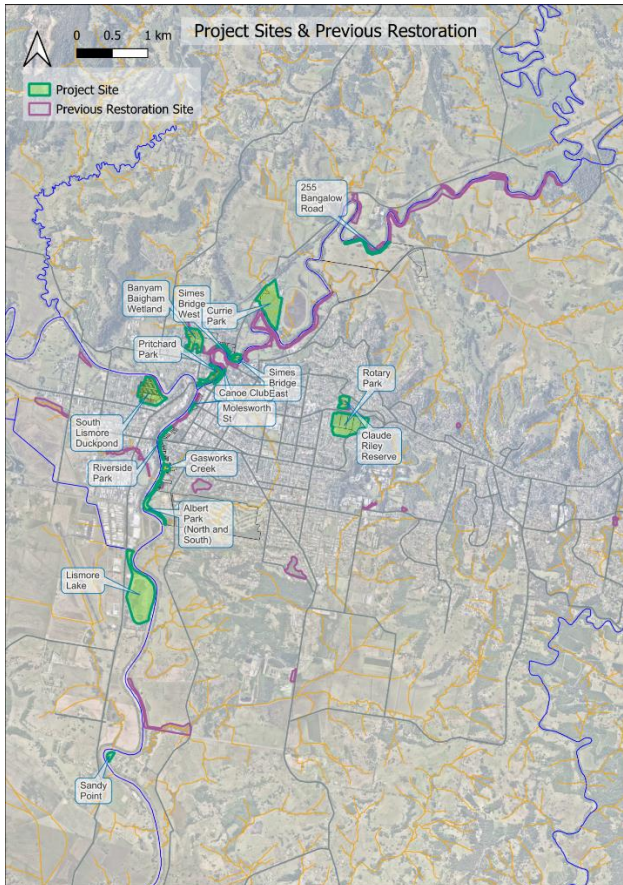
including public land sites in the Lismore urban environment and a number of private land sites. The proposal is for the delivery of individual projects through the consortium members, with council providing administrative oversight.

The proposal represents a collaborative and community engaged approach to improving the green and blue spaces of Lismore, supported and co-delivered with a number of Landcare groups, local authorities, Traditional Owner groups, not-for-profit organisations, and private individuals.

Public and private sites for riparian work were nominated by partnering organisations and selected through a multi criteria analysis based on the benefits such work will provide to public values, for example native habitat connectivity, habitat refuge, water quality improvements, and climate and flood resilience.

The private land sites were selected on the basis of being advantageous to the community and outcomes of the project. The table and map below provides the locations and further information.

Site Name	Site Address	Proposed On-ground Activities
Simes Bridge West	10 Pitt Lane NORTH LISMORE	Nominated by Wilsons River Landcare, part of long term plan to restore Wilsons River CBD reach, strategically located between public land and RRH school sites being restored with Landcare's support.
Sandy Point	34 Sandy Point Rd MONALTRIE	Owned by Ngulingah LALC. Located at key pinch point in floodplain landscape, important place for First Nations Community. Demonstration site for First Nations-led restoration and engagement activities.
255 Bangalow Road	287 Bangalow Road HOWARDS GRASS	Nominated by Rous County Council, as part of their investment in priority reach of Wilsons River, benefits for flood resilience, drinking water supply, connectivity to Boatharbour Nature Reserve. Demonstration site for peri-urban and rural riparian land management.



12.12 Policy Number 3.1.1 Definition of Nuclear Free Peace Zone Policy

Can the General Manager please explain the operation of policy number 3.1.1, the policy's title, how point 3 fits in with the policy title, and whether point 3 is a current enforceable restriction which conflicts with current activity within the local government area?



General Manager's response:

Below is a copy of what is contained in the minutes of Council meeting on 1 May 1984.

Australian Nuclear Free Zones Secretariat, advising that a resolution has been passed requesting all councils in New South Wales to urge their respective State members to press for the declaration of the State as a Nuclear Free Zone, similar to the Victorian legislation.

RESOLVED on the motion of Aldermen Nicolson and Gallen that the letter be received and Mr. R. B. Duncan, M.P., be asked to make representations on the Council's behalf in respect of the above request; FURTHER that the definition of Nuclear Free Peace Zone means an area in which –

1. *A person shall not construct or operate –*
 - (a) a mill for the production of uranium or thorium ore concentrates (except where permitted under Section 6);*
 - (b) a facility for conversion or enrichment of any nuclear material;*
 - (c) a facility for the fabrication of fuels for use in nuclear reactors;*
 - (d) a nuclear reactor or a nuclear power reactor;*
 - (e) a facility for reprocessing spent fuel; or*
 - (f) a facility for the storage or disposal of any nuclear materials (including any waste) resulting from any of the processes or facilities described in paragraphs (a) to (e).*
2. *A person shall not –*
 - (a) have in his possession;*
 - (b) use;*
 - (c) sell;*
 - (d) transport;*
 - (e) store; or*
 - (f) dispose of by any means –*
any nuclear material unless, in respect of the nuclear material concerned –
 - (g) he is in possession of a licence under the "Irradiating Apparatus and Radioactive (sic) Substances Regulations 1959" made under the Health Act 1958 (Vic);*
 - (h) the provisions of the "Irradiating Apparatus and Radioactive Substances Regulations 1959" made under Health Act 1958 (Vic) do not apply; or*
 - (i) he has complied with the provisions of sections 511(2) and 511(3) of the Mines Act 1958 (Vic)*

In July 1995 the policy was reviewed and unchanged.

In July 1999 a review of this policy updated the responsible section of council.

In August 2003 a policy review did not recommend this policy be reviewed or revoked.

The policy was reviewed by officers in August 2013, there is no record of this being reviewed by Council.

It is unclear when point 3 of the policy was included. This policy does appear to be outdated and perhaps is unnecessary in 2025.

12.13 Browns Creek Naturalisation Project

As of the latest update, the Browns Creek Naturalisation Project has been allocated up to \$2 million, June 2017. This funding is part of the priority projects identified in the Urban Stormwater Management Plan for the next five years 2017-2026.

Despite the allocation, there appears to be no discernable actions on this and 2026 is fast approaching for such a large project. There remains considerable community concerns about the funds remaining unused while urgent drainage issues persist in the community that impact residents across the LGA.

General Manager's response:

In February 2022, a notice of motion was resolved by Council to:

- (1) take no further action in relation to naturalisation of Browns Creek and
- (2) review the USMP and maintenance schedules to ensure Browns Creek drainage system be regularly cleaned of debris and other materials that may restrict flow.

Australian Wetland Consulting (AWC) have been engaged to undertake a progress review of actions listed in the 2016 Urban Stormwater Management Plan 2017-2026 (USMP). The progress review has been mostly completed; however further work still needs to be undertaken to confirm the priority of previous structural projects against current drainage issues and stormwater asset upgrades within low lying areas of Lismore. In addition, an internal realignment was undertaken in 2024 where urban stormwater was moved from Roads to the Water and Wastewater department. Following the change there has been a refocus on drainage maintenance, restoring drainage functionality, and upgrading failed stormwater assets.

Naturalisation of Browns Creek is highly intertwined with the Lismore Parklands Masterplan. There is currently no funding available for the delivery of the Lismore Parklands and the budget estimate for Browns Creek Naturalisation component currently exceeds available funding by the USMP. This project is dependent on securing grant funding to progress. Further to the February resolution allocated funds in the 2024-2025 budget and 4-year program for Browns Creek naturalisation will be returned to reserves until further actions on this project are determined by council.

A councillor briefing will be scheduled in the coming months to provide an update on the USMP review.

12.14 Councillor Information Segregation

Can the General Manager please outline situations where councillor information is segregated, any justifications for segregating information flows to councillors, and any reasons why staff can refuse a councillor's request for access to information already available to any other councillor?

General Manager's response:

Councillors have previously been provided the following advice in relation to these questions.

"Information archived in the HUB that if released "on mass" would put new councillors in a compromising position in terms of conflict of interest, privacy considerations etc.

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

Hence new councillors require a separate channel for information from the previous term. No councillor is therefore receiving different information to any other, the new councillors just access the released information in a different location.

36/25

RESOLVED that when requested councillors be provided information in the HUB and access to documents, unless there is a conflict and a reason given to not supplying.

(Councillors Rob/Knight-Smith) (BP25/5)

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

Voting against: Nil

Absent: Councillor Hall

12.15 Rail Trail Car Park

Can the General Manager please explain why the Rail Trail car park in South Lismore has been so heavily height restricted, preventing heavy and tall vehicle access, including several disabled and medical transport vehicles and tourist vehicles, why the car park was not built to accommodate all vehicles, and can the car park sustain the weight of heavy vehicles?



General Manager's response:

The original carpark was not designed for heavy vehicles and as such had deteriorated with use over time. As the primary parking location for the Rail Trail, the carpark was improved to lift the ground height to manage stormwater and is now sealed to keep the dust down. There was no change to the subgrade and it still remains unsuitable for heavy vehicle use. Heavy vehicle parking could be considered in the future with new subgrade treatment and thick concrete or asphalt sealing, however this may lead to issues with Rail Trail users and parking. It would also need a revised level entry without the dip given the abnormal height of union street.

The height bar is above accessible height requirements (2.6m). However, this has been reviewed and will be increased to 3.2m to allow for campers and users with larger vehicles and bikes on top of cars. Campers are not considered heavy vehicles and are likely users of the trail if parking in that location.

12.16 Councillor Attendance

Can the General Manager provide a breakdown of ordinary and extraordinary council meetings in relation to 2023-2024 councillor attendance records, and provide councillor attendance records for committees and advisory groups for the same period?

Attendance Records for 2023 - 2024 Financial Year				
	Council Meetings (20)	Briefings (26)	Workshops (5)	Capacity Capability & Recovery Roadmap Committee Meeting (2)
Councillor	Attended	Attended	Attended	Attended
Krieg	20	21	4	1
Bing	20	26	4	2
Bird	19	20	5	1
Colby	18	21	4	1
Cook	17	20	3	2
Ekins	18	23	4	2
Gordon	19	25	5	2
Guise	15	15	3	1
Hall	17	22	3	1
Jensen	17	17	4	2
Rob	18	25	5	2

General Manager's response:

	Council Meetings (15)	Extra Ordinary Meetings (5)
Councillor	Attended	Attended
Krieg	15	5
Bing	15	5
Bird	14	5
Colby	15	3
Cook	13	4
Ekins	14	4
Gordon	14	5
Guise	12	3
Hall	13	4
Jensen	13	4
Rob	15	3

Records are only reported for meetings of which all councillors are required/expected to attend. The councillor membership varies between advisory groups.

12.17 Councillor Requests vs Customer Requests

Why are some requests submitted by councillors, acting in their role as a councillor representing community members, being managed as customer requests, how is it decided which matters are dealt with as customer requests, and who makes the decisions?

General Manager's response:

Clause 1.1 (b) of the Councillor and Officer Interaction Policy states:

1.1. *Councillors can use the councillor requests system to:*

- a. *request information or ask questions that relate to the strategic position, performance or operation of the Council*
- b. *bring concerns raised by members of the public to the attention of officers, excluding maintenance requests*
- c. *request ICT or other support from the Council administration*
- d. *request an officer be present at a meeting or briefing (other than a meeting of the council) for the purpose of providing advice to the meeting or briefing*

Maintenance matters are logged in the customer request system so it can be added to the schedule of works. Works are undertaken according to priority (based on a number of factors, including safety and risk) and within allocated budgets.

This also ensures requests for maintenance are dealt with consistently and negates any allegations that may be levelled at councillors for favouritism, bias etc.

Councillor Jensen left the meeting, the time being 4:57PM

Councillor Jensen returned to the meeting, the time being 4:59PM

12.18 Back Alley Gallery

Can the General Manager:

1. confirm the registered or formal name of the organisation in charge of the Back Alley Gallery and provide its footprint
2. name the relevant decision makers responsible for art in the Back Alley Gallery
3. explain how those responsible make their decisions
4. confirm whether permission is being sought from building owners before their buildings have murals put on them
5. provide access to the most recent signed authorities for those buildings that have had murals put on them

6. outline what is being done to stop and/or clean up illegal graffiti
7. explain why the rules relating to signs on commercial premises do not apply to oversized works of graffiti if each piece is not put through an approval process?



General Manager's response:

1. [Back Alley Gallery](#) (BAG)
2. Back Alley Gallery
3. BAG is responsible for delivering the artwork and making the decisions
4. BAG manages engagement with key stakeholders including laneways property owners
5. Council does not have access to that information
6. Night security guards that patrol the CBD on a Friday and Saturday night have been requested to increase patrols of the area. Should members of the public see offences occurring they should report immediately to NSW Police for action. Graffiti on private property is the responsibility of owners to remove
7. Murals and graffiti are not considered advertising, therefore are not under the regulation of advertising

12.19 Crane Street Rail Bridge

Can the General Manager please explain why the removal of the rail bridge in Crane Street North Lismore is not being pursued, and why council would consider expending ratepayer money to lease a State Government owned piece of fast deteriorating infrastructure for a section of a rail trail which has not been resolved by council to progress?



General Manager's response:

At the December 2024 Council meeting

RESOLVED that Council:

1. *rescind its resolution of October 2023 regarding removal of rail bridges*
2. *write to the Local Member and Transport for NSW seeking:*
 - a. *expeditious removal of the rail bridge at Union Street*
 - b. *expeditious removal of the rail bridge at Alexandra Parade*
 - c. *following removal of the rail bridges at Union Street and Alexandra Parade, works be scheduled to remove the rail bridge at Winterton Parade*
 - d. *the rail bridge at Crane St not be removed to ensure proper connectivity for future sections of the Northern Rivers Rail Trail*

(Councillors Bing/Battista) (BP24/1049)

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

Voting against: Nil

At the November 2023 Council meeting

RESOLVED that Council adopt the Priority Projects Register (Attachment 1) incorporating the identified priorities below (in order of priority):

1. *Resilience Feasibility Study including Water Security and Flood Mitigation*
2. *Regional Airport Master Planning and Redevelopment*
3. ***Northern Rivers Rail Trail Stage 2 (South Lismore to Booyong)***

4. *Event Legacy Program*
5. *Riverside Precinct Development (Bridge to Bridge).*

(Councillors Gordon/Cook) (BP23/881)

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

Voting against: Councillor Guise

12.20 Advisory Groups

Could the General Manager please advise what is happening with the Advisory Groups. When will we elect councillors to represent Council on those advisory groups.

General Manager's response:

Officers will present a report to councillors at the March Council meeting.

37/25 MOTION moved that the Advisory Groups resume immediately and the following councillors are appointed.

(Councillors Rob/Knight-Smith) (BP25/37)

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

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

Absent: Councillor Hall

The vote being tied the Mayor declared the motion **DEFEATED** with his casting vote.

Councillor Knight-Smith left the meeting, the time being 5:32PM

Councillor Knight-Smith returned to the meeting, the time being 5:34PM

12.21 Organisation Structure

Considering sections 333 and 335(h) of the *Local Government Act*, can the General Manager explain how the organisation structure of council was recently changed by staff with council yet to review and decide to re-determine the organisation structure?

General Manager's response:

Below are relevant sections of the *Local Government Act 1993*.

332 Determination of structure

- (1) A council must, after consulting the general manager, determine the resources to be allocated towards the employment of staff.
- (1A) The general manager must, after consulting the council, determine the positions within the organisation structure of the council.
- (1B) The positions within the organisation structure of the council are to be determined so as to give effect to the priorities set out in the strategic plans (including the community strategic plan) and delivery program of the council.
- (2), (3) (Repealed)

333 Re-determination and review of structure

The organisation structure may be re-determined under this Part from time to time. The council must review, and may re-determine, the organisation structure within 12 months after any ordinary election of the council.

335 Functions of general manager

The general manager of a council has the following functions—

- (h) to appoint staff in accordance with the organisation structure determined under this Chapter and the resources approved by the council,

Consistent with Section 332 (1A) the General Manager consulted with councillors in November and December 2024 regarding proposed organisation structure changes.

Consultation does not require an agreement to be reached, nor does it require the Council to endorse the decision, as it did in the past. Rather, it involves the sharing of views to enable the General Manager, as decision maker, to make an informed decision.

In relation to the resources, budget was adopted by Council in June 2024.

The Act delineates between the review of a determined structure and a re-determination of the structure. Specifically, it requires council (through the General Manager) to review the organisation structure within 12 months after any ordinary election of the council. This will occur in coming months.

Confidential Matters – Closed Council Meeting

38/25	RESOLVED that Council now exclude the press and public and meet in Closed Council to consider the following matters;
Item	13.1 Tender T24/26 Redevelopment of Damaged Recreation Courts to Multi-Purpose Courts - Perradenya Estate
Grounds for Closure	Section 10A(2) (d ii):
Public Interest	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 confer a commercial advantage on a competitor of the Council.
Item	13.2 Tender T24/32 - IT Disaster Recovery Solution
Grounds for Closure	Section 10A(2) (d i):
Public Interest	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.
(Councillors Gordon/Dalton-Earls)	
Voting for:	Councillors Battista, Bing, Dalton-Earls, Gordon, Guise, Jensen, Knight-Smith, Krieg, Rob and Waters
Voting against:	Nil
Absent:	Councillor Hall

Resumption of Open Council

When the Council had resumed its former sitting, the Mayor reported that Council, meeting in Closed Session, had RESOLVED:

13.1 Tender T24/26 Redevelopment of Damaged Recreation Courts to Multi-Purpose Courts - Perradenya Estate

That:

1. in accordance with Clause 178(1)(a) of the *Local Government (General) Regulation 2021*, Council accepts the tender from All Sport Projects for Contract T24/26 Redevelopment of Damaged Recreation Courts to multi-purpose Courts at Perradenya Estate, inclusive of optional extra Item 1 (New Fence), for the sum of \$390,156.97 (incl. GST)
2. delegation be provided to the General Manager to:
 - a) exercise the option when required to extend the contract, subject to the satisfactory performance of the suppliers
 - b) to approve variations deemed to be necessary and appropriate within their financial delegations
3. a redacted copy of this report will be released as a public document

(Councillors Bing/Gordon) (BP25/28)

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

13.2 Tender T24/32 - IT Disaster Recovery Solution

That:

1. in accordance with Clause 178(1)(a) of the *Local Government (General) Regulation 2021*, Council accepts the tender from Intuit Technologies Pty Ltd
2. Council delegates authority to the General Manager to enter and administer the contract under the terms of the Request for Tender
3. a redacted copy of this report be released as a public document

(Councillors Bing/Knight-Smith) (BP25/39)

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

Voting against: Nil

Absent: Councillor Hall

Closure

This concluded the business and the meeting terminated at 5.51pm.

CONFIRMED this > > 2025 at which meeting the signature herein was subscribed.

MAYOR

Confidential Report

Report

Subject	Tender T24/26 Redevelopment of Damaged Recreation Courts to Multi-Purpose Courts - Perradenya Estate
TRIM Record No	BP25/28:AF24/7685
Prepared by	Project Officer
Reason	
Strategic Theme	An inclusive and healthy community
Strategy	Our sporting facilities and recreational spaces encourage active and passive community participation.
Action	Continued improvement of Lismore's sport and recreation facilities.
Grounds for Closure	Section 10A(2) (d ii):
Public Interest	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 confer a commercial advantage on a competitor of the Council.

Executive Summary

The purpose of this tender is to select a suitably qualified company with the capability, experience, and availability to redevelop two damaged synthetic tennis courts into multipurpose courts and synthetic cricket nets at Perradenya Estate, before 30 June 2025.

This report details the evaluation of the five tenders received and provides a recommendation to Council to accept the tender from All Sports Projects.

Recommendation

That:

1. in accordance with Clause 178(1)(a) of the *Local Government (General) Regulation 2021*, Council accepts the tender from All Sport Projects for Contract T24/26 Redevelopment of Damaged Recreation Courts to multi-purpose Courts at Perradenya Estate, inclusive of optional extra Item 1 (New Fence), for the sum of \$390,156.97 (incl. GST)
2. delegation be provided to the General Manager to:
 - a) exercise the option when required to extend the contract, subject to the satisfactory performance of the suppliers
 - b) to approve variations deemed to be necessary and appropriate within their financial delegations
3. a redacted copy of this report will be released as a public document

Confidential Report

Background

The two existing (damaged) tennis courts including a small playground, cricket oval, skatepark and pavilion forms part of the overall sports and recreation facilities which was developed by Rous Water in the 1990's and transferred to Council's ownership soon thereafter.

During the 2022 floods the pavilion was used as a refuge for flood survivors. Residents' concerns lodged in January 2024 coupled with feedback through engagement activities have highlighted issues about the current state of the facilities and the need for upgrades to meet the growing requirements of the community.

Lismore City Council undertook comprehensive community engagement from 31 May 2024 to 14 June 2024, aimed at gathering feedback to inform future planning for the Caniaba sports and recreation facilities within the Perradenya Estate.

The initiative included diverse communication methods such as stakeholder meetings, flyer distributions and social media posts via Council's Facebook account.

Engagement methods included a community BBQ which provided a platform for approximately fifty (50) residents to voice their thoughts and ideas directly to Council staff and an online survey that attracted 107 responses.

Key messages from the engagement included:

- the community value their sports and recreation facility
- the tennis courts and oval are the most used assets
- the playground is dated and insufficient to service the needs of the community
- outdoor fitness equipment and swings would be welcomed as part of a playground upgrade
- tennis courts, multipurpose courts and cricket nets were the most desired facilities
- during the BBQ many respondents indicated that 2 tennis courts were not required and that they would support the conversion of the area to be used for multiple sports
- many respondents indicated that they would prefer the surface of the tennis court/s to be more durable and of minimal maintenance e.g., hard surface such as concrete

Informed by these concerns and consultation findings, available 2024-2025 capital works funding from Spinaze Park in Tullera was reprioritised and redirected to develop the multipurpose courts including two (2) cricket nets at Perradenya Estate, Caniaba.

Tender Submissions

A total of five tender submissions were received by the close of tender on 12 December 2024. The five tenderers are listed below:

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- All Sport Projects

Confidential Report

Tender Evaluation

The tender evaluation panel comprising of Council's Manager of Public & Open Spaces, Parks Project Officer and Sport and Recreation Lead undertook the assessment of tenders received.

The evaluation was conducted in accordance with the Local Government Tendering Guidelines, Regional Procurement Tendering Code of Conduct and Tendering Evaluation Principles and Process. Confidentiality and probity were maintained throughout the process.

Methodology

The following criteria and weightings were used to assess submissions received:

Criteria	Group Summary	Weighting
1	Total Price	
2	Capability, Experience and Availability	
3	WH&S, Risk Management and Quality Management Systems	
4	Local Content	

Tenders were ranked in respect of each criteria as follows:

Rating	Description	Score (example)
Excellent	Exceeds requirements in all ways, with very little or no risk	10
Very Good	Meets requirements in all ways, exceeds it in some, little risk involved	8-9
Good	Meets the requirement and is workable, acceptable risk	6-7
Marginal	Nearly meets requirement, workable but may be deficient or limited in some areas, some element of risk	4-5
Poor	Offer is difficult to assess against criteria, high risk	1-3
Non-compliant	Tenderer has either stated non-compliance, demonstrated non-compliance, or there is insufficient information to assess	0

Tender Price ()

- Comparison of tenders received.
- Value for money.

Capability, Experience and Availability ()

- Relevant Experience
- Resource Capability
- Works Program Schedule

WH&S, Risk Management and Quality Management System ()

- WH&S Management
- Quality Management
- Environmental Management

Local Content ()

- Tenderers were scored on their response to this Tender Schedule in accordance with Council's Local Supplier preference policy requirements.

Confidential Report

Sections 166-169 Local Government (General) Regulation 2021

The tender was conducted in accordance with Clause 166(a) of the *Local Government (General) Regulation 2021*. The Request for Tender was advertised on VendorPanel for a period of greater than 21 days.

Evaluation Results and Preferred Tenderer

Price Evaluation

All price submissions were checked for accuracy and that all the necessary inclusions and option of additional work had been priced.

The priced weighted scoring is summarised in the table below:

PRICE WEIGHTED SCORE RESULTS

		[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	All Sports Projects
PRICE	WEIGHT					
Price (Incl GST):		[REDACTED]				\$371,672.68
Average Price:	[REDACTED]	[REDACTED]				
Priced Score:		[REDACTED]				4.02
Standardised Score:		[REDACTED]				10.0
Weighted Price Score		[REDACTED]				40

Non-Price Evaluation

Three of the five tenderers are capable and experienced in delivering the tendered works. It is noted that all three are located outside the Lismore LGA and scored similarly on Local Content. All Sport Projects scored highly on price as well as capability, experience, safety, and availability. As per All Sports Projects delivery timeframe proposal, this company is available immediately to deliver and complete required works tentatively by 30 April 2025.

It was found that [REDACTED] did not provide sufficient information and therefore deemed as non-compliant.

Confidential Report

The non-priced weighted scoring is summarised in the table below:

NON-PRICE WEIGHTED SCORE RESULT

	WEIGHT	SCORE		All Sports Projects
Capability, Experience and Availability	█	Out of 10	[Redacted]	7.8
		Weighted		23.5
WH&S, Risk Management and Quality Management Systems	█	Out of 10		7.2
		Weighted		7.2
Local Content	█	Out of 10		6.7
		Weighted		13.3
Weighted Totals	█			44

Combined Scores

The ranking and combined scoring results of the analysis of the five tenders received are summarised in the table below:

TOTAL SCORE

						All Sports Projects
TOTAL WEIGHTED PRICE SCORE	█					40
TOTAL WEIGHTED NON-PRICE SCORE	█					44
TOTAL SCORE	100%					84
RANK		4	2	5	3	1

Optional Additional Works

Due to budget considerations, the project team requested only damaged sections of the perimeter fence to be reinstated as part of the scope of works.

Taking into consideration the tenderers final price and available budget, the project team also requested additional costing for a new perimeter fence as "Optional Additional Work", providing the option to install a new perimeter fence.

The final price from the preferred tenderer, All Sports Projects, came well under available budget. It is recommended that "Optional Additional Work" for a new perimeter fence be included as part of the contract amount.

Confidential Report

Optional Additional Work results are summarised in the table below:

Optional Additional Work		All Sports Projects
New Fence		\$18,484.29

Probity Check

Credit check and two (2) reference checks have been completed against All Sport Projects. Response from credit check and reference checks are deemed acceptable and is considered as low risk.

Budget

The estimated budget allocated for this project is \$505,390 (incl. GST). This amount comprises of \$390,156.97 (incl. GST) plus 10% project contingency as the project has been classified as low risk.

Comments

Finance

Report supported as printed.

Conclusion

An assessment of submissions received under Tender T24/26 Redevelopment of Damaged Recreation Courts to Multi-Purpose Courts – Perradenya Estate has been undertaken.

The panel recommends Contract T24/26 be awarded to *All Sport Projects* for their price, capability, experience, and availability to execute the scope of works and optional extra Item 1 (New Fence).

Attachment/s

There are no attachments for this report.

Confidential Report

Report

Subject	Tender T24/32 - IT Disaster Recovery Solution
TRIM Record No	BP25/39:AF24/8033
Prepared by	Manager Technology & Innovation
Reason	To accept a recommended contractor to supply and build an IT disaster recovery solution for council's Corporate Centre and critical infrastructure.
Strategic Theme	Leadership and participation
Strategy	We provide effective management and responsible governance.
Action	Ensure the efficient and effective operation of Council.
Grounds for Closure	Section 10A(2) (d i):
Public Interest	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.

Executive Summary

Technology & Innovation Business unit has in conjunction with a third-party consultant, developed an IT Disaster Recovery Plan (IT DRP). The IT DRP has identified all the necessary requirements and associated recommendations that align with the current IT infrastructure and applications environment.

The IT DRP has identified an IT Disaster Recovery Solution (i.e. the various hardware, software, procedures etc) necessary to remediate council's risks within the current IT environment and describes a clear strategic roadmap for effective disaster recovery.

The purpose of this tender is to select a suitably qualified company with the capability, experience and availability to supply and build IT disaster recovery solution for council's Corporate Centre and critical infrastructure. This project is funded under the Capacity, Capability and Recovery Roadmap (CCRR) project.

Recommendation

That:

1. in accordance with Clause 178(1)(a) of the *Local Government (General) Regulation 2021*, Council accepts the tender from Intuit Technologies Pty Ltd
2. Council delegates authority to the General Manager to enter and administer the contract under the terms of the Request for Tender
3. a redacted copy of this report be released as a public document

Confidential Report

Background

Lismore City Council (Council) is currently engaged in multiple initiatives related to both ongoing flood recovery and strategic renewal programs. This includes a review of all information technology systems and services within Council with a view to supporting the current business environment, staying current with contemporary technologies, and identifying opportunities for improvement and innovation. As part of that initiative the Technology & Innovation Business unit has in conjunction with a third-party consultant, developed an IT Disaster Recovery Plan (IT DRP). The IT DRP has identified all the necessary requirements and associated recommendations that align with the current IT infrastructure and applications environment.

The IT DRP has identified an IT DRS (i.e. the various hardware, software, procedures etc) necessary to remediate LCC's risks within the current IT environment and describes a clear strategic roadmap for effective disaster recovery.

Request for Tender

A Request for Tender was advertised via VendorPanel on 17 December 2024 to deliver an Information Systems Disaster Recovery Solution (IT DRS) that meets LCC's established Recovery Point Objectives (RPOs) and Recovery Time Objectives (RTOs) for critical business applications and services. The IT DRS is to include all necessary infrastructure, procedures and instructions for maintaining data integrity, availability and confidentiality during and after a disaster.

Tender Evaluation

A total of seven tender submissions were received by the close of tender on 21 January 2025. The seven tenderers are listed below:

- [REDACTED]
- [REDACTED]
- Intuit Technologies Pty Ltd
- [REDACTED]
- [REDACTED]
- [REDACTED]

The tender evaluation panel comprising Council's Manager Technology and Innovation and Council's Business Systems Officer and an external consultant from MWIT Pty Ltd, undertook the assessment of tenders received. The tender was conducted in accordance with Clause 166(a) of the *Local Government (General) Regulation 2021*.

The evaluation was conducted in accordance with the Local Government Tendering Guidelines, Regional Procurement Tendering Code of Conduct and Tendering Evaluation Principles and Process. Confidentiality and probity were maintained throughout the process.

Methodology

The following criteria and weightings were used to assess submissions received:

Criteria	Group Summary	Weighting
1	Total Price	
2	Capability, Experience and Availability	
3	WH&S, Risk Management and Quality Management Systems	
4	Local Content	
5	Environment and Community	

Confidential Report

Tenders were ranked in respect of each criteria as follows:

Rating	Description	Score (example)
Excellent	Exceeds requirements in all ways, with very little or no risk	10
Very Good	Meets requirements in all ways, exceeds it in some, little risk involved	8-9
Good	Meets the requirement and is workable, acceptable risk	6-7
Marginal	Nearly meets requirement, workable but may be deficient or limited in some areas, some element of risk	4-5
Poor	Offer is difficult to assess against criteria, high risk	1-3
Non-compliant	Tenderer has either stated non-compliance, demonstrated non-compliance, or there is insufficient information to assess	0

Tender Price ()

- Comparison of tenders received
- Value for money

Capability, Experience and Availability ()

- Relevant experience
- Delivery time
- After sales service
- Resource capability

WH&S, Risk Management and Quality Management System ()

- WH&S management systems and risk management systems
- Any previous WH&S prosecutions
- Solution implementation Quality Management Systems/Plan
- Product Warranty Policy
- Number of warranty claims in the past three years and how they were resolved

Local Content ()

- Tenderers plan to use any goods and/or services from the Lismore LGA during implementation
- Tenderers plan to use any goods and/or services from the Lismore LGA during ongoing maintenance and support
- Total percentage of Australian made/sources components used in the build and implementation of the solution

Environment and Community ()

- Environmental considerations during implementation
- Environmental considerations during the operation of the solution. eg. energy efficiency
- Modern Slavery Risks

Evaluation Results

Price Evaluation

All price submissions were checked for accuracy and that all the necessary inclusions have been priced.

There was some variation in the prices submitted because of the difference solutions being proposed and different inclusions for licensing etc.

Confidential Report

The prices submitted are listed below:

• [REDACTED]	[REDACTED]
• [REDACTED]	[REDACTED]
• [REDACTED]	[REDACTED]
• Intuit Technologies Pty Ltd	\$ 359,372.79
• [REDACTED]	[REDACTED]
• [REDACTED]	[REDACTED]

It should be noted that we were unable to determine a price on the submission received from [REDACTED].

Non-Price Evaluation

All tenderers demonstrated varying degrees of capability and experience in terms of size, capacity and the complexity of their proposed solution.

The tender assessment panel considered the compatibility of proposed solutions with existing hardware and capabilities at Council. The lifecycle of the proposed solution was also considered.

After assessing all submissions based on the agreed criteria and weightings, the evaluation panel concluded that Intuit Technologies Pty Ltd are the preferred tenderer for the IT Disaster Recovery Solution.

Budget

The cost of this project is being funded through the Capacity, Capability and Recovery Roadmap (CCRR) funding. There is ample funding available for this activity.

Conclusion

The preferred tenderer was chosen because their solution was the most thoughtfully designed, secure, and robust. It mirrors our production environment, with the exception of one fewer node. While it wasn't the lowest-cost option, it received the highest score due to the vendor's comprehensive response, which instilled confidence in the project's success. Additionally, the solution offered the highest level of security and met the council's requirements for a secure and reliable disaster recovery (DR) environment.

A key advantage of this solution is that all hardware is from the same brand as our existing systems, which means less staff training and greater familiarity. This also ensures that our current management systems will integrate with the new solution, avoiding unforeseen costs associated with having to implement and manage additional systems for different hardware brands.

We believe some of the lower-cost solutions did not adequately account for necessary licenses or hardware, which would have led to quote revisions and increased costs beyond the original estimates.

Moreover, many of the cheaper options lacked detail on how they would implement their solution or, in some cases, how the solution would function at all. This left us with little confidence in the potential success of the project if those vendors were chosen.

The Tender Evaluation Panel recommends Contract T24/32 IT Disaster Recovery Solution, be awarded to Intuit Technologies Pty Ltd for the price, capability, experience and availability to deliver the proposed solution.

Attachment/s

1. Tender scoresheet

Council Minutes 11 February 2025

Project Name - DRP	Weighting	Score (Out of 10)	Weighted Score	Score (Out of 10)	Weighted Score	Score (Out of 10)	Weighted Score	Intuit Technologies Pty Ltd Score (Out of 10)	Weighted Score	Score (Out of 10)	Weighted Score	Score (Out of 10)	Weighted Score
Scored Criteria													
Price								5.0	12.5				
Capability and Experience								8.3	29.2				
WHS, Risk Management and QMS								7.7	7.7				
Enivroment and Community								6.5	6.5				
Local Content								7.0	14.0				
Not used								0.0	0.0				
Totals	100%		67.0		38.7		56.8		69.8		30.0		39.5
Rank			2		6		4		1		7		5
Price (Exl GST):								\$359,372.79					
Average Price:	\$345,221.12												
Priced Score:								2.30					
Standardised Score:								3.1					

**MINUTES OF THE CONFIDENTIAL MEETING OF THE COUNCIL OF THE CITY OF LISMORE HELD
IN COUNCIL CHAMBERS ON TUESDAY 11 FEBRUARY 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, Jensen, Knight-Smith, Rob, Waters together with Mr Gibbons, General Manager; Mr Drew, Acting Chief Operating & Financial Officer; Mr Butron, Chief Corporate & Community Officer; Mr Schubert, Technology Support Officer; Ms Cotterill, Governance & Risk Manager and Mrs Mitchell, Executive Officer to the General Manager & Mayor and Councillors.

13.1 Tender T24/26 Redevelopment of Damaged Recreation Courts to Multi-Purpose Courts - Perradenya Estate

1/25

RESOLVED that:

1. in accordance with Clause 178(1)(a) of the *Local Government (General) Regulation 2021*, Council accepts the tender from All Sport Projects for Contract T24/26 Redevelopment of Damaged Recreation Courts to multi-purpose Courts at Perradenya Estate, inclusive of optional extra Item 1 (New Fence), for the sum of \$390,156.97 (incl. GST)
2. delegation be provided to the General Manager to:
 - a) exercise the option when required to extend the contract, subject to the satisfactory performance of the suppliers
 - b) to approve variations deemed to be necessary and appropriate within their financial delegations
3. a redacted copy of this report will be released as a public document

(Councillors Bing/Gordon) (BP25/28)

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

Voting against: Nil

Absent: Councillor Hall

13.2 Tender T24/32 - IT Disaster Recovery Solution

2/25

RESOLVED that:

1. in accordance with Clause 178(1)(a) of the *Local Government (General) Regulation 2021*, Council accepts the tender from Intuit Technologies Pty Ltd
2. Council delegates authority to the General Manager to enter and administer the contract under the terms of the Request for Tender
3. a redacted copy of this report be released as a public document

(Councillors Bing/Knight-Smith) (BP25/39)

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

Voting against: Nil

Absent: Councillor Hall

Resumption of Open Council

3/25

RESOLVED that Council reopen the doors to the public and return to open session.

(Councillors Bing/Knight-Smith)

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

Voting against: Nil

Absent: Councillor Hall

Closure

This concluded the business and the meeting terminated at 5.49pm.

CONFIRMED this > > 2025 at which meeting the signature herein was subscribed.

MAYOR

**MINUTES OF THE EXTRA ORDINARY MEETING OF THE COUNCIL OF THE CITY OF LISMORE
HELD IN COUNCIL CHAMBERS ON THURSDAY 27 FEBRUARY 2025 AT 12.30PM**

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, Gordon, Guise, Hall (via audio-visual), Jensen, Knight-Smith (via audio-visual), Rob, Waters (via audio-visual) together with Mr Gibbons, General Manager; Dr Logan, Chief Operating & Financial Officer; Mr Butron, Chief Corporate & Community Officer; Mr Mallam, Planning Coordinator; Mr Bradridge, Senior Development Assessment Officer; Mr Stace, Senior Regulatory Services 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

39/25

RESOLVED that:

1. an apology is accepted from Councillor Dalton-Earls
2. attendance by audio-visual link be approved for Councillors Knight-Smith and Waters due to work commitments and Councillor Hall for carer responsibilities

(Councillors Bing/Jensen)

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

Voting against: Nil

40/25

RESOLVED that a leave of absence be approved for Councillor Hall from 14 to 27 April 2025.

(Councillors Jensen/Gordon)

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

Voting against: Nil

Disclosures of Interest

Nil

Notices of Motion / Questions with Notice

10.1 Property Strategy

MOTION moved that Council rescind its decision of item 12.2 from the 11 February 2025 meeting.

(Councillors Guise/Waters)

RESOLVED that the motion be put.

(Councillor Rob)

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

Voting against: Councillors Guise, Knight-Smith and Waters

41/25 **DEFEATED** that Council rescind its decision of item 12.2 from the 11 February 2025 meeting.

(Councillors Guise/Waters) (BP25/101)

Voting for: Councillors Guise, Knight-Smith and Waters

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

Councillor Hall left the meeting, the time being 1:10PM

10.2 DA5.2023.301.1 - Subdivision to create two (2) lots and the construction of a new dwelling on proposed Lot 2 and associated infrastructure at 7 Booyong Road, Clunes

42/25 **DEFEATED** that Council rescind its decision of item 11.2 from the 11 February 2025 meeting.

(Councillors Guise/Knight-Smith) (BP25/102)

Voting for: Councillors Guise, Knight-Smith and Waters

Voting against: Councillors Battista, Bing, Gordon, Jensen, Krieg and Rob

Absent: Councillor Hall

Councillor Hall returned to the meeting, the time being 1:15PM

10.3 Code of Meeting Practice Review

MOTION moved that Council rescind its decision of item 10.2 from the 11 February 2025 meeting.

(Councillors Waters/Guise)

Councillor Jensen left the meeting, the time being 1:48PM

Councillor Jensen returned to the meeting, the time being 1:48PM

At this point the meeting adjourned for a recess, the time being 1:23PM

Councillor Knight-Smith left the meeting, the time being 1:23PM

Councillor Guise left the meeting, the time being 1:24PM

Councillor Waters left the meeting, the time being 1:30PM

The meeting resumed at 1:37PM

43/25 **DEFEATED** that Council rescind its decision of item 10.2 from the 11 February 2025 meeting.

(Councillors Waters/Guise) (BP25/103)

Voting for: Councillor Rob

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

Absent: Councillors Guise, Knight-Smith and Waters

10.4 Policy Number 3.1.1 Definition of Nuclear Free Peace Zone Policy

44/25 **DEFEATED** that Council rescind its decision of item 12.7 from the 11 February 2025 meeting.

(Councillors Krieg/Bing) (BP25/104)

Voting for: Nil

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

Absent: Councillors Guise, Knight-Smith and Waters

Closure

This concluded the business and the meeting terminated at 1.38pm.

CONFIRMED >>> 2025 at which meeting the signature herein was subscribed.

MAYOR

**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, Knight-Smith, Krieg and Rob
Voting against:	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 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)

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 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, 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.

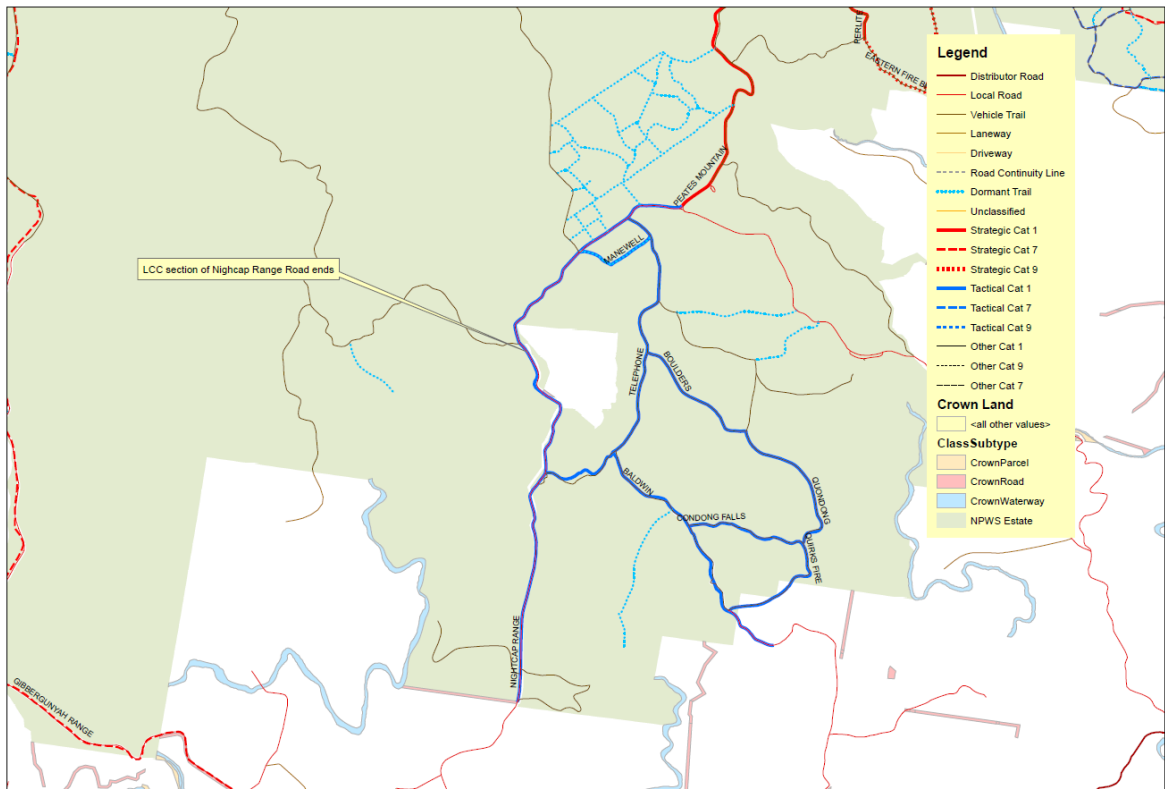
Councillor Dalton-Earls left the meeting, the time being 3:28PM

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 Land 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 >>> 2025 at which meeting the signature herein was subscribed.

MAYOR