



## Council

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An Ordinary Meeting of Lismore City Council will be held at the Council Chambers on Tuesday 13 May 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.*

**Eber Butron**  
**Acting General Manager**

7 May 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.

# Agenda

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## 1. Opening of Meeting

## 2. Acknowledgement of Country

## 3. Pause for reflection

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

## 5. Confirmation of Minutes

Lismore City Council held 8 April 2025 .....	106
Lismore City Council held 8 April 2025 .....	135

## 6. Disclosures of Interest

## 7. Mayoral Minute(s) and Condolence Motions

## 8. Reports of Committees

8.1 Lismore Flood Risk Management Committee - 10 April 2025 .....	7
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## 9. Matters Arising

## 10. Reports of the General Manager

10.1 Public Exhibition of the Draft Reimagine Lismore Community Strategic Plan 2025-2035, Draft Delivery Program 2025-2029, Draft Operational Plan 2025-2026, Draft Long Term Financial Plan and the Community Engagement Strategy 2025 including the Community Participation Plan.....	12
10.2 Planning Proposal to allow certain light industries to RU1, E1 and E2 zones .....	23
10.3 Planning proposal to allow additional permitted uses in South Lismore to support rail trail .....	37
10.4 DCP Housekeeping Amendments .....	43
10.5 2025 Status update and review Lismore Urban Stormwater Management Plan .....	48
10.6 March 2025 Quarterly Budget Review Statement.....	52
10.7 Business Lismore Funding Request .....	60
10.8 Advisory Groups Membership .....	69
10.9 Investments - April 2025.....	71

## 11. Notices of Motion / Questions with Notice

11.1 Mayoral Attendance Report.....	78
11.2 Community Access to Salvaged Materials from Buyback Homes .....	80
11.3 Bounty Street parking.....	81
11.4 Living Lab.....	82
11.5 Revert to evening Council meetings .....	83
11.6 Rural Landsharing Community Development .....	84

11.7	Temporary warehousing solution for relocatable homes.....	85
11.8	Policy Number 5.17.10.....	86
11.9	Santin Quarry legal outcome .....	93
11.10	Budget Variations.....	94
11.11	Dunoon Road Repairs/Upgrades.....	95
11.12	Lismore Affordable Housing Strategy .....	100
11.13	Flood related resolutions .....	101
11.14	Lismore CBD Levee update .....	102
11.15	Santin's Quarry.....	103

## **12. Confidential Business**

12.1	Lease of 97 Caniaba Street, South Lismore .....	105
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# Reports of Committees

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## Report of Committee

Lismore Flood Risk Management Committee - 10 April 2025

That the minutes from the 10 April 2025 meeting be received and the recommendations contained therein be adopted.

### Attachment/s

1. [↓](#) Minutes of Flood Risk Management Committee

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

#### 5.7 Update - Last Roads Out Map

That the Committee recommend Council consider publishing a Highest Roads Out map on the LCC Website until such time that SES update a Last Roads Out map on their website.

# Lismore Flood Risk Management Committee Minutes

## 10 April 2025

MINUTES OF THE LISMORE FLOOD RISK MANAGEMENT COMMITTEE HELD IN COUNCIL CHAMBERS ON THURSDAY, 10 APRIL 2025 AT 1:00 PM

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

### Present

Cr Rob (Chair), Cr Knight-Smith (audio-visual), Mr Toong Chin, Mr Graham Askey, Mr Col Baker, Mr Bill Moorhouse (audio-visual), Mr Alexander Rubin, Ms Demi Flynn, Mr Bradley Herd, Ms Helen Robinson, Mr Mark Tirris, Mr Michael Ackrell

### In Attendance

LCC Officers: Ms Longstaff, Senior Strategic Planner, Ms Cotterill, Governance & Risk Manager (*left at 1.30 pm*), Miss Hull, Executive Assistant to Chief Corporate & Community Officer,

Presenters: Mr Timms (audio-visual)

Observers: Beth Trevan (audio-visual), Roslynn Martens (gallery)

### Apologies

Cr Waters, Mr Andrew Logan, Mr Peter Cinque

### Non Attendance

Cr Dalton-Earls, Cr Jensen,

### Confirmation of Minutes

**RESOLVED** that the Minutes from the meeting dated 4 December 2024 were confirmed.

(Members Askey/Baker)

Voting for: Councillor Rob; Members: Askey, Baker, Moorhouse,  
Voting Against: Nil

### Disclosure of Interest

**Lismore City Council**  
**Minutes of Lismore Flood Risk Management Committee Meeting held 10**  
**April 2025**



# Lismore Flood Risk Management Committee Minutes

## 10 April 2025

No disclosures

### **5.1 Induction on the Code of Conduct for Committee Members**

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**RESOLVED** that the committee notes that members have been provided with a copy of the Code of Conduct Committee Members, Delegates of Council and Council Advisers 2023 which sets out their obligations.

(Members Herd/Ackrell)

Voting for: Councillors Knight-Smith and Rob; Members Askey, Baker, Moorhouse, Rubin, Flynn, Herd, Robinson, Tirris and Ackrell  
Voting Against: Nil

### **5.2 Flood Risk Management Committee Terms of Reference**

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**RESOLVED** that each Committee member acknowledges they have received a copy of the Terms of Reference for the Flood Risk Management Committee (as amended 26 March 2025) and understands the scope and limitations of the Committee.

(Members Askey/Ackrell)

Voting for: Councillors Knight-Smith and Rob; Members Askey, Baker, Moorhouse, Rubin, Flynn, Herd, Robinson, Tirris and Ackrell  
Voting Against: Nil

### **5.3 Update from NSW Reconstruction Authority**

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

(Members Rubin/Askey)

Voting for: Councillors Knight-Smith and Rob; Members Askey, Baker, Moorhouse, Rubin, Flynn, Herd, Robinson, Tirris and Ackrell  
Voting Against: Nil

### **5.4 Update - current projects being undertaken by DCCEW**

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

(Members Robinson/Ackrell)

Voting for: Councillors Knight-Smith and Rob; Members Askey, Baker, Moorhouse, Rubin, Flynn, Herd, Robinson, Tirris and Ackrell

# Lismore Flood Risk Management Committee Minutes

## 10 April 2025

Voting Against: Nil

### 5.5 Update from CSIRO Northern Rivers Resilience Initiative

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**RESOLVED** That the Committee note the update.

(Members Robinson/Flynn)

Voting for: Councillors Knight-Smith and Rob; Members Askey, Baker, Moorhouse, Rubin, Flynn, Herd, Robinson, Tirris and Ackrell

Voting Against: Nil

### 5.6 Lismore flood information graphics

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**RESOLVED** that the committee notes the Lismore Flood Levels and History of Lismore Flood Events graphics have been updated to include the peak flood level of 9.31m that occurred on 8 March 2025 during the Tropical Cyclone Alfred weather event.

(Members Ackrell/Herd)

Voting for: Councillors Knight-Smith and Rob; Members Askey, Baker, Moorhouse, Rubin, Flynn, Herd, Robinson, Tirris and Ackrell

Voting Against: Nil

### 5.7 Update - Last Roads Out Map

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**MOTION** moved that the Committee recommend Council consider publishing a Highest Roads Out map on the LCC Website until such time that SES update a Last Roads Out map on their website.

(Members Moorhouse/Baker)

Voting for: Councillors Knight-Smith and Rob; Members Askey, Baker, Moorhouse, Rubin, Flynn, Herd, Robinson, Tirris and Ackrell

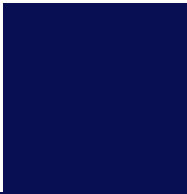
Voting Against: Nil

## Closure

This concluded the business and the meeting terminated at 3.08 pm.

# **Reports of the General Manager**

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## Report

<b>Subject</b>	Public Exhibition of the Draft Reimagine Lismore Community Strategic Plan 2025-2035, Draft Delivery Program 2025-2029, Draft Operational Plan 2025-2026, Draft Long Term Financial Plan and the Community Engagement Strategy 2025 including the Community Participation Plan
<b>TRIM Record No</b>	BP25/243:EF23/200
<b>Prepared by</b>	Coordinator Corporate Planning & Reporting
<b>Reason</b>	To put the updated Integrated Planning and Reporting documents on public exhibition for 28 days
<b>Strategic Theme</b>	Leadership and participation
<b>Strategy</b>	We provide effective management and responsible governance.
<b>Action</b>	Ensure the efficient and effective operation of Council.

### Executive Summary

The *Local Government Act 1993* requires the Community Strategic Plan, and supporting strategies, be reviewed by 30 June of the year following an ordinary election. The review identified that a new Community Strategic Plan, Community Engagement Strategy and Community Participation Plan should be developed.

With the development of the new Community Strategic Plan, and the commencement of a new term of council, a new Delivery Program needed to be developed to guide Council's operations over the next four years, along with an Operational Plan for 2025-2026, including a detailed budget and revenue policy.

Council has also reviewed and updated its Long Term Financial Plan.

Before Council can adopt the new Community Strategic Plan, Delivery Program, Operational Plan and Community Engagement Strategy, the draft of each must be exhibited for 28 days to obtain public feedback for consideration.

The graphically designed version will be circulated to Councillors prior to the council meeting.

Submissions received will be reported to Council's June 2025 meeting for consideration.

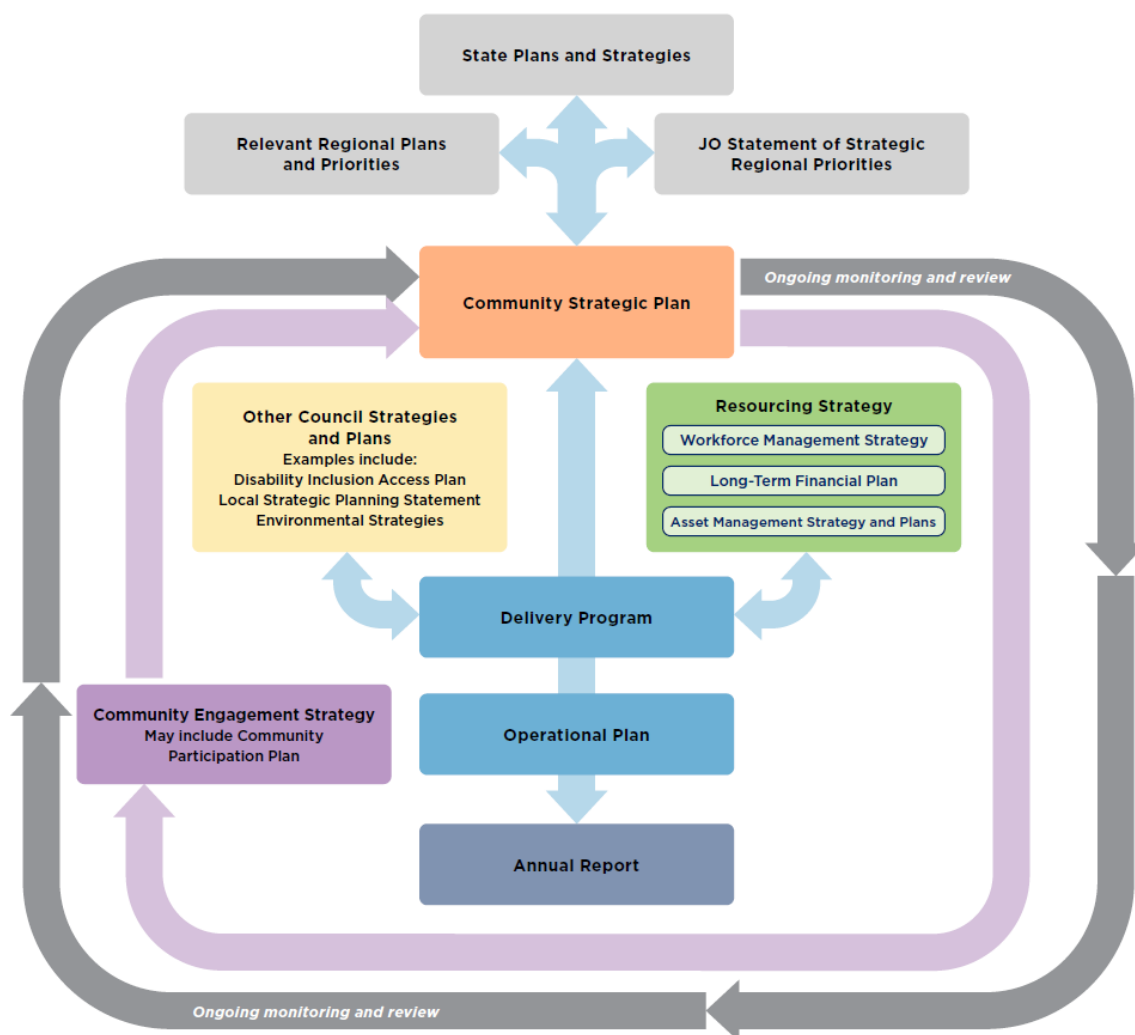
## Recommendation

That the following documents be placed on public exhibition for 28 days and any submissions be reported to Council for consideration prior to adoption, the:

1. Draft Reimagine Lismore Community Strategic Plan 2025 – 2035, including the Delivery Program 2025 – 2029 and the Operational Plan 2025/2026 (including detailed budget and Revenue Policy), and the Community Engagement Strategy 2025 including the Community Participation Plan
2. Draft Fees and Charges 2025-2026
3. Draft Long Term Financial Plan

## Background

The Integrated Planning and Reporting (IP&R) Framework is one of the guiding principles for councils as specified in Section 8A(c) of the *Local Government Act 1993* (the Act). It is comprised of a suite of strategies and plans that identify the community's priorities, goals and vision for the future, and guide Council's activities to support achieving the vision. IP&R brings all of Council's plans and strategies together with a common focus and clear path forward.



**Lismore City Council**

**Meeting held 13 May 2025 - 10.1 - Public Exhibition of the Draft Reimagine Lismore Community Strategic Plan 2025-2035, Draft Delivery Program 2025-2029, Draft Operational Plan 2025-2026, Draft Long Term Financial Plan and the Community Engagement Strategy 2025 including the Community Participation Plan**

## Community Strategic Plan

The highest-level plan in IP&R is the Community Strategic Plan (CSP), prepared by Council on behalf of the community. The 'Imagine Lismore Community Strategic Plan' 2022-2032 was adopted by Council in February 2023 and was based on community engagement predominantly received before the 2022 natural disaster.

The IP&R Guidelines (the Guidelines) require that Council must review the CSP before 30 June in the year following an ordinary election of council. The Imagine Lismore Community Strategic Plan was reviewed from September – December 2024. The review included, as specified in the Guidelines, the preparation of the State of our City Report 2024, a review of the content of the current CSP, and a review of the Community Engagement Strategy (CES) 2019. The outcome of this review was the decision to create a new CSP and CES to reflect current community priorities and update the vision for Lismore.

## Community Engagement Strategy and Community Participation Plan

The CES is the second umbrella strategy of IP&R. Operating in conjunction with the CSP, the CES provides guidance to all Council operations, and supports the development of all Council plans and strategies.

The review of the CES, completed in December 2024, identified the current document warranted renewal, and, as a new CSP was being developed, it made sense to create a new CES to support it. Council is also required under the *Environmental Planning and Assessment Act 1979* to have a Community Participation Plan (CPP) outlining how it engages in matters related to planning. As the purpose of the CES and CPP are similar, the two plans have been combined with the CPP forming an appendix to the CES. Due to this relationship, when the CES was prepared it was deemed appropriate to also prepare a new CPP.

## Delivery Program and Operational Plan

The Delivery Program (DP) is a four-year plan outlining the principal activities, including the strategies specified in the CSP, that will be undertaken during a term of council. Section 404 of the Act requires a new DP be established after the ordinary election of council and commence on 1 July of the following year.

To achieve the commitments made in the DP, Council must adopt an Operational Plan (OP) by 30 June each year of the council term. The OP details the specific actions Council will undertake in the year that progress completion of the DP.

As the DP, and subsequently the OP, must include the strategies from the CSP, the decision to create a new CSP required a new DP and OP be prepared alongside the new CSP. The relationship of these three plans forms the backbone of the IP&R framework and Council operations.

## Resourcing Strategy

To be able to deliver the commitments made in the CSP, and resulting DP and OP, Council must provide the resources required to carry it out. The IP&R Framework specifies three supporting resourcing strategies addressing the assets, people, and funds needed – the Asset Management Strategy (AMS), the Workforce Management Strategy (WMS) and the Long-Term Financial Plan (LTFP). As the AMS and WMS do not require public exhibition prior to adoption they will be presented to Council at a separate meeting prior to 30 June 2025. The LTFP will be presented in a separate report, alongside the 2025-2026 Budget.

## Reimagine Lismore Community Strategic Plan 2025–2035, Delivery Program 2025–2029, and Operational Plan 2025-2026

To emphasise the interrelationship between the CSP, DP, and OP, it was decided to present all three in a single document. This makes the plans easy to read and follow through each of the focusing steps from long-term goal through to short-term action. To this end, the Reimagine Lismore Community Strategic Plan 2025-2035 lays out the strategic goals of the Lismore community to guide the next 10 years, and the pages following the CSP step out the specific actions Council will perform over the next four years to progress these goals.

The CSP was developed using extensive community engagement to identify what Lismore of the future should look like. This engagement included a Community Scorecard sentiment survey in November 2024, a series of community workshops run across the local government area (LGA), as well as consideration of feedback gathered through numerous engagement activities conducted over the preceding three years. Through this process, the community told us their priorities, aspirations for the future, and guided the development of a clear vision for Lismore. This feedback resulted in the development of the strategic objectives of our community, the core pillars of the Reimagine Lismore Community Strategic Plan 2025 – 2035. The pillars are:

1. Place - Plan sustainable growth to ensure liveable communities and a vibrant regional city
2. Environment - Value, protect and enhance local biodiversity, natural landscapes and waterways and strengthen resilience to natural hazards
3. Community - Foster safe, healthy and inclusive communities for all ages, cultures and abilities
4. Prosperity - Support the growth of prosperous and vibrant communities
5. Leadership - Ensure effective governance, advocacy, engagement and partnerships with a focus on long-term financial sustainability

Building on the CSP, and with significant contribution from the community, councillors and Council officers, the Delivery Program 2025-2029 and Operational Plan 2025-2026 were created to support the strategic objectives and provide specific actions Council will deliver to help achieve them. These supporting plans will form Council's roadmap for the next four years with annual reviews.

Public exhibition of the plans is the final engagement step in the development of the CSP, DP and OP. During the 28-day public exhibition period, the community will be invited to review the plans and provide feedback to confirm if the priorities, actions and activity outlined reflect the feedback they have previously provided. All feedback received will be considered before the proposed final plans are brought back to Council for adoption prior to 30 June 2025.

## Community Engagement Strategy 2025 including the Community Participation Plan

A phased approach to formal consultation was adopted in the development of Council's new CES, which has included analysis of previous engagement approaches and outcomes, industry best practice research, data analysis, workshops, interviews, small focus groups, and surveys. All data collated has been added to the invaluable community feedback already provided through a range of consultations and surveys undertaken across the Lismore LGA over the past two years.

Council's new CES incorporates nuanced engagement methods for Lismore, changes to engagement opportunities and other advancements in community engagement over the previous five years. It also incorporates an updated Community Participation Plan to ensure engagement activities are aligned across all Council teams.








## Operational Plan (Budget Estimates 2025/2026 – 2028/2029)

Council has developed a 4 year budget covering the period 2025/2026 to 2028/2029. The three key strategic themes to framing the draft budget include:

1. inclusion of a record \$244.8 million capital investment in community infrastructure assets, across roads, bridges, buildings, water and sewerage.
2. ensuring the continued delivery of important community services whilst being fiscally prudent and responsible to ensure our operating costs remain within sustainable levels.
3. undertaking a principled approach to ensure costs to ratepayers are minimised.

A key highlight of the draft budget for 2025/2026 is the record capital investment of \$244.8 million in community infrastructure assets. Whilst this is largely a result of natural disaster restoration works of \$212.23 million, this is a great outcome for the Lismore LGA and will result in the restoration of critical roads, buildings, water and sewerage assets. In addition, a further \$32.57 million is being invested in capital improvements from Council's business as usual works program. This includes roads and bridges, stormwater drainage, waste, water and sewerage and parks and open spaces assets. A summary of the planned capital works is shown below:

### Planned Capital Investment 2025/2026 - \$244.8 million

Infrastructure	Waste	Water & Sewer	Parks & Open Spaces	Natural Disaster Works
				
Roads \$9.22 m	Landfill	Water \$4.66 m	Renewals \$600 k	Buildings \$11.97 m
Bridges \$3.65 m	Development \$752 k	Sewer \$6.58 m	Tamarind Park \$306 k	Roads & Bridges \$171.74 m
Drainage \$1.04 m	Resource			Waste \$5.72 m
Footpaths \$298 k	Recovery \$989 k			Sewer \$22.06 m
				Water \$0.74 m
				<b>Total \$212.23 m</b>

There is a forecast loss before capital grants and contributions of (\$10.903) million for the 2025/2026 financial year. This is forecast to improve to a projected loss before capital grants and contributions of (\$4.211) million in the 2028/2029 financial year and is a significant improvement from the 2024/2025 original budget projected loss of (\$14.147) million.

Importantly, the draft budget delivers an unrestricted cash surplus of \$680,560, improving across the 4 year budget to a projected surplus of \$1,145,199 in 2028/2029. It is imperative that Council starts building an unrestricted cash reserve balance to ensure it has sufficient financial capacity to fund unexpected events and to be able to reinvest in improvements and initiatives that will drive Council forward.

























The improvement in the financial results demonstrates Council's commitment to improving its financial sustainability to ensure it is delivering essential community services, whilst remaining fiscally prudent.



As summary of 4 year budget by program is shown below. These results include internal transactions (ie. are prior to consolidation).



Budget	2025/2026 \$'000	2026/2027 \$'000	2027/2028 \$'000	2028/2029 \$'000
Operating Revenue	169,929	161,725	158,993	163,878
Capital Grants and Contributions	220,560	181,823	76,682	26,163
<b>Total Income from Continuing Operations</b>	<b>390,489</b>	<b>343,548</b>	<b>235,675</b>	<b>190,041</b>
Operating Expenditure	180,832	168,153	164,105	168,088
<b>Operating Result for the year</b>	<b>209,657</b>	<b>175,395</b>	<b>71,569</b>	<b>21,953</b>
<b>Operating Result before capital grants and contributions</b>	<b>(10,903)</b>	<b>(6,428)</b>	<b>(5,113)</b>	<b>(4,211)</b>
<b>Unrestricted Cash Result – Surplus/(Deficit)</b>	<b>681</b>	<b>701</b>	<b>1,040</b>	<b>1,146</b>
Capital Expenditure	244,783	210,510	104,445	54,424

Council's key performance indicators are shown below, with 4 out of the 6 ratios meeting the OLG benchmark.

		25/26	26/27	27/28	28/29
Operating Performance Ratio	Snapshot				
	Benchmark	> 0.00%	> 0.00%	> 0.00%	> 0.00%
	Actual Ratio	-5.21%	-2.27%	-1.33%	-0.61%
Own Source Operating Revenue Ratio	Snapshot				
	Benchmark	> 60.00%	> 60.00%	> 60.00%	> 60.00%
	Actual Ratio	29.11%	34.91%	54.56%	72.16%
Unrestricted Current Ratio	Snapshot				
	Benchmark	> 1.50	> 1.50	> 1.50	> 1.50
	Actual Ratio	2.11	2.22	2.74	3.22
Debt Service Cover Ratio	Snapshot				
	Benchmark	> 2.00	> 2.00	> 2.00	> 2.00
	Actual Ratio	4.81	6.00	6.30	8.03
Rates, Annual Charges, Interest & Extra Charges Outstanding Percentage	Snapshot				
	Benchmark	< 10.00%	< 10.00%	< 10.00%	< 10.00%
	Actual Ratio	9.08%	9.10%	9.14%	9.17%
Cash Expense Cover Ratio	Snapshot				
	Benchmark	> 3.00	> 3.00	> 3.00	> 3.00
	Actual Ratio	10.34	10.28	10.33	10.54

 Within benchmark  
 Not within benchmark

Whilst Council's operating performance ratio of -5.21% for 2025/2026 does not meet the benchmark, this ratio is projected to improve to -0.61% by 2028/2029.

Council's Own Source Operating Revenue Ratio is projected to be 29.11% in 2025/2026. This ratio is below the OLG benchmark of > 60.00% due to the significant levels of natural disaster funding expected to be received over the next 2-3 years. Once natural disaster restoration works are completed, this ratio is expected to improve and is projected to be 72.16% in 2028/2029.

## Statement of Revenue Policy

Council's Statement of Revenue Policy details each charge proposed to be levied for the 2025/2026 financial year. These are outlined below.

### Ordinary Rates

The NSW Independent Pricing and Regulatory Tribunal (IPART) has set the maximum rate peg for Lismore City Council at 3.90% for the 2025/2026 financial year. The full rate peg has been applied to all rating categories, apart from the Business Inner CBD category, in which no increase has been applied. The application of the rate peg will generate an additional \$1.34 million in income and growth in rateable properties will generate an additional \$117,000. A summary of the proposed ordinary rates is shown in the table below.

Rates Category	Rate in \$ (cents)	Base Amount (\$)	Yield (\$'000)	Proportional Contribution (%)
Business – Inner CBD	7.7752	475.00	1,731	4.61
Business – Urban	2.0100	475.00	4,883	13.00
Business – Other	0.5894	475.00	182	0.48
Business – Nimbin	0.8139	475.00	117	0.31
Residential – Urban/Village	0.3917	475.00	19,365	51.57
Residential – Rural	0.3058	475.00	5,940	15.82
Farmland	0.3044	475.00	5,336	14.21
<b>Total</b>			<b>37,554</b>	<b>100.00</b>

### Waste Management Charges

As a result of the natural disasters of February and March 2022 and the subsequent damage to Council's waste cell, Council has been required to transport waste off site to other facilities. This has resulted in Council incurring significant additional operational costs, which will continue during the 2025/2026 financial year until the cell becomes operational. This has resulted in a continuation of the waste levy of \$75.00 per service for the 2025/2026 financial year. This levy is included in the annual charges as shown below. To minimise the impact to ratepayers, the waste minimisation levy of \$65.00 has again been reduced to \$0.00.

Services	Annual Charge 2025/2026	Waste Levy 2025/2026	Total Annual Charge (\$)	Yield (\$'000)
<b>Waste Collection</b>				
<b>Domestic – Urban</b>				
Waste Collection - Urban Full	\$567.00	\$75.00	\$642.00	\$6,568
Waste Collection – Urban Half	\$394.00	\$75.00	\$469.00	\$183
Waste Collection – Urban Waste Plus	\$672.00	\$75.00	\$747.00	\$564
Waste Collection – Special Needs	\$462.00	\$75.00	\$537.00	\$18
<b>Rural</b>				
Waste Collection – Rural	\$556.00	\$75.00	\$631.00	\$1,548
Waste Collection – Rural Half	\$362.00	\$75.00	\$437.00	\$213

**Lismore City Council**

**Meeting held 13 May 2025 - 10.1 - Public Exhibition of the Draft Reimagine Lismore Community Strategic Plan 2025-2035, Draft Delivery Program 2025-2029, Draft Operational Plan 2025-2026, Draft Long Term Financial Plan and the Community Engagement Strategy 2025 including the Community Participation Plan**

Waste Collection – Village	\$645.00	\$75.00	\$720.00	\$1,098
Waste Collection – Village Half	\$435.00	\$75.00	\$510.00	\$61
<b>Non-Domestic</b>				
Waste Collection - Urban Business	\$494.00	\$75.00	\$569.00	\$651
Waste Collection - Village/Rural Business	\$552.00	\$75.00	\$627.00	\$141
<b>Waste Management</b>				
Waste Availability	\$78.75	\$0.00	\$78.75	\$95
Waste Minimisation	\$0.00	\$0.00	\$0.00	\$0
Nimbin Transfer Station	\$190.00	\$0.00	\$190.00	\$61

## Sewerage Charges

There is a proposed increase of 3.90% for sewer annual charges for the 2025/2026 financial year as summarised below.

Sewerage Services	Annual Charge (\$)	Yield (\$'000)
For single unit dwelling houses	\$1,053.00	\$11,443
For residential flats for each unit of occupancy	\$737.00	\$1,124
For non-domestic properties (excluding properties within the established strength category), per equivalent tenement or part thereof as indicated within the Wastewater Charging Policy	\$1,053.00	\$2,527
For properties not connected to a wastewater scheme and able to do so and located within 75 metres of a wastewater main	\$632.00	\$378
Sewer Rebate 1 - For occupied properties with stand-alone systems of wastewater management not connected to the sewerage system	\$316.00	\$0
Sewer Rebate 2 - For occupied properties with dry composting toilets and no toilets connected to the sewerage system	\$527.00	\$0

## Water Charges

It is proposed to increase water annual and consumption charges by 5.00% for the 2025/2026 financial year as summarised below.

Water Services	No. of Services	Annual Charge (\$)	Yield (\$'000)
<b>Residential</b>			
20mm service	12,392	\$388.00	\$4,808
25mm service	179	\$606.00	\$109
32mm service	77	\$992.00	\$76
40mm service	54	\$1,550.00	\$84
50mm service	24	\$2,422.00	\$58
65mm service	3	\$4,093.00	\$12
80mm service	1	\$6,201.00	\$6
100mm service	-	\$9,688.00	\$0
150mm service	-	\$21,799.00	\$0
<b>Total Residential</b>	<b>12,730</b>		<b>\$5,153</b>
<b>Non-Residential</b>			

## Lismore City Council

Meeting held 13 May 2025 - 10.1 - Public Exhibition of the Draft Reimagine Lismore Community Strategic Plan 2025-2035, Draft Delivery Program 2025-2029, Draft Operational Plan 2025-2026, Draft Long Term Financial Plan and the Community Engagement Strategy 2025 including the Community Participation Plan

20mm service	854	\$388.00	\$331
25mm service	300	\$606.00	\$182
32mm service	133	\$992.00	\$132
40mm service	108	\$1,550.00	\$168
50mm service	136	\$2,422.00	\$329
65mm service	4	\$4,093.00	\$16
80mm service	9	\$6,201.00	\$56
100mm service	21	\$9,688.00	\$204
150mm service	5	\$21,799.00	\$109
<b>Total Non-Residential</b>	<b>1,570</b>		<b>\$1,527</b>
<b>Other</b>			
Unconnected properties*	285	\$388.00	\$111
Fire service*	69	\$388.00	\$27
Water Rebate Services* (Occupied properties with stand-alone water supply systems not connected to the reticulated water supply)	-	\$194.00	\$0
<b>Total Other</b>	<b>354</b>		<b>\$137</b>
<b>Grand Total</b>	<b>14,654</b>		<b>\$6,817</b>
<b>Water Consumption per kilolitre</b>		<b>\$5.28</b>	

## Stormwater Management Service Charge

The Stormwater Management Services charge is applied to ratable land within the Lismore urban area. There are exemptions to the charge with vacant and crown land (including Department of Housing) most prominent.

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

The proposed charges are shown below.

Stormwater Management Services	No. of Services	Charge \$	Yield \$
Stormwater Residential - Urban Wilson	8,025	25.00	200,625
Stormwater Residential - Urban Strata Wilson	876	12.50	10,950
Stormwater Business - Wilson	4,924	25.00	123,100
Stormwater Business - Strata Wilson	39	25.00	991
Stormwater Residential - Urban Tucki	1,767	25.00	44,175
Stormwater Residential - Urban Strata Tucki	382	12.50	4,775
Stormwater Business - Tucki	610	25.00	15,250
<b>Total</b>	<b>16,623</b>		<b>399,866</b>

Further details are provided in the Draft Revenue Policy attachment.

## Lismore City Council

**Meeting held 13 May 2025 - 10.1 - Public Exhibition of the Draft Reimagine Lismore Community Strategic Plan 2025-2035, Draft Delivery Program 2025-2029, Draft Operational Plan 2025-2026, Draft Long Term Financial Plan and the Community Engagement Strategy 2025 including the Community Participation Plan**

## Fees and Charges

The Draft 2025/2026 Fees and Charges have been prepared in accordance with policy 1.5.9 Pricing Policy – Fees and Charges.

A 4.00% increase in general fees and charges has been applied, in accordance with Council's Long Term Financial Plan (LTFP) assumptions. This excludes commercial operations, statutory charges and water charges and some fees have been increased by CPI where relevant.

A full copy of the Draft Fees and Charges is attached.

## Borrowings

Council is required to submit a program of borrowings seeking approval from the Office of Local Government on an annual basis. There are no proposed borrowings for the 2025/2026 financial year.

## Long Term Financial Plan

Council's Long Term Financial Plan (LTFP) is a 10-year rolling plan that informs decision making and demonstrates how the objectives of the Community Strategic Plan (CSP) and commitments of the four year Delivery Program and the annual Operational Plan will be resourced and delivered over the short, medium and long term.

	2025/ 2026 \$m	2026/ 2027 \$m	2027/ 2028 \$m	2028/ 2029 \$m	2029/ 2030 \$m	2030/ 2031 \$m	2031/ 2032 \$m	2032/ 2033 \$m	2033/ 2034 \$m	2034/ 2035 \$m
Operating Income	146	138	134	139	138	142	147	151	155	160
Capital Grants	221	182	77	26	9	10	9	10	10	8
<b>Total Income</b>	<b>367</b>	<b>320</b>	<b>211</b>	<b>165</b>	<b>147</b>	<b>152</b>	<b>156</b>	<b>161</b>	<b>165</b>	<b>168</b>
<b>Operating Expenses</b>	<b>157</b>	<b>144</b>	<b>140</b>	<b>143</b>	<b>142</b>	<b>145</b>	<b>149</b>	<b>153</b>	<b>156</b>	<b>160</b>
<b>Operating Result</b>	<b>210</b>	<b>175</b>	<b>71</b>	<b>22</b>	<b>5</b>	<b>6</b>	<b>7</b>	<b>7</b>	<b>9</b>	<b>8</b>
<b>Operating Result before Capital Grants</b>	<b>(11)</b>	<b>(6)</b>	<b>(5)</b>	<b>(4)</b>	<b>(3)</b>	<b>(3)</b>	<b>(2)</b>	<b>(2)</b>	<b>(1)</b>	<b>0</b>

The LTFP shows a projected improvement in Council's operating result before capital grants and contributions, from a loss of \$11 million in 2025/2026 to a projected break-even result in 2034/2035. This demonstrates Council's focus on financial sustainability in delivering essential community services, whilst being fiscally prudent in achieving unrestricted cash surpluses.

Council's operating performance ratio is projected to achieve a break-even result in 2030/2031. This ratio excludes net losses from the disposal of assets, which is why this ratio achieves this result prior to the actual operating result being break-even in 2034/2035.

It should be noted that the LTFP is based on a number of critical financial assumptions and existing budget methodologies. The impact of significant natural disaster restoration works on future asset maintenance, renewal and depreciation commitments needs further detailed modelling to fully understand the impacts on Council's long term financial position.

The Draft LTFP is attached to this report.

## Asset Management Plans

Asset Management Plans have been drafted and will be presented to Council in June 2025 together with the final Community Strategic Plan (CSP). The Asset Plans as prepared cover Roads and Bridges, Buildings and Structures, and finally Urban Stormwater. The finalised Asset Management Plans are not required for Public Exhibition.

## Public consultation

An extensive program of public consultation has taken place to develop this suite of documents, including the Community Scorecard survey, community workshops, engagement surveys and review of feedback received from previous community engagement activities. The Draft Reimagine Lismore Community Strategic Plan, Draft Delivery Program, Draft Operational Plan and Draft Long Term Financial Plan will be placed on public exhibition for 28 days. Submissions received will be reported to Council's June meeting for consideration.

## Conclusion

The Reimagine Lismore Community Strategic Plan 2025-2035, and the supporting Delivery Program 2025-2029, Operational Plan 2025-2026, Community Engagement Strategy 2025 including the Community Participation Plan, along with the Long Term Financial Plan will bring Council's Integrated Planning and Reporting program up to date, with a future focus, tangible actions, and clear vision for Lismore. The penultimate step in the development process is to seek public feedback on the draft documents to confirm that they reflect community expectations and desires for the future of Lismore.

It is recommended that the draft Reimagine Lismore Community Strategic Plan 2025-2035, Delivery Program 2025-2029, Operational Plan 2025-2026, Community Engagement Strategy 2025 including the Community Participation Plan and Long Term Financial Plan, be adopted in principle and placed on public exhibition for 28 days.

Any submissions received will be reported back to Council's 17 June 2025 Extra Ordinary meeting for consideration and then adoption of the Reimagine Lismore Community Strategic Plan 2025-2035, Delivery Program 2025-2029, Operational Plan 2025-2026, Community Engagement Strategy 2025 including the Community Participation Plan and Long Term Financial Plan.

## Attachment/s

1. Draft Community Strategic Plan (Over 7 pages)
2. Draft Community Engagement Strategy 2025 (Over 7 pages)
3. Draft Budget by Program 2025/2026 (Over 7 pages)
4. Draft Long Term Financial Plan 2025-2035 (Over 7 pages)
5. Draft Statement of Revenue Policy 2025/2026 (Over 7 pages)
6. Draft Fees and Charges 2025/2026 (Over 7 pages)



# Report

<b>Subject</b>	<b>Planning Proposal to allow certain light industries to RU1, E1 and E2 zones</b>
<b>TRIM Record No</b>	BP25/155:EF24/80
<b>Prepared by</b>	Strategic Planner Coordinator
<b>Reason</b>	To finalise a planning proposal that introduces certain light industries into Lismore's RU1, E1 and E2 land use zones.
<b>Strategic Theme</b>	Our built environment
<b>Strategy</b>	Our land-use planning caters for all sectors of the community.
<b>Action</b>	Ensure a diverse range of land use and development opportunities are available.

## Executive Summary

Enabling greater diversification and activation of our commercial and rural areas is important to our communities, particularly as Lismore continues its social and economic recovery since the 2022 natural disaster. To align the planning framework with these socio-economic goals, Council officers have prepared a Planning Proposal to enable 'creative industries' in the E1 Local Centre and E2 Commercial Centre zones, and 'artisan food and drink industries' and 'creative industries' in the RU1 Primary Production zone.

The Planning Proposal was amended in accordance with Gateway determination at the request the Department of Planning Housing and Infrastructure (DPHI) and has since been placed on public exhibition.

This report summarises the submissions received and changes that have been made in response to the public exhibition.

It is recommended the final Planning Proposal be supported for finalisation.

## Recommendation

That Council support the Planning Proposal and instruct the General Manager to make the amended changes to the Local Environmental Plan as per the delegation issued to Council by the Gateway Determination.

## Background

On 12 November 2024, Council considered a council-led planning proposal to amend the Lismore Local Environmental Plan 2012 (LEP 2012) in the following manner:

- include 'artisan food and drink industries' in the land use table of the RU1 Primary Production zone as permissible with consent;
- include 'creative industries' in the land use table of E1 Local Centre and E2 Commercial Centre zones as permissible with consent;
- remove the definition of 'small scale' in *Clause 6.11 Rural and Nature-Based Tourism*;

**Lismore City Council**

**Meeting held 13 May 2025 - 10.2 - Planning Proposal to allow certain light industries to RU1, E1 and E2 zones**

- add ‘artisan food and drink industries’ to the list of land uses that *Clause 6.11 Rural and Nature-Based Tourism* applies to; and
- rectify an error in the E1 Local Centre zone objectives resulting from the State Government’s employment zone reform.

The resolution of the Ordinary meeting of Council was that the planning proposal should be expanded by ways of permitting all light industries (with the exception of ‘*high technology industries*’) with consent in the RU1 Primary Production zone and proceed to Gateway determination then public consultation.

The resolution can be seen below.

## **RESOLVED** that Council:

1. *supports the planning proposal to introduce additional light industries to the Lismore Local Environmental Plan (LEP) 2012*
2. *prior to forwarding the Planning Proposal to the Department of Planning, Housing and Infrastructure, it be amended to enable light industries as permitted with consent in the RU1 zone, and High Technology Industry as prohibited in the RU1 zone*
3. *forwards the planning proposal to the Department of Planning, Housing and Infrastructure (DPHI) seeking a Gateway determination and proceeds to public exhibition in accordance with any Gateway requirements*
4. *confirms that should any objections be made during the public exhibition stage that the General Manager will report back to Council. If no objections are made, the General Manager will proceed in making the LEP.*

*(Councillors Battista/Bing) (BP24/688)*

In accordance with the Council resolution, officers amended the Planning Proposal and lodged it with the Department of Planning, Housing and Infrastructure (DPHI) requesting a Gateway Determination.

## **Gateway Determination**

On 10 December 2024, a Gateway Determination was issued by DPHI with a condition that the proposal could proceed subject to it being amended to remove the component seeking to permit all ‘*light industries*’ (except of ‘*high technology industries*’) in the RU1 Primary Production zone. It determined that light industry includes a range of potential activities that need to be considered and determined strategically. DPHI noted that the potential risk of innominate light industrial uses is too high. DPHI considered that until additional strategic work is undertaken, only ‘artisan food and drink industries’ (as a defined child term of light industries) can be permitted with consent in the zone.

On 8 January 2025, Council lodged a Gateway alteration requesting that DPHI re-consider their Gateway Decision as the proposal meets the relevant requirements of the North Coast Regional Plan 2041 to support the productivity of agricultural land. Further, as light industries are required to be compatible with the amenity of the neighbourhood, the size of scale of any proposed *light industries* would be sufficiently managed by Council officers during the Development Application stage.

On 20 January 2025, an Alteration of Gateway Determination was issued for the Amended Planning Proposal. The report PP2024-2509 re-affirmed the Departments original conclusion that the inclusion of all light industries in the RU1 Primary Production zone would require significant strategic consideration and justification through the preparation of a rural lands strategy, of which is already in progress. However, the altered Gateway Determination made a compromise and enabled Council to include ‘artisan food and drink’, ‘creative industries’ and ‘home industries’ (three child terms under the parent definition of ‘light industries’) as permitted with consent as it is compatible within the RU1 Primary Production zone and a niche use which is unlikely to create land use conflict. Note – ‘home industries’ is already permissible in this zone and therefore does not need to be included in the Planning Proposal.



As the Planning Proposal no longer proposes the parent term of 'Light Industries' be added as permissible with consent, there is no need to call out the child term of 'high technology industries' as prohibited. It will remain prohibited as per the existing land use table for the RU1 zone.

The Amended Planning Proposal was placed on public exhibition in accordance with the altered Gateway Determination and referred to relevant state agencies for comment.

## State Agency and Public Feedback

Public consultation occurred from 17 February to 17 March 2025 by placement on the NSW Planning Portal, Lismore City Council website and in Local Matters Issue 275.

Three (3) public and two agency submissions were received.

## State Agency Feedback

In accordance with the Alteration of Gateway Determination, the Amended Planning Proposal was referred to the Department of Primary Industries (DPI) and NSW Rural Fire Service (RFS).

Both RFS and DPI provided submissions that are attached to this report. The RFS raised no objections and are satisfied that bushfire considerations can be addressed at DA stage. The submission from DPI is summarised and addressed at Table 1. The DPI objected to one element of the Planning Proposal, as the matter has been addressed by way of a minor amendment, it is now considered that the objection is lifted.

**Table 1: Summary of DPI submission**

Feedback	Officer response
Acknowledges that 'creative industries' are not directly connected to the rural use of land but are considered a niche industry that at times may need a rural location for production purposes. Filming is already a temporary exempt development under SEPP (Exempt and Complying Development Codes) 2008 and managed under the Local Government Act 1993', therefore the inclusion of 'creative industries' in the RU1 Primary Production zone is supported.	No response required.
The inclusion of 'artisan food and drink industry' as permissible with consent in the RU1 Primary Production zone is supported as within the Department's 'Planning for Agriculture in Rural Land Use Strategies' guide 'artisan food and drink industry' and 'home industry' are listed as a compatible land use for agriculture. Therefore the inclusion of 'artisan food and drinks' as a 'tourism development' under <i>Clause 6.11 Rural and nature-based tourism</i> is supported.	

<p>Council should consider the inclusion of 'creative industries' within <i>Clause 6.11 Rural and nature-based tourism</i> should it be approved for inclusion within the RU1 Primary Production zone land use table as 'permitted with consent'. This will ensure that provisions relating to scale and impacts on agricultural land and industries are applied.</p>	<p>'creative industries' has been added to the uses specified within <i>Clause 6.11 Rural and nature-based tourism</i> that require consideration of the clause.</p>
<p>The removal of a definition for 'small scale' under <i>Clause 6.11</i> is not supported. Council should consider amending the definition to align with the State Environmental Planning Policy that exempts 'farm gate premises' in rural zones, provided that they are smaller than 100 people on site at any given time.</p>	<p>The current definition of 'small scale' in <i>Clause 6.11 Rural and nature-based tourism development</i> clause is no longer considered appropriate as it contradicts the intent of the State Government's agritourism reforms that allow, as exempt development, up to 100 visitors to attend 'farm gate premises' and unnecessarily restricts development to a scale that Council still considers unsuitable.</p> <p>The intent of such provisions is to enable rural land holders to diversity farm operations.</p> <p>As the uses identified within <i>Clause 6.11 Rural and nature-based tourism development</i> function in a similar manner to 'farm gate premises', the benchmark of 100 persons on site at any given time is deemed an appropriate measure to replace the existing definition of 'small scale'.</p> <p>The Planning Proposal has been amended to omit the existing 'small scale' definition and instead apply a development criteria to 6.11(3)(b) that the <i>development must not hold more than 100 patrons at any one time</i>.</p> <p>Officers consider this to be a positive compromise that ensures rural landholders can diversify whilst also protecting the rural amenity.</p>

## Public Feedback

The public submissions are summarised in Table 2 and attached to this report.

**Table 2: Summary of issues raised in public submissions.**

Feedback	Officer response
Support for 'creative industries' being allowed in E1 and E2 zones as the changes will provide for the growth of cultural industries in the Lismore CBD and local centres, while encouraging revitalisation of the urban area post flood recovery.	No response required.
Support for more light industry uses being provided in the rural area if they are consistent with the character of the area.	
Objection to removing the definition of 'small scale' from the <i>Clause 6.11 Rural and nature-based tourism development</i> .	As discussed in Table 1, Clause 6.11 has been amended to introduce a requirement so that rural and nature-based tourism uses in the RU1 Primary Production zone are limited to 100 people on site at any given time.

Officers have responded to all concerns raised by submitters.

As a result of the feedback received, Council officers have amended clause 6.11(3)(b) by replacing the phrase 'small scale' with a metric of 100 patrons on site at any given time, as per the feedback table. This will effectively limit the size of development to that of a reasonable scale, thereby preserving the objectives of the zone and aligning LEP provisions with the state government policy for farm gate premises (which operate in a similar ancillary manner to the tourism development uses identified in clause 6.11).

There were no objections relating to the amendments to include 'creative industries' in the E1 Local Centre and E2 Commercial Centre zones as permissible with consent or amending the E1 Local Centre zone objectives.

## Conclusion and next steps

***The final Planning Proposal recommends that:***

- 'creative industries' are included in the land use table for E1 Local Centre and E2 Commercial Centre zones as permissible with consent;
- The following objective from the E1 Zone is removed: "*To ensure that development is of an appropriate scale to service the needs of the local community and does not detract from the role of the zone as the primary retail, commercial and entertainment centre of Lismore*";
- 'artisan food and drink industries' and 'creative industries' are included in the land use table for the RU1 Primary Production zone as permissible with consent;
- The definition of 'small scale' within *Clause 6.11 Rural and Nature-Based Tourism* is replaced by a reference in clause 6.11(3)(b) that specifies a limit of 100 patrons on site at any given time; and
- 'artisan food and drink industries' and 'creative industries' are added to the list of relevant land uses that *Clause 6.11 Rural and Nature-Based Tourism* applies to.

The proposed final changes to the relevant LEP clauses can be seen at Appendix 3 of the attached Planning Proposal.

The issues raised in public and Agency submissions in relation to the amended Planning Proposal have been adequately addressed in this report. Officers have addressed the objection raised by DPI and as such consider the objection lifted.

In accordance with the required steps of finalising a Planning Proposal, prior to making the LEP, officers will seek agreement from the Minister for Planning and Public Spaces in relation to the section 9.1 ministerial directions; 9.2 Rural Lands; and 4.3 Planning for Bushfire Protection. These were left outstanding subject to Agency feedback. As both agencies are now supportive, it is expected that the Minister will issue agreement. Once the agreement has been received, officers will make the LEP amendment in accordance with DPHI's written authorisation to exercise delegation.

It is therefore recommended Council adopt the amended Planning Proposal.

## Attachment/s

- |                       |   |                |
|-----------------------|---|----------------|
| 1.                    | Final planning proposal - additional light industrial uses            | (Over 7 pages) |
| 2. <a href="#">↓</a>  | Original Gateway determination - Gateway determination document       |                |
| 3. <a href="#">↓</a>  | Original Gateway determination - Letter to Council                    |                |
| 4.                    | Original Gateway determination report                                 | (Over 7 pages) |
| 5.                    | Gateway alteration request  | (Over 7 pages) |
| 6.                    | Alteration of Gateway determination                                   | (Over 7 pages) |
| 7.                    | Altered Gateway determination - Letter to Lismore Council             | (Over 7 pages) |
| 8.                    | Alteration of Gateway determination - attachment report               | (Over 7 pages) |
| 9.                    | Planning proposal - additional light industrial uses, exhibition copy | (Over 7 pages) |
| 10. <a href="#">↓</a> | Public Submissions  |                |
| 11.                   | Department of Primary Industries Submission                           | (Over 7 pages) |
| 12.                   | Rural Fire Service Submission   | (Over 7 pages) |



## Department of Planning, Housing and Infrastructure

## Gateway Determination

**Planning proposal (Department Ref: PP-2024-2509):** to facilitate additional land uses in certain employment and rural zones.

I, the Acting Director, Hunter and Northern Region at the Department of Planning, Housing and Infrastructure, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Lismore Local Environmental Plan 2012 to facilitate additional land uses in certain employment and rural zones should proceed subject to the following Gateway conditions.

The Council as planning proposal authority is authorised to exercise the functions of the local plan-making authority under section 3.36(2) of the Act subject to the following:

- (a) the planning proposal authority has satisfied all the conditions of the gateway determination;
- (b) the planning proposal is consistent with applicable directions of the Minister under section 9.1 of the Act or the Secretary has agreed that any inconsistencies are justified; and
- (c) there are no outstanding written objections from public authorities.

The LEP should be completed on or before nine months from the date of the Gateway determination.

### Gateway Conditions

1. Prior to community and agency consultation, the planning proposal is to be amended to remove the component seeking to permit 'light industry' and prohibit 'high technology industry' in the RU1 Primary Production zone and replace with permitting 'artisan food and drink industry' in the RU1 Primary Production zone.
2. Public exhibition is required under section 3.34(2)(c) and clause 4 of Schedule 1 to the Act as follows:
  - (a) the planning proposal is categorised as standard as described in the *Local Environmental Plan Making Guideline* (Department of Planning and Environment, August 2023) and must be made publicly available for a minimum of 20 working days; and
  - (b) the planning proposal authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in *Local Environmental Plan Making Guideline* (Department of Planning and Environment, August 2023).

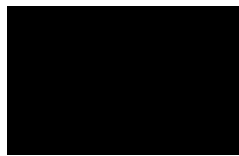
3. Consultation is required with the following public authorities and government agencies under section 3.34(2)(d) of the Act and/or to comply with the requirements of applicable directions of the Minister under section 9 of the Act:

- NSW Department of Primary Industries and Regional Development
- NSW Rural Fire Service

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material via the NSW Planning Portal and given at least 30 working days to comment on the proposal.

4. A public hearing is not required to be held into the matter by any person or body under section 3.34(2)(e) of the Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).

Dated 10 December 2024



**Craig Diss  
Acting Director  
Hunter and Northern Region  
Department of Planning, Housing and  
Infrastructure**

**Delegate of the Minister for Planning and  
Public Spaces**

**Department of Planning, Housing and Infrastructure**

Mr Jon Gibbons  
General Manager  
Lismore City Council  
PO Box 23A  
LISMORE NSW 2480

Our ref: IRF24/2771

Via email: [council@lismore.nsw.gov.au](mailto:council@lismore.nsw.gov.au)

Dear Mr Gibbons

**Planning proposal PP-2024-2509 to amend Lismore Local Environmental Plan 2012**

I am writing in response to the planning proposal you have forwarded to the Minister under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to facilitate some additional land uses in certain employment and rural zones.

As delegate of the Minister for Planning and Public Spaces, I have determined that the planning proposal should proceed subject to the conditions in the enclosed gateway determination.

I have also agreed, as delegate of the Secretary, the inconsistency of the planning proposal with applicable directions of the Minister under section 9.1 of the Act 4.1 Flooding, 4.5 Acid Sulfate Soils, 5.1 Integrating Land Use and Transport and 8.1 Mining, Petroleum Production and Extractive Industries is justified in accordance with the terms of the Direction. No further approval is required in relation to the Directions.

Council may still need to obtain the agreement of the Secretary to comply with the requirements of relevant applicable directions of the Minister under section 9.1 of the Act 4.3 Planning for Bushfire Protection and 9.2 Rural Lands. Council should ensure this occurs prior to the LEP being made.

It should be noted that the Gateway determination requires the planning proposal be amended prior to consultation to remove the component seeking to permit 'light industry' and prohibit 'high technology industry' in the RU1 Primary Production zone and replace with permitting only 'artisan food and drink industry' in the RU1 Primary Production zone.

This change has been required as permitting 'light industry' in the RU1 Primary Production Zone would require significant strategic justification through a rural lands strategy particularly noting these industries would be permitted on identified State and Regionally significant farmland that should be preserved primarily for agriculture in accordance with the North Coast Regional Plan 2041. It is also noted that light industry includes a range of potential activities including water extraction and bottling that need to be considered and determined whether appropriate. It is considered that until this additional strategic work is undertaken and completed, in consultation with the Department of Primary Industries and Regional Development and the local community, that only artisan food and drink industry be permitted in the interim.

Considering the nature of the planning proposal I have determined that Council may exercise local plan-making authority functions in relation to the planning proposal.

The proposed local environmental plan (LEP) is to be finalised on or before nine months from the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Should Council seek to make a proposed LEP, the request to draft the LEP should be made directly to Parliamentary Counsel's Office well in advance of the date the LEP is projected to be made. A copy of the request should be forwarded to the Department of Planning, Housing and Infrastructure.

The NSW Government has committed to reduce the time taken to complete LEPs. To meet these commitments, the Minister may appoint an alternate planning proposal authority if Council does not meet the timeframes outlined in the gateway determination.

The Department's categorisation of planning proposals in the *Local Environmental Plan Making Guideline* (Department of Planning, Housing and Infrastructure, August 2023) is supported by category specific timeframes for satisfaction of conditions and authority and Government agency referrals, consultation, and responses. Compliance with milestones will be monitored by the Department to ensure planning proposals are progressing as required.

Should you have any enquiries about this matter, I have arranged for Ms Kate Campbell to assist you. Ms Campbell can be contacted on 5778 1401.

Yours sincerely



10/12/24

**Craig Diss**  
**Acting Director, Hunter and Northern Region**  
**Local Planning and Council Support**

Encl: Gateway determination



Survey Responses

17 February 2025 - 18 March 2025

Submission Form

Your Say Lismore

Project: Planning Proposal to allow certain Light Industries in rural and employment zones

 GRANICUS

VISITORS					
4					
CONTRIBUTORS			RESPONSES		
3			3		
1	0	2	1	0	2
Registered	Unverified	Anonymous	Registered	Unverified	Anonymous



Respondent No: 1

Login: Clunescommunity

Email: [REDACTED]

Responded At: Feb 27, 2025 08:39:22 am

Last Seen: Feb 26, 2025 20:52:34 pm

IP Address: 112.141.28.227

Q1. Name

Paul

Q2. Address

[REDACTED]

Q3. Email

[REDACTED]

Q4. Submission

I agree that Lismore and surrounding areas need investment and infrastructure to cope with the increase in population and housing demand. Allowing for business to be conducted from rural lands and even homes will allow for a lower cost starting point for investment and drive productivity.. The need for housing is ongoing and land needs to be made available and promoted as such to encourage building to allow for the future generations to access affordable housing. Where there is land that is suitable for housing there should be special consideration for its use . Allowing for land use that is sympathetic to the environment is essential however there can be too many restrictions in some cases. We should be able to build within a nature corridor and work within the environmental considerations. Planting native trees where trees or shrub have been removed for building is one example. Having seen on the news that Australia's productivity has been in decline over the last decade highlights the inefficiencies in place at the moment. We need action and not talk.

**Respondent No:** 2**Login:** Anonymous**Email:** n/a**Responded At:** Mar 03, 2025 22:50:29 pm**Last Seen:** Mar 03, 2025 22:50:29 pm**IP Address:** n/a

Q1. Name James Richardson

Q2. Address

[REDACTED]

Q3. Email

[REDACTED]

Q4. Submission

I object to the proposal to remove the definition of small scale in Clause 6.11 Rural and Nature-Based Tourism. As it exists currently, this definition goes some way to ensuring that tourism development in rural and natural areas does not adversely impact on the agricultural production, scenic or environmental values of the land. The current definition meets community expectations as to what constitutes "small-scale". Giving a clear indication of what council , and the community, consider to be acceptable as "small scale" simply facilitates developers' assessment of the social licence and likelihood of approval for any particular development. Council should keep uppermost in its consideration, the original arguments for agritourism as being an adjunct to the main activity of agriculture. If our LGA experiences an excessive proliferation of so-called 'agritourism' venues of up to 100 visitors each, agriculture, environmental , and scenic values will all be degraded. There is a very real risk that artisan food and drink ventures may have minimal connection with agricultural production at their site, if they are permitted to be large businesses in their own right, rather than adjuncts. I note that staff consider other provisions of Clause 6.11 may allow for a merit assessment in controlling for scale. However, I reiterate, it is helpful for development proponents, staff, and the community to all have clear statements in the planning document as to what council considers "small scale" so that unnecessary misunderstandings are avoided. It may be that developers could choose to pursue other avenues for approval, but council should not use this as an excuse for removing the definition. Given the series of changes/proposals to policy that have come forward since agritourism was first mooted for our area, I remain concerned that a pattern of "creep" is emerging, where so-called agritourism is becoming more loosely defined, larger in potentially negative impact, and increasingly divorced from serious farming. Our nation, and the world, is already losing food-production land at a worrying rate. We don't need to add to that by large-scale "artisan food and drink" ventures on prime agricultural land. There is a place for limited small-scale ventures of this kind, but their growth must be strongly controlled. Retain the definition of small-scale in Clause 6.11



Respondent No: 3

Login: Anonymous

Email: n/a

Responded At: Mar 17, 2025 15:52:06 pm

Last Seen: Mar 17, 2025 15:52:06 pm

IP Address: n/a

Q1. Name

Libby Lincoln, Executive Director, NORPA

Q2. Address

[REDACTED]

Q3. Email

[REDACTED]

Q4. Submission

Northern Rivers Performing Arts (NORPA) submits its support of all proposed LEP changes, listed in Appendix 3. In particular, the amendment to the Lismore LEP 2012 to allow creative industries to be pursued in the E1 and E2 business zones with development consent. We concur with Council's assessment that these changes will provide for the growth of cultural industries in the Lismore CBD and local centres, encourage the revitalisation of the Lismore urban area post-flood and strengthen the visitor economy. NORPA agrees the proposed LEP changes supports the North Coast Regional Plan 2041 by creating a diverse visitor economy with the addition of the creative industries to the E1 and E2 zones to support the arts sector. Additionally, changes support the delivery of new industries for the future as Lismore is a creative hub, and creative industries are key to Lismore's future and recovery. Providing a pathway for creative industries in the E1 and E2 zones will help ensure a strong future for Lismore's creative sector. Arts and creative endeavours are a key part of Lismore's local character and identity and providing for creative industries in key centres reinforce Lismore's role as a creative hub and celebrates local character. Regarding Section D – Infrastructure (Local, State, and Commonwealth), NORPA suggests the proposed LEP changes better enables private infrastructure investment to support creatives industries in the E1 and E2 business zones and this could be identified an 'opportunity' in "Part 3 – Justification of strategic and site-specific merit". Projects like NORPA's The Joinery, to adapt a historic industrial building in Lismore into a flood-resilient creative hub for making theatre, training and community engagement, can complement Council's existing E1 and E2 zones outlined as being well-serviced and not requiring additional public infrastructure. "Investment in cultural infrastructure is essential for a creative economy and for rebuilding community connections". This statement in the Northern Rivers Cultural Infrastructure Feasibility Study, commissioned by Northern Rivers Reconstruction Corporation (NRRC) provides insight into the critical need for supporting creative industries in the E1 and E2 business zones, as identified by the community and the creative industry. A Key Infrastructure Need highlighted in the report is met through the provision of suitable spaces for artistic production including fit-for-purpose rehearsal rooms, studios and making spaces, office and meeting facilities. These are identified as key to restoring artistic and creative communities to the region and growing the creative industries. In allowing creative industries to be pursued in the E1 and E2 business zones with development consent, the LEP changes offers organisations like NORPA with a greater range of potential investment partners and flexibility in development stages and activation of The Joinery site.

# Report

<b>Subject</b>	<b>Planning proposal to allow additional permitted uses in South Lismore to support rail trail</b>
<b>TRIM Record No</b>	BP24/1124:EF22/87
<b>Prepared by</b>	Strategic Planner Coordinator
<b>Reason</b>	To add select commercial and cultural uses as permissible with consent into the Lismore Local Environmental Plan at an area of land around the south lismore railway station
<b>Strategic Theme</b>	A prosperous and vibrant city
<b>Strategy</b>	Our community has diverse business and industry, as well as opportunities for investment and growth.
<b>Action</b>	Support and encourage a diverse and competitive mix of business and industry.

## Executive Summary

This Council-led planning proposal applies to certain land zoned E4 General Industrial at and adjacent to the Lismore railway station, fronting the Northern Rivers Rail Trail. The aim of the planning proposal is to allow for additional appropriate commercial and cultural activities around a section of the existing rail corridor that would support the rail trail as a tourist destination for Lismore and the Far North Coast. The additional uses include community facilities, entertainment facilities, information and education facilities and retail premises.

## Recommendation

That Council:

1. forwards the planning proposal to the Department of Planning, Housing and Infrastructure (DPHI) seeking a Gateway Determination and proceeds to public exhibition in accordance with any Gateway requirements
2. confirms that should any objections be made during the public exhibition stage that the planning proposal be reported back to Council. If no objections are received, the planning proposal be finalised and made, as per the delegation of the Gateway Determination

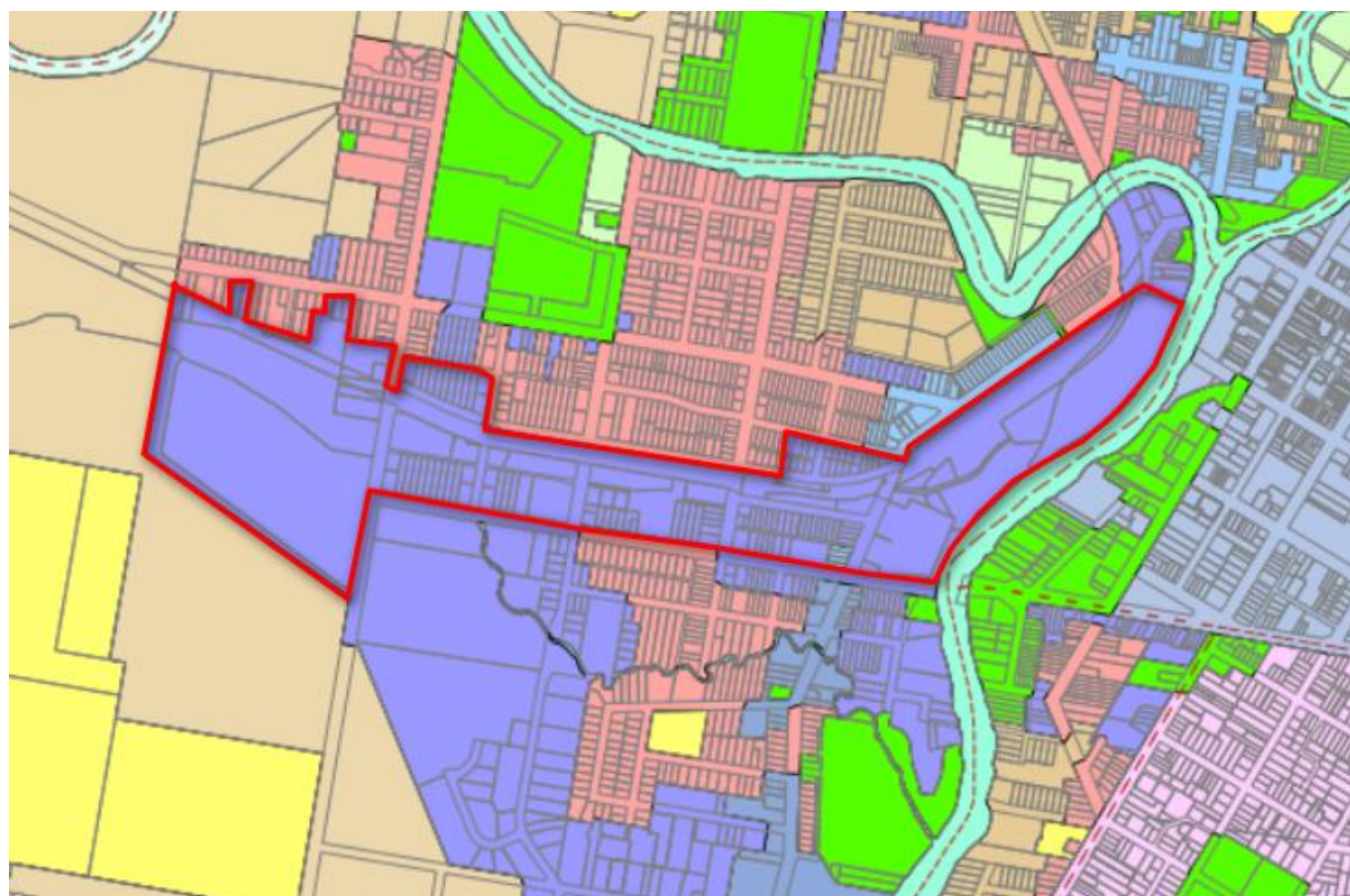
## Background

The Lismore to Bentley section of the Rail Trail opened on 14 December 2024. Council has had expressions of interest from owners surrounding the Lismore railway station site regarding opportunities to support the rail trail, including retail uses such as bicycle hire stores.

The Lismore railway station site and much of the surrounding area in South Lismore is zoned E4 General Industrial, as shown in **Figure 1**. As such, many commercial and community uses are prohibited in the zone. Officers have developed a planning proposal that would allow additional permitted uses within an area of land around the Rail Trail as it traverses through the E4 zone. These additional permitted uses are proposed to activate the hub of the South Lismore station.



Figure 1 - Proposed area for application of the Additional Permitted Uses



**Legend:**

<span style="color: lightblue;">■</span> E1 Local Centre	<span style="color: blue;">■</span> E4 General Industrial	<span style="color: pink;">■</span> R2 Low Density Residential
<span style="color: tan;">■</span> RU2 Rural Landscape	<span style="color: green;">■</span> RE1 Public Recreation	

## Proposed amendments

Council officers propose to amend the Local Environmental Plan (LEP) to add a new clause to Schedule 1 Additional permitted uses, as well as amend the additional permitted uses map.

**Figure 2** shows the current additional permitted use map, which includes an existing site that has additional permitted uses approved (Item 5). **Figure 3** shows the additional areas that would be added as part of this planning proposal, indicated as 'Item 9'.



Figure 2: Current additional permitted uses map

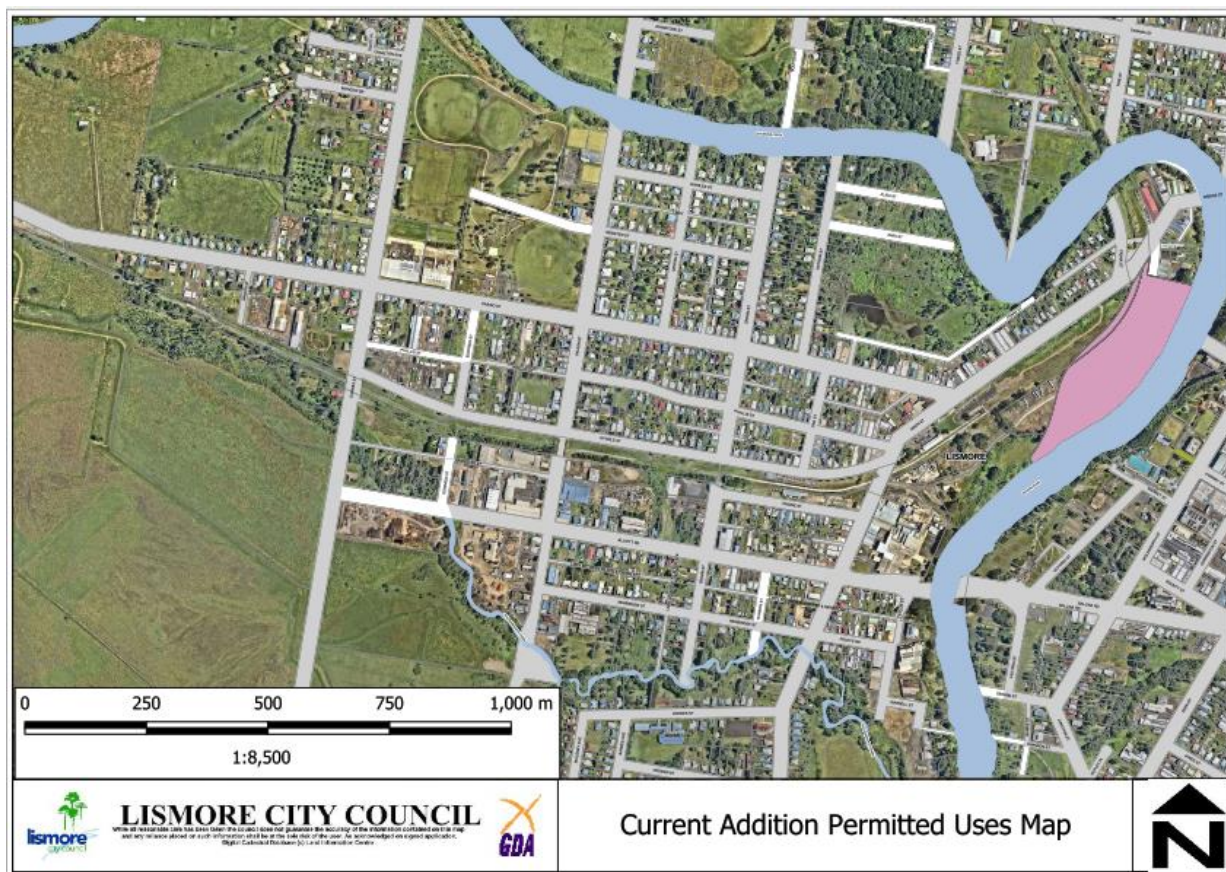
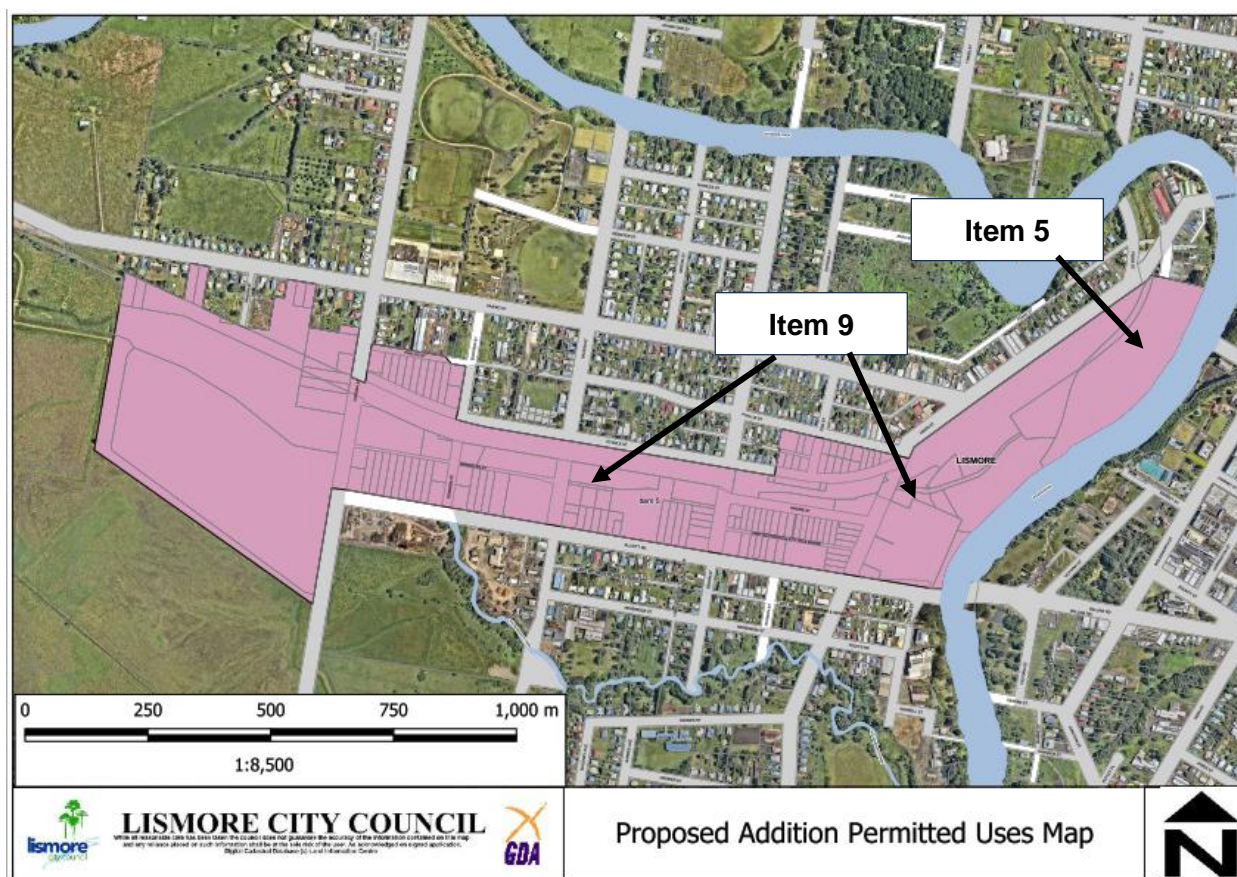


Figure 3: Proposed additional permitted uses map



The proposal would add the following additional uses as permitted with consent to all lots within the red line boundary:

- (a) community facilities,
- (b) entertainment facilities,
- (c) information and education facilities,
- (d) retail premises.

The definitions of these terms are as follows:

**community facility** means a building or place—

- (a) owned or controlled by a public authority or non-profit community organisation, and
- (b) used for the physical, social, cultural or intellectual development or welfare of the community,

but does not include an educational establishment, hospital, retail premises, place of public worship or residential accommodation.

**entertainment facility** means a theatre, cinema, music hall, concert hall, dance hall and the like, but does not include a pub or registered club.

**information and education facility** means a building or place used for providing information or education to visitors, and the exhibition or display of items, and includes an art gallery, museum, library, visitor information centre and the like.

**retail premises** means a building or place used for the purpose of selling items by retail, or hiring or displaying items for the purpose of selling them or hiring them out, whether the items are goods or materials (or whether also sold by wholesale), and includes any of the following—

- (a), (b) (Repealed)
- (c) Food and drink premises,
- (d) Garden centres,
- (e) Hardware and building supplies,
- (f) Kiosks,
- (g) Landscaping material supplies,
- (h) Markets,
- (i) Plant nurseries,
- (j) Roadside stalls,
- (k) Rural supplies,
- (l) Shops,
- (la) Specialised retail premises,
- (m) Timber yards,
- (n) Vehicle sales or hire premises,

but does not include farm gate premises, highway service centres, service stations, industrial retail outlets or restricted premises.



It should be noted that most retail sub-terms are already permissible with consent in the E4 zone. This includes:

- Garden centres,
- Hardware and building supplies,
- Kiosks,
- Landscaping material supplies,
- Plant nurseries,
- Rural supplies,
- Specialised retail premises,
- Timber yards, and
- Vehicle sales or hire premises.

The definitions of the additional retail uses that are being activated as part of this proposal are as follows:

**food and drink premises** means premises that are used for the preparation and retail sale of food or drink (or both) for immediate consumption on or off the premises, and includes any of the following—

- (a) A restaurant or cafe,
- (b) Take away food and drink premises,
- (c) A pub,
- (d) A small bar

**market** means an open-air area, or an existing building, that is used for the purpose of selling, exposing or offering goods, merchandise or materials for sale by independent stall holders, and includes temporary structures and existing permanent structures used for that purpose on an intermittent or occasional basis.

**roadside stall** means a place or temporary structure used for the retail sale of agricultural produce or hand-crafted goods (or both) produced from the property on which the stall is situated or from an adjacent property.

**shop** means premises that sell merchandise such as groceries, personal care products, clothing, music, homewares, stationery, electrical goods or the like or that hire any such merchandise, and includes a neighbourhood shop and neighbourhood supermarket, but does not include food and drink premises or restricted premises.

Officers believe the planning proposal will allow flexibility to pursue appropriate commercial and cultural activities that can support the Northern Rivers Rail Trail, strengthen Lismore's visitor economy, and support revitalisation of the Lismore urban area.

## Other officer comments

### Manager Destination and Economy

Lismore City Council's Destination and Economy Team have worked closely with the business community over the past 18 months to build awareness of the opportunities the Northern Rivers Rail Trail has to support business diversification and growth. During this time, numerous enquiries have been received relating to business ideas that could support rail trail activation. The determination of this planning proposal will ensure there is sufficient flexibility to enable innovative ideas that support the rail trail as a key tourist destination.

## Public consultation

The Planning Proposal will be exhibited in line with any Gateway Determination received by the DPHI. Council's standard practice is to exhibit for a period of 28 days. If any objections are raised, a report will be provided back to Council for consideration should any objections be made during the consultation period. The Planning Proposal will also be referred to relevant NSW State Agencies, as determined by the Gateway Determination.

## Conclusion

The planning proposal allows flexibility at and around the South Lismore railway station so that commercial and cultural activities to support the Northern Rivers Rail Trail can be undertaken. This will strengthen Lismore's visitor economy, and support revitalisation of the Lismore urban area.

## Attachment/s

1. Planning proposal - rail trail additional permitted uses (Over 7 pages)
2. NSW Coastal Design Guidelines Checklist - rail trail additional permitted uses (Over 7 pages)

## Report

<b>Subject</b>	<b>DCP Housekeeping Amendments</b>
<b>TRIM Record No</b>	BP25/235:CDR24/1290
<b>Prepared by</b>	Strategic Planning Project Officer
<b>Reason</b>	Update Council on community consultation feedback and seek endorsement
<b>Strategic Theme</b>	Our built environment
<b>Strategy</b>	Our built environment is managed and enhanced to meet the needs of our growing community.
<b>Action</b>	Ensure new 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 uploaded to Council's 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.

3. Outdated terminology for economic precincts	Objection to removing the sections 'Siting of certain industries' and 'Zoning controls'	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.	No adjustment made to the proposed changes.
4. Vegetation and landscaping, specifically when a Vegetation Management Plan is required.	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>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>	No adjustment made to the proposed changes.

6. Updating the public open space requirements in village and large lot residential subdivision developments to be consistent with the Lismore Open Space Strategy	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>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 relevant officers, 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>	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.
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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 three submissions to the public consultation on the proposed housekeeping amendments. As a result of feedback, two proposed amendments were removed and two 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 seven 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

<b>Subject</b>	<b>2025 Status update and review Lismore Urban Stormwater Management Plan</b>
<b>TRIM Record No</b>	BP25/238:EF22/41
<b>Prepared by</b>	Manager Water & Wastewater
<b>Reason</b>	To advise council on progress of the 2016 USMP actions and revise priorities leading up to USMP review in 2027.
<b>Strategic Theme</b>	Our natural environment
<b>Strategy</b>	Our waterways and catchments are healthy.
<b>Action</b>	Provide a safe and serviceable stormwater drainage system.

## Executive Summary

This report advises Council on the outcomes of the progress review of the Lismore Urban Stormwater Management Plan undertaken by Australian Wetland Consulting (AWC). It recommends that Council notes the progress on structural and non-structural actions, and that council endorses the planned activities for the next two years prior to developing a new Urban Stormwater Management Plan in 2027.

## Recommendation

That:

1. Council notes the progress review and adopts the revised implementation program as per the "Lismore Urban Stormwater Management Plan (2025 Status review and update)" as attached to this report
2. the General Manager be delegated authority to vary the priority order of projects as per the implementation program to integrate with other Council projects or take advantage of grant or partnership opportunities as outlined in the Urban Stormwater Management Plan
3. the General Manager be delegated authority to add projects where necessary to address priority repairs/upgrades where the condition of stormwater infrastructure presents an unacceptable risk to public safety and or property

## Background

In response to a direction issued by the former NSW Environmental Protection Agency (EPA) under s.12 of the *Protection of the Environment Administration Act 1991*, Lismore City Council (LCC) developed the Lismore Stormwater Management Plan 2000 (LSMP 2000). The direction required the LSMP 2000 set out for the improvement of stormwater run-off quality from the Lismore urban rated area. This did not include addressing stormwater quantity or localised flooding issues.

The LSMP 2000 identified 43 structural and non-structural activities, to improve the quality of stormwater discharging from the urban area. These activities were prioritised based on the cost benefit and were ranked for implementation from year to year. Owing to budget constraints, the majority of actions undertaken from the LSMP 2000 were non-structural (i.e. policy and education initiatives). Structural actions (i.e. on-ground projects such as treatment systems) identified in the LSMP 2000 were not funded and consequently were not implemented.



As a response to these statewide funding challenges, in 2006, the Department of Local Government amended the *Local Government Act 1993* and *Local Government (General) Regulation 2005* to enable councils to generate funding through rates for stormwater management.

In 2007 and following implementation of the Stormwater Management Service Charge (SMSC), the LSMP 2000 was revised to take into account this increased funding - Lismore Urban Stormwater Management Plan 2007 (LUSMP 2007). Since development of the LUSMP 2007, Council continued with non-structural activities and expanded services to include the delivery of on-ground projects to address stormwater pollution originating from the urban catchment.

The current 2016 version of the Urban Stormwater Management Plan (USMP), adopted by Council on 10 May 2016, was developed by Hydrosphere consulting to cover a 10-year period (2017 to 2026). The plan was delivered in two volumes; *Urban Stormwater Management Plan: Volume 1 – Implementation Program, Hydrosphere February 2016* and *Urban Stormwater Management Plan: Volume 2 - Background Information, Hydrosphere February 2016*.

Management actions identified in USMP were provided in a ten-year implementation program, which included 23 non-structural actions and 26 structural actions as described in Volume 1 of the USMP (Hydrosphere, 2016). Structural actions involve the use of hard infrastructure and/or natural assets to treat and manage stormwater runoff. Non-structural actions include asset management activities, officer training, improvements to planning and development control processes, maintenance planning, community education/engagement, monitoring and input into the development contributions plan.

### **USMP Implementation Review Australian Wetlands Consulting**

In response to Council resolutions 37/22 and 203/22 Australian Wetlands Consulting (AWC) were engaged in April 2023 to undertake a progress report on implementation of actions listed in the 2016 USMP.

AWC reported that Council has made reasonable progress towards completing the structural actions in the USMP, with 12 of 26 action complete to date with a further 4 being ongoing tasks. However, there has been limited progress on completion of the non-structural actions. Barriers to overall implementation of non-structural actions include such things as disruptions due to major flood events (March 2017, February 2022 and March 2022), organisational changes and changing officer responsibilities, and a lack of a dedicated officers member to drive the USMP.

The AWC review of the 2016 USMP implementation program has been undertaken with consideration of community requests for drains maintenance/repairs via the Contact Centre, community feedback obtained from the Drains Action Group which has a member base of approximately 500 people, and from the Community Scorecard sentiment survey conducted in November 2024.

Community feedback has focused on: the need to regularly maintain and improve stormwater drainage infrastructure; repair and upgrade existing drains; install more drains as needed; and keep drains clear of vegetation, rubbish and debris.

As a result of this feedback, stormwater activities in the program have been prioritised to undertake repairs, upgrades and maintenance of existing stormwater drainage assets and installing new infrastructure where required to address stormwater flooding issues.

### **Stormwater Restructure Water and Wastewater**

In July 2024 urban stormwater maintenance, associated capital budgets and coordination of the USMP was internally transferred and centralised within the Water and Wastewater department. This change was undertaken to take advantage of the skills, experience, and equipment used within the Water and Wastewater Team that can be utilised to enhance operations, maintenance and upgrade of stormwater assets.

Since taking over urban stormwater the Water and Wastewater team have focused extensively on addressing outstanding stormwater related customer requests, drainage maintenance issues and undertaking repairs to failed stormwater assets. This work alongside the projects completed under flood recovery grant programs has resulted in positive outcomes and community feedback following TC-Alfred.

## **Proposed extension of current 2016 USMP and updated priorities**

It is proposed to extend the current 2016 USMP by another two years to address priority issues necessary for informing development of an updated USMP in 2027. Existing USMP projects have been reprioritised and two new projects are proposed to be added to the USMP.

These new projects include undertaking a CCTV inspection and rectification program for stormwater pits and conduits, and to fund a dedicated resource over a two-year period to progress priority USMP actions related to addressing issues identified through community feedback and develop an urban stormwater forward works program for input into the development of a new USMP in 2027. Further details on these projects are available in Section 8 of the attached report.

## **Comments**

### **Head Water and Waste**

Upon adoption by Council, implementation of individual projects will occur in accordance with the adopted schedule and relevant budget allocations from Council each year.

Some flexibility is needed to potentially alter the priority order and add new projects as circumstances dictate. This could be to take advantage of grant programs, partnership opportunities or to address urgent repairs/upgrades where the condition of stormwater infrastructure presents an unacceptable risk to public safety and or property.

## **Public consultation**

Officers meet with the Drains Action Group. The discussions held included not just the USMP, but also the implementation of current and upcoming drainage rectification programs. The group was very hopeful of a positive turnaround in light of the following aspects of the USMP:

- the USMP has a prioritised list of projects that are to be implemented to improve localised flooding.
- the USMP has a focus on functionality of our stormwater system and in particular the stormwater assets over the next 2-years.
- there was specific support for the implementation of a pro-active program to CCTV urban stormwater assets and the implementation of rectification works on a priority basis.

The Community Scorecard sentiment survey conducted for the Community Strategic Plan provided valuable information on the communities thoughts on stormwater issues was also communicated. This included specific concerns about the function and condition of the stormwater network. With comments on blockages and the need to improve the condition of the stormwater network and drainage systems.

Actions specifically identified in the survey included:

- the need to repair and upgrade existing drains
- install additional drainage infrastructure
- keeping drains clear of vegetation, rubbish and debris

## Conclusion

The implementation of the 2016 USMP to date has achieved some success to deliver improved stormwater outcomes to the community. Many structural actions have been completed or progressed, however, most of the non-structural actions have had limited progress towards completion. While there has been an improvement in urban drainage maintenance, disruptions due to major floods and officers having other duties have meant there has not been enough time dedicated to the implementation of USMP actions.

To progress the outstanding actions, it is proposed to add two new projects to the USMP. These include undertaking CCTV inspection and rectification program for stormwater pits and conduits, and to fund a dedicated resource over a two-year period to develop a forward works program and prepare for a new USMP in 2027.

## Attachment/s

1. Lismore Urban Stormwater Management Plan (2025 Status Review and Update) (Over 7 pages)

## Report

<b>Subject</b>	March 2025 Quarterly Budget Review Statement
<b>TRIM Record No</b>	BP25/219:CDR24/1478
<b>Prepared by</b>	Head of Finance
<b>Reason</b>	In accordance with Clause 203, Local Government (General) Regulation 2021, Council approval is required to amend the 2024-2025 Budget to reflect the actual or anticipated result
<b>Strategic Theme</b>	Leadership and participation
<b>Strategy</b>	We provide effective management and responsible governance.
<b>Action</b>	Ensure the efficient and effective operation of Council.

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## Executive Summary

The Quarterly Budget Review Statement (QBRs) for the quarter ended 31 March 2025 outlines the proposed adjustments to the 2024-2025 budget.

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

	Original Budget	Revised Budget 30 Sept 2024	Revised Budget 31 Dec 2024	Revised Budget 31 March 2025
Net Operating Result – Surplus	\$102,135,584	\$106,557,773	\$109,102,753	\$100,331,468
Net Operating Result before Capital Grants & Contributions – (Deficit)	(\$14,147,341)	(\$12,823,211)	(\$13,096,237)	(\$11,284,124)
Funding Sources (Consolidated) & Cash Position – Surplus	\$131,079	\$326,679	\$331,679	\$300,623

## Council's Underlying Financial Result

Council's net operating result before capital grants and contributions has improved by \$1.812 million since the December 2024 review, reducing the projected deficit to \$11.284 million as of 31 March 2025. This main contributor for this favourable shift is a \$3.125 million increase of interest and investment revenue compared to the original budget. This improvement mainly relates to interest earned on advance natural disaster funding, which is to be internally restricted. Further details are provided in the QBRs attachment.

The net operating result (including capital grants and contributions) has decreased to a projected surplus of \$100.33 million. The main contributor for this variation is increased budgets in salaries and materials and services expenses. Explanation for this is provided below.

Council's unrestricted cash surplus is now forecasted at \$300,623 as of 31 March 2025. While this represents a slight decrease of \$31,056 from the December 2024 projection, the overall cash position is improving.

Employee benefits and on-costs have also been adjusted where possible, with proposed funding for water and sewer operations to be sourced from their respective externally restricted reserves.

Employee benefits and on-costs within general fund are being closely monitored by the Executive throughout the remainder of the year to ensure expenditure remains within the projected overall expenses budget.

## Outlook for 2024-2025

Ongoing Flood Recovery – Council's original budget for 2024-2025 included a significant level of natural disaster restoration works of \$107.29 million. This includes \$21.31 million to complete the restoration of Council's building assets, along with \$62.678 million for the ongoing restoration of the road network, \$10.55 million for the waste facility, \$11.252 million for water and sewer restoration (managed by Public Works) and \$1.5 million for flood resilience.

Please note budgets for these works have been adjusted between operating and capital income and expenditure in relation to Flood Restoration Portfolio administration costs that cannot be capitalised, including \$1.77m in prior year adjustments. These budgets will continue to be monitored and may be subject to significant change each quarter based on works administered by Council Flood Restoration Portfolio.

Inflationary pressure – The inflation rate has stabilised and management has been able to absorb inflationary cost increases within existing budgets in the March quarter. The risk of the cost of supplies increasing has come down but this will still be monitored closely going forward.

## Long Term Financial Plan

Whilst Council's underlying financial position as of 31 March 2025 is anticipated to be satisfactory, having regards to the adopted 2024-2025 Operational Plan, there are indicators that require immediate attention to ensure long-term financial sustainability. Long term sustainability matters have been discussed with Council and longer term planning is required to fully remediate these issues.

The revised flood recovery works program may impact Council's Asset Management Plan and the Long-Term Financial Plan projections; however, the overall adopted Plan is still considered achievable. Council will review the plan as part of the development of the 2025-2026 Operational Plan.

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

## Recommendation

That Council adopts the attached March 2025 Quarterly Budget Review Statement and approve the recommended variations.

## Background

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

The March 2025 Quarterly Budget Review Statement (QBRs) includes the recommended changes to the budget for the quarter ended 31 March 2025. To meet financial reporting purposes, the QBRs has been prepared on a consolidated basis with internal transactions eliminated.

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

## March 2025 QBRs – Consolidated Summary

### Financial Results

The following table summarises the movements in the 2024-2025 budget from the original budget adopted in June 2024, to the revised budget position at 31 March 2025:

Item	Adopted 2024-2025 Budget	Carry Forward & Unexpended Grants	Revised Changes Sept 2024 QBRs	Revised Changes Dec 2024 QBRs	Proposed Changes March 2025 QBRs	Revised 2024-2025 Budget
Net Operating Result for the Year	\$102,135,584	\$1,764,964	\$2,657,225	\$2,544,980	(\$8,771,285)	\$100,331,468
Net Operating Result for the Year before Capital Grants & Contributions	(\$14,147,341)	(\$279,800)	\$1,603,930	(\$273,026)	\$1,812,113	(\$11,284,124)
Funding Sources (Consolidated) & Cash Position – Surplus	\$131,079	\$0	\$195,600	\$5,000	(\$31,056)	\$300,623

The net operating result for the year before capital grants and contributions has improved to a lower projected loss of (\$11.284) million. The results for the March quarter have been favourably impacted by an increase in interest and investment revenue relative to the budgeted position.

The unrestricted cash result is reporting a surplus of \$300,623 at the March quarter which has seen a slight decrease due to a reduction in revenue budget under Technology Services. This revenue has been reallocated under Records Management and it is now being internally restricted for relevant records management activities.

## **Variations Recommended for March Quarter**

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

<b>Income from continuing operations</b>	<b>Amount</b>
Other revenues	\$31,225
Grants and contributions – operating	\$10,629,598
Grants and contributions – capital	(\$10,583,398)
Interest and investment revenue	\$3,125,110
<b>Total income from continuing operations (increase)</b>	<b>\$3,202,535</b>

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

- other revenues have increased by \$31,225. This increase is due to grant funding received from the Art Gallery of NSW to purchase equipment for delivering public programs
- there is an increase of operating grants and contributions by \$10,629,598. The major movements are:
  - operating grants and contributions have increased by \$46,200. This increase is due to receiving grant funding from the NSW Reconstruction Authority for Bruxner Highway Sewer and Water Concept Design and Cost Estimation.
  - a proposed increase of \$3,083,398 relates to staff costs within the Flood Restoration Portfolio for administration and finance, which cannot be capitalised. This adjustment reflects the operational component of those salaries and wages. For accounting purposes, this component needs to be recorded separately as operating natural disaster grants, albeit it is funded from the same underlying grant.
  - a proposed increase of \$7,500,000 relates to contractor staff costs within the Flood Restoration Portfolio for administration and finance, which cannot be capitalised. This adjustment reflects the operational component of those contractor costs and is funded through operating natural disaster grants. This includes \$1.77m in prior year adjustments.
- associated with the above adjustment, there is a proposed decrease in capital grants and contributions due to reallocation of portfolio managements costs. Flood recovery works were originally budgeted as 100% capital works. However, as previously mentioned, administration costs associated with the Flood Restoration Portfolio cannot be capitalised. This adjustment is intended to reduce the operating component embedded within the capital works budget
- interest and investment revenue is projected to increase by \$3.125 million. Council has received advance funding related to flood reconstruction works. These funds are currently held in an overnight money market account accruing interest. The interest earned will be used to fund future flood resilience projects or potentially asset betterment (as required), therefore the funding has been internally restricted

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



Expenses from continuing operations	Amount
Employee benefits and on-costs	\$3,644,926
Materials and services	\$8,328,894
<b>Total expenses from continuing operations (increase)</b>	<b>\$11,973,820</b>

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

- The employee benefits and on-costs budgets are projected to increase by \$3,644,926. The main changes include a:
  - proposed transfer from water reserves of \$100,000 to fund rise in maintenance costs associated with operating the new treatment plant in Nimbin. Increased biological growth during the warmer months requires more frequent cleaning to maintain the plant and ensure the production of high-quality water
  - proposed transfer from water reserves of \$50,000 has been proposed to support operational expenses related to reactive works, landscaping, and fleet management for water pump station maintenance
  - transfer from sewer reserves of \$168,411 has been proposed to cover increased salaries and wages costs. This mainly relates to overtime for callouts and emergency works
  - transfer from water reserves of \$243,117 has been proposed to cover increased salaries and wages costs. This mainly relates to overtime for callouts and emergency works
  - proposed increase of \$3,083,398 relates to staff costs within the Flood Restoration Portfolio for administration and finance, which cannot be capitalised. This adjustment reflects the operational component of those salaries and wages and is funded through operating natural disaster grants
- The materials and services budgets have increased by \$8,328,894. The main changes include:
  - increase of \$46,200 is due to receiving grant funding from the NSW Reconstruction Authority for Bruxner Highway Sewer and Water Concept Design and Cost Estimation
  - increase of \$31,225 due to grant funding received from the Art Gallery of NSW to purchase equipment for delivering public programs
  - transfer from DA Archiving Fee reserves to fund an increase of \$10,075 in records management for additional labour hire employees to assist with records archiving activities.
  - transfer from water reserves to fund an increase of \$100,000 for plant hire costs
  - transfer from water reserves to fund increased wages and salaries cost of \$100,000. Previously, there were vacancies in water operations; however, these positions have now been filled
  - a transfer from water reserves is proposed to fund an increase of \$120,000 for various expenses, including technology hire, printing, cleaning, and professional memberships
  - reallocation of \$108,000 from capital renewals budget to fund buildings operation. These capital renewal projects have been delivered under flood recovery works
  - a proposed increase of \$313,394 in waste for Landfill Development Planning, Lismore Recycling and Recovery Centre (LRRC) Master Plan and Resource Recovery and Circular Economy projects
  - a proposed increase of \$7,500,000 relates to contractor staff costs within the Flood Restoration Portfolio for administration and finance, which cannot be capitalised. This



adjustment reflects the operational component of those contractor costs and is funded through operating natural disaster grants

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

Capital Works Budget	Amount
Roads, Bridges & Footpaths	(\$11,348,918)
Land, Buildings & Other Structures	(\$1,296,698)
Water	\$0
<b>Total Capital Works (decrease)</b>	<b>(\$12,645,616)</b>

- There is a proposed decrease in Council's Roads, Bridges & Footpaths budgets by (\$11,348,918). This reduction in budget is attributable to:
  - proposed transfer of (\$294,200) funding to reserve for the Simeoni Drive Roundabout Project due to delays in capital works caused by Ex-Tropical Cyclone Alfred. Works have been scheduled to commence in 2025/2026 financial year
  - proposed transfer to reserves of (\$471,320) budget related to the Robert White Bridge has been made due to the pending structural analysis. The associated works are scheduled for completion in the 2025/2026 financial year
  - a proposed decrease of (\$10,583,398) in flood recovery capital works due to reallocation of portfolio management costs. Flood recovery works were originally budgeted as 100% capital works. However, administration costs associated with the Flood Restoration Portfolio cannot be capitalised. This adjustment is intended to reduce the operating component embedded within the capital works budget

- There is a proposed net decrease of (\$1,296,698) in Land, Buildings & Other Structures budget. The main changes include:

- There is a proposed decrease in buildings capital renewal budgets by (\$108,000). These projects have been delivered and completed by utilising flood restoration funds

A review of the Waste capital works program has resulted in a net decrease of the capital works budget for the 2024/2025 financial year. Major changes in the capital budgets are as follows:

- (\$1.199) million of funds have been transferred to reserves related to the Lismore Recycling & Recovery Centre and Mass Haul Road Access projects
- (\$332,300) reduction in the budget for the Waste Facility WiFi Connection Infrastructure project, which will now be delivered in the 2025/2026 financial year
- \$180,208 increase in the capital budget for the Landfill Development Planning project
- \$643,716 increase in the capital budget for the Waste Program Management project

- There is a proposed adjustment between Water new and renewal capital works of \$122,144 relating to reallocation of funds from the Water Reservoir Capital Renewal budget to cover the purchase of two utility vehicles. The net movement for this consolidated capital expenditure category is \$0.

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

## Key Performance Indicators

Of the seven KPI's included in the March QBRs report, three are unfavourable compared to the benchmarks. These are summarised below:

Key Performance Indicator	Original Budget 2024-2025	Revised Budget September 2024	Revised Budget December 2024	Proposed Budget March 2025	Benchmark
Operating Performance Ratio	(8.57%)	(7.46%)	(7.67%)	(5.61%)	> 0.00%
Own Source Operating Revenue Ratio	42.37%	41.82%	41.33%	42.06%	> 60.00%
Unrestricted Current Ratio	2.05x	2.05x	2.05x	2.05x	> 1.50x
Debt Service Cover Ratio	4.11x	4.11x	4.11x	4.11x	> 2.00x
Rates & Annual Charges Outstanding Percentage	9.10%	12.24%	12.24%	12.24%	< 10.00%
Cash Expense Cover Ratio	11.73 months	11.73 months	11.73 months	11.73 months	> 3 months
Building & Infrastructure Renewals Ratio	367.30%	466.87%	465.09%	423.26%	>= 100.00%

Operating Performance Ratio (unfavourable) – this ratio has improved by 2.06% to a projected (5.61%) mainly due to an increase in interest and investment revenue; however, this revenue will be internally restricted for funding future flood resilience projects.

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

Rates & Annual Charges Outstanding Percentage (unfavourable) – this ratio is estimated and is based on the adopted 2023/2024 Financial Statements at this stage. This ratio is being impacted by the impacts of the 2022 flood event following one-off rate relief at the time of the flood. Following the 2022 floods, Council had not been as active with its debt recovery practices, however based on the increase in outstanding rates and annual charges, Council is now pursuing these debts as part of its regular practices. In addition, Council is seeking amounts outstanding from the Reconstruction Authority for residential properties that have been subject to buy-back arrangements.

Further details on Council's KPI's are contained in the QBRs document.

## Other comments

### Inflationary Pressures

Council's budgets continue to be impacted by inflationary pressures. However, the inflation rate has stabilised, and management has been able to absorb this within existing budgets in the March quarter. The risk of the cost of supplies increasing has come down and will be monitored closely going forward.

### Financial Assistance Grant Assumptions

Council's budget assumes that Council will receive 85% of the 2025-2026 grant in advance as was the case in June 2024. Any change to the Federal Government's decisions around advance payments will have an impact on Council's operating result before capital grants and contributions.

## Conclusion

The March QBRS has seen the projected operating result before capital grants increase to a projected loss of (\$11.284) million. The capital works budget has decreased by (\$12.645) million, to a projected total of \$144.38 million. Council's unrestricted cash result has slightly decreased to a projected surplus of \$300,623 and Council's projected financial position at year end remains satisfactory.

## Attachment/s

1. March 2025 Quarterly Budget Review Statement (Over 7 pages)

# Report

<b>Subject</b>	<b>Business Lismore Funding Request</b>
<b>TRIM Record No</b>	BP25/239:EF19/218-7
<b>Prepared by</b>	Manager Destination & Economy
<b>Reason</b>	To establish an annual funding commitment from the Lismore Special Business Rate to Business Lismore.
<b>Strategic Theme</b>	A prosperous and vibrant city
<b>Strategy</b>	Our community has diverse business and industry, as well as opportunities for investment and growth.
<b>Action</b>	Promote Lismore city centre through the Lismore Business Promotion Program.

## Executive Summary

Business Lismore has submitted a request for \$50,000 from the Lismore Special Business Rate (SBR) budget to support the delivery of business advocacy, education and support to Lismore businesses.

This report outlines the background of the request, details of the proposal, potential impacts and associated reporting requirements.

## Recommendation

That:

1. Council commits \$50,000 (excluding GST) per annum from the Lismore Special Business Rate to Business Lismore to support the delivery of business advocacy, education and support to businesses within the ratable area including Lismore CBD, South Lismore, North Lismore and Goonellabah
2. Council enters into a Service Level Agreement with Business Lismore and allocates the 2025/2026 Lismore Special Business Rate contribution of \$50,000 (excluding GST) to Business Lismore

## Background

At Council's ordinary meeting of 11 February 2025 Council:

*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.*

On 15 April 2025 a briefing was provided to councillors on a proposal from Business Lismore to commit \$50,000 from the \$278,000 Lismore SBR to support the delivery of business advocacy, education and support to Lismore businesses. Business Lismore were in attendance and requested funds to enable it to grow its ability to advocate, educate and support Lismore's business community through:

- **Training Programs:** annual Flood Plan workshop, annual Economic Growth Program session to aid in business support, growth and development.

- **Business Recognition:** improved business awards night with opportunities for higher calibre MC's and speakers that align with the direction of Business Lismore and Lismore City Council.
- **Local Chamber Alignment:** enhanced relationship with Nimbin Chamber through alignment of Chamber events to build greater impact and regional support and engagement.
- **Event Delivery:** enhanced opportunities to fund events in conjunction with Lismore City Council by leveraging our current Business After Hours, Business Before Hours, Board promoted learning events and external stakeholders to help drive involvement.
- **Communication:** improved collaborative communication opportunities to support the objectives of Business Lismore and Lismore City Council in business support.
- **Advocacy:** expansion of marketing, communication and engagement opportunities and ensuring availability of members to develop regional, state and national relationships to support business.

Expenditure of the Lismore SBR is guided by Council's Business Activation Plan 2024-2026, which focuses on four key goal areas: Vibrancy, Support, Promotion and Experience. A Service Level Agreement will be established between Business Lismore and Lismore City Council to ensure spending and program delivery aligns with the objectives of the Business Activation Plan 2024-2026 and activities previously undertaken by Council's Destination and Economy team.

During the first 18 months of the Service Level Agreement, Business Lismore will be required to submit reports every six months on the following:

- a) the program of expenditure funded by the Special Business Rate
- b) any significant differences between the proposed program and the program of expenditure that was funded by the Special Business Rate and the reason for those differences; and
- c) the outcomes achieved as a result of the Special Business Rate, including metrics.

After the initial 18 month period, reporting will transition to an annual requirement at the end of each financial year, contingent on compliance with the Service Level Agreement.

## About the Special Business Rate

The Lismore SBR was established in 1998-1999 to fund the Lismore Promotion Program. In 2021 extensive consultation with businesses and the broader community led to the development of a revised program, now known as the Business Activation Plan. This new Plan replaces the original Lismore Promotion Program.

Annually the SBR has a base rate of \$278,00 which is subject to shifts subject to the ratepayer base and indexation. The funds are delivered through Council's Business Activation Plan 2024-2026.

## Comments

### Finance

As the funding for this is within the limits of fund raised from the SBR – there are no broader financial implications within the funding period. Ongoing funding requirements should be reviewed to ensure outcomes achieved from the funding are commensurate with expectations.

## Conclusion

Allocating \$50,000 from the Lismore SBR to Business Lismore will support the organisation's goals of fostering a strong, united and thriving business community. This funding will enhance Business Lismore's capacity and resources to deliver effective business advocacy, education and support services to local operators. The development of a Service Level Agreement, along with ongoing collaboration with Council, represents a proactive and constructive step toward achieving the objectives outlined in the Business Activation Plan 2024-2026 for Lismore's business community.

One consequence of the proposal is a reduced capacity for Council to fund some initiatives typically supported by the SBR. However, internal budget adjustments may allow for the continuation of some of these programs.

Should the proposal be approved, program adjustments have been planned for the 2025-2026 period to ensure minimal disruption to annual business activations:

- Shop Local Campaigns – September 2025, December 2025, March 2026 and May 2026
- School Holiday / CBD Activation/s - October 2025 or April 2026
- Santa's Wonderland and Carols sponsorship – December 2025

## Attachment/s

1. [Lismore Business Activation Plan 2024-2026](#)





## Lismore Business Activation Plan introduction

Renowned for our strong and welcoming community, Lismore is the heart of the Northern Rivers.

Here on the land of the Widjabul/Wia-bal people of the Bundjalung nation, can be found extraordinary culture, arts and natural wonders. Lismore city and business centres offer exquisite dining, shopping and events to enjoy, along with essential services and educational opportunities for the region.

The Lismore City Council's *Lismore Business Activation Plan 2024-2026* is designed for action. It continues to renew Lismore as a flourishing business centre and entice people to enjoy experiencing this vibrant city.

The Plan provides a simple framework for activation and promotional campaigns across Lismore's business centres, which include Lismore Central Business District (CBD), South Lismore, North Lismore, East Lismore and Goonellabah. We thank local business and organisational stakeholders for ideas and feedback that have shaped the Business Activation Plan, and will continue to inform delivery for positive outcomes.

At the core of this Plan are goals to enhance Lismore's **vibrancy** and to boost **promotion** of our extraordinary local events, attractions, culture and business community. We also have complementary goals to improve the city **experience** and to **support** local business and economic development outcomes, to leverage larger-scale projects across Lismore City Council and funding opportunities that may arise.

### February 2024 update

Alongside the Business Activation Plan framework presented here (page 2), you can see an outline of 2024 activations and promotions (pages 4-6) and refer to our website for snapshots of outcomes to date. We aim to build this program each year and share insights about achievements and learnings to date. This includes opportunities to get involved, plus regular engagement and evaluation, to help understand current priorities and improve outcomes with the local business community. It will be through collaboration that we achieve successful outcomes with our key stakeholders.





## Lismore Business Activation Plan: 2024-2026

February 2024 update

GOALS	<b>Vibrancy</b> <i>Lismore activities and spaces attract people to explore, shop and be inspired.</i>	<b>Promotion</b> <i>Boosting visitation and local engagement with Lismore’s business community, events and attractions.</i>	<b>Experience</b> <i>Lismore streets and spaces are attractive, easy to get around, and help people feel safe and connected.</i>	<b>Support</b> <i>Lismore’s business community accesses helpful information resources, programs and opportunities.</i>
OBJECTIVES	V1. Program and support activation projects, which engage audiences and businesses across Lismore.	P1. Attract locals and visitors to enjoy events and festivities, shopping and community spirit in Lismore.	E1. Leverage funding and partnership opportunities to improve streetscapes and boost economic outcomes.	S1. Offer Business Activation Sponsorship and Microgrant opportunities, supporting activation benefits to be realised in business centres.
	V2. Leverage and support key events across Lismore, to boost visitor numbers, attendees’ experience, and local business patronage.	P2. Boost positive engagement with Lismore - champion positive stories, celebrate local business community and inspire growth.		S2. Develop and pilot sustainable innovation opportunities with local businesses and stakeholders, aiming for economic, social, cultural and environmental benefits.
	V3. Celebrate our community and connections, including First Nations and local people’s diverse heritage, stories and vision for the future.	P3. Increase website engagement through integrated marketing across social media, email and print channels.	E2. Deliver small-scale interventions that make welcoming spaces for people to connect in business centres.	S3. Build awareness of helpful information and resources for local business stakeholders, which encourage buy-in and economic development outcomes.
	V4. Revitalise city spaces with community participation through placemaking.	P4. Enhance awareness of Lismore’s attractions in city spaces, through branding and programming of visual designs and promotions across business centres.		
<b>REPORTING &amp; REFLECTING</b> <ul style="list-style-type: none"><li>Action evaluation against performance measures.</li><li>Six-monthly Snapshots for elected members of Lismore City Council, internal and external stakeholders.</li><li>Snapshots, updates and opportunities shared through LCC website, social media and Business e-news.</li><li>Whole-of-Council approach to business activation and related opportunities, working in collaboration with other Lismore City Council teams and external partners.</li></ul>				







Lismore Business Activation Plan: 2024-2026  
February 2024 update

## Planning for success

Achieving success through the Lismore Business Activation Plan is about creating economic, social and cultural value for Lismore, with measurements for improvement and reporting for our key stakeholders. Within the 2024-2026 horizon, we strive to contribute to tangible benefits, such as positive spending trends, increasing Lismore visitation, restoring CBD occupation to pre-disaster rate, improving consumer and investment confidence, and enhancements to city spaces, with transparent sharing of outcomes and learnings along the way. We also aim to build awareness of Lismore's strengths and other intangible benefits, including sense of connection, resilience, wellbeing and excellence.

Accordingly, we will track progress through a range of quantitative and qualitative measures, including:

- Economic data – through measurement platforms including .id Profile, Spendmapp and Why Leave Town
- Participation data – by assessing attendance, demographics, engagement and other factors addressed in acquittal reports for sponsored projects and Microgrant recipients
- Marketing analytics – by assessing key metrics including engagement, traffic and conversion through web and social media data
- Stakeholder feedback – through targeted surveys with community, business and/or audience members
- Impact assessment – working with partner organisations who are assessing social, cultural and environmental outcomes.



## Plan delivery and contacts

The Lismore Business Activation Plan guides how Lismore's Special Rate Variation (SRV) levy funds are spent for revitalising and promoting Lismore business centres. The Destination and Economy team has developed the Plan based on stakeholder consultation, primarily Business Renewal Engagement following on from the 2022 natural disaster. Financial control and auditing of SRV funds are retained by Lismore City Council, with reporting in accordance with IPART (Independent Pricing and Regulatory Tribunal) requirements.

You can find out more at [lismore.nsw.gov.au/business](https://lismore.nsw.gov.au/business) and by contacting the Destination and Economy team 02 6625 0500 or email [business@lismore.nsw.gov.au](mailto:business@lismore.nsw.gov.au)



Local businesses, please help share the word about Lismore activities and attractions!

See [visitlismore.com.au](https://visitlismore.com.au) and connect with us on socials.



Lismore Business Activation Plan: 2024-2026

February 2024 update

## 12-month outline for the Lismore Business Activation Plan – January-December 2024

When	Goal	Activity	Status	Measuring success	Lismore events and activities 2024 <i>(see notes)</i>
January – March 2024	Support	Business insights	CBD Occupation Audit findings announced in January 2023.	<ul style="list-style-type: none"> <li>73.4% occupation rate in December 2023 (up from 70.1% in July 2023) showing signs of growth in CBD investment.</li> </ul>	<b>January</b> <ul style="list-style-type: none"> <li>School holidays</li> <li>Under 12 Cricket Carnival</li> </ul> <b>February</b> <ul style="list-style-type: none"> <li>The Harrington Circus Show</li> </ul> <b>March</b> <ul style="list-style-type: none"> <li>Lismore Samson Fitness Challenge</li> <li>Two Years On: a gathering by the river led by Resilient Lismore</li> <li>NRRT Cycle Economy: Business Education Workshop</li> <li>Lismore Women's Festival</li> <li>Great Southern Nights</li> <li>Seniors Week</li> <li>CBD Bilby Hunt</li> </ul> <b>April</b> <ul style="list-style-type: none"> <li>Youth Week</li> <li>School Holidays</li> <li>ANZAC Day</li> </ul> <b>May</b> <ul style="list-style-type: none"> <li>Northern Rivers Harvest Food Trail</li> <li>Lismore Gemfest</li> <li>NSW Baseball Junior and Intermediate Championships</li> </ul> <b>June</b> <ul style="list-style-type: none"> <li>LisAmore! Festival</li> <li>The Lismore Lantern Parade Lightnup</li> </ul>
	Vibrancy	Stakeholder engagement and collaborative planning	Consultations underway for new CBD activations and promotions.	<ul style="list-style-type: none"> <li>At least 10 activation/promotional projects with engagement and evaluation plans confirmed for action in 2024.</li> </ul>	
	Vibrancy	Easter Bilby Hunt around CBD	In development for activation and promotions leading up to Easter.	<ul style="list-style-type: none"> <li>Boost family engagement around CBD businesses, demonstrated through prize collection (target 500) and spending (target 5% increase tracked via Spendmapp data).</li> </ul>	
	Promotion	Wellness campaign with new business photoshoot	Content in development for March campaign.	<ul style="list-style-type: none"> <li>Increase visitation identified through annual insights from Tourism Australia</li> <li>Grow online engagement analytics – 5% increase target each quarter.</li> </ul>	
	Promotion	Loving Local Gift Cards	Launch digital gift cards.	Growth targets: <ul style="list-style-type: none"> <li>Increase participating businesses to at least 150 stores (including those using Square)</li> <li>Additional \$20,000 loaded and redeemed, tracked through WLT online reporting.</li> </ul>	
	Experience	Footpath Activation Pilot	Evaluating pilot and engaging with stakeholder groups.	<ul style="list-style-type: none"> <li>TBC - business, accessibility and wider community feedback to be reviewed, with next steps to be considered with stakeholders and Council.</li> </ul>	
	Support	Business Activation Microgrant and Sponsorship callout	Guidelines and forms on LCC website.	<ul style="list-style-type: none"> <li>At least 4 activation projects supported and delivered successfully in 2024</li> <li>Acquittal reports after projects' completion.</li> </ul>	
April – June 2024	Vibrancy	Activations and event sponsorship across CBD	Details in development – will be announced at <a href="https://lismore.nsw.gov.au/business">lismore.nsw.gov.au/business</a>	<ul style="list-style-type: none"> <li>Acquittal reports after projects' completion</li> <li>Economic impact assessed quarterly through .id Profile and Spendmapp (target 5% increase of total spend in Lismore)</li> <li>Live audience engagement for activations and placemaking measured through QR analytics (target 500+ unique views) and stakeholder feedback</li> <li>Grow online engagement analytics – 5% increase target each quarter.</li> </ul>	
	Promotion	<ul style="list-style-type: none"> <li>Family and youth campaign</li> <li>Winter festivities</li> </ul>	Details in development for social media promotions. Reuse 2023 banners where suitable.		
	Experience	Parklet relocation to new hosts	Details to be developed through stakeholder engagement.		
	Support	Business welcome packs	Consultation commenced to develop helpful resources.	<ul style="list-style-type: none"> <li>Deliver 50+ welcome packs per quarter to businesses.</li> </ul>	



Lismore Business Activation Plan: 2024-2026

February 2024 update

When	Goal	Activity	Status	Measuring success	Lismore events and activities 2024 <i>(see notes)</i>
July - September 2023	Support	Business insights and engagement	<ul style="list-style-type: none"><li>• CBD Occupation Auditing</li><li>• To commence engagement, review Plan outcomes, feedback and next steps.</li></ul>	<ul style="list-style-type: none"><li>• Audit outcomes to be announced in July 2024, including useful occupation data insights</li><li>• Engagement findings, Plan outcomes and updates to be announced by end July 2024, and on an annual basis.</li></ul>	<b>July</b> <ul style="list-style-type: none"><li>• NAIDOC Community Day</li><li>• School holidays</li><li>• NSW Women’s Masters Hockey State Championships</li></ul> <b>August</b> <ul style="list-style-type: none"><li>• Our Kids Darrel Chapman Fun Run</li></ul> <b>September</b> <ul style="list-style-type: none"><li>• Lismore Cup</li><li>• Aboriginal NRL Knockout</li><li>• Lismore Laneways launch activation – details TBA</li></ul> <b>October</b> <ul style="list-style-type: none"><li>• School holidays</li><li>• Byron Bay Road Race - Lismore</li><li>• North Coast National Show</li><li>• NSW Small Business Month</li></ul> <b>November</b> <ul style="list-style-type: none"><li>• Big Scrub Rainforest Day - TBC</li></ul> <b>December</b> <ul style="list-style-type: none"><li>• Santa’s Wonderland and CBD Elf Hunt</li><li>• Carols in the Heart</li><li>• Lismore Delights – details TBA</li><li>• School holidays</li><li>• Tropical Fruits NYE Party</li></ul> <i><b>Note</b> – this list is not exhaustive, and will be updated with new activations and events arising. See what’s on in Lismore at <a href="https://visitlismore.com.au">visitlismore.com.au</a> for more details and to list your event!</i>
	Experience	Laneways revitalisation	<ul style="list-style-type: none"><li>• Back Alley Gallery commissioning new street artworks</li><li>• Updating Laneways placemaking elements including greenery, listening booth, stories and lighting.</li></ul>	<ul style="list-style-type: none"><li>• Acquittal reports after projects’ completion</li><li>• Community and visitor feedback to be sought through Lismore Business Activation Plan engagement.</li></ul>	
	Vibrancy	Lismore food activation	Plans in development and funding sought.	<ul style="list-style-type: none"><li>• Economic impact assessed quarterly through .id Profile and Spendmapp (target 5% increase of total spend in Lismore)</li><li>• Live audience engagement for activations and placemaking measured through QR analytics (target 500+ unique views) and stakeholder feedback</li><li>• Grow online engagement analytics – 5% increase target each quarter.</li><li>• Content feedback to be sought through Lismore Business Activation Plan engagement.</li></ul>	
	Vibrancy	Lismore Laneways Precinct launch activation	Plans in development and funding sought for project delivery in September 2024.		
	Promotion	<ul style="list-style-type: none"><li>• New Visit Lismore website</li><li>• Lismore food campaign</li><li>• Lismore arts and creativity campaign</li></ul>	Details in development for web content and social media promotions. Reuse 2023 banners where suitable.		
	Support	Business Lismore Awards sponsorship	Consultation underway with Business Lismore.		
October - December 2024	Support	Innovation pilot	Details in development – will be announced at <a href="https://lismore.nsw.gov.au/business">lismore.nsw.gov.au/business</a>	<ul style="list-style-type: none"><li>• TBC – evaluation framework in development.</li></ul>	
	Experience	Parklet relocation to new hosts		<ul style="list-style-type: none"><li>• Annual reporting on stakeholder and host feedback</li><li>• QR tracking - target is 50+ views and click throughs to web content over 6 months.</li></ul>	
	Vibrancy	Activations and event sponsorship across CBD - including Christmas.	Christmas programs to include: <ul style="list-style-type: none"><li>• Lismore Delights, Santa’s Wonderland and Elf Hunt across CBD</li><li>• Sponsorship of Carols in the Heart</li></ul>	<ul style="list-style-type: none"><li>• Sponsorship acquittal reports</li><li>• Economic impact assessed quarterly through .id Profile and Spendmapp (target 5% increase of total spend in Lismore)</li><li>• Live audience engagement for Christmas activations measured through QR analytics (target 500+ unique views)</li><li>• Business stakeholder and audience feedback for Christmas activations</li><li>• Grow online engagement analytics – 5% increase target each quarter.</li></ul>	
	Promotion	Christmas promotions, advertising, and social campaigns.	Local businesses to be invited to participate in activations and promotions – details TBA.		



## Background

Council's Destination and Economy team developed this Plan informed by ongoing work with local business and government agency stakeholders, particularly in line with Business Renewal Engagement following the 2022 natural disaster. We consider previous and current reports, plans and efforts; insights from community workshops and online engagement; and are mindful of impacts of disaster recovery, along with social and economic changes that are significant locally and globally.

This Business Activation Plan guides Lismore SRV expenditure until the end of June 2026. These recurring SRV funds are only to be used for Lismore revitalisation and promotion, and the available budget is subject to indexation and rate-paying base changes. Beyond the scope of Lismore Business Activation Plan expenditure is the City Safe Program (which receives funding through a separate levy), and numerous operational and grant funded projects across Lismore City Council. Accordingly, this Plan aligns with key internal and external strategies and plans, aiming to integrate engagement insights and contribute to greater outcomes.

Activations and promotions outlined with the Plan aim to pilot, complement and leverage larger opportunities for Lismore, so strong communications and collaboration is key. Internally, we work closely with the Council's events, strategy, planning, assets, parks, facilities and service staff. We are grateful for strong **collaborative** relationships with Business Lismore, Business NSW and various government agencies. We invite all local businesses and organisations to connect with us to explore ideas and priorities for Lismore, and how we can work together to create shared value.

## Operating context – relevant strategies and policies

National	<ul style="list-style-type: none"> <li>● Australia 2030: Prosperity through Innovation</li> <li>● Revive – Australia's Cultural Policy 2023–2028</li> <li>● Thrive 2030 The Re-imagined Visitor Economy</li> </ul>
State	<ul style="list-style-type: none"> <li>● NSW Government North Coast Regional Plan 2036</li> <li>● Northern Rivers Regional Economic Development Strategy 2023</li> <li>● Lismore Regional City Action Plan 2036</li> <li>● Arts, Culture and Creative Industries Policy (in development)</li> <li>● Northern Rivers Reconstruction Corporation economic revitalisation programs (in development)</li> <li>● Destination NSW Visitor Economy Strategy 2030</li> </ul>
Local	<ul style="list-style-type: none"> <li>● Lismore Community Vision and Blueprint (in development)</li> <li>● LCC Community Strategic Plan 2017–2027</li> <li>● LCC Economic Development Strategy 2019–2024</li> <li>● LCC Lismore, Nimbin and Villages Destination Management Plan 2024–2028 (in development)</li> <li>● LCC Events Strategy 2024–2028 (in development)</li> <li>● LCC Business Activation Plan 2021–2023</li> <li>● LCC Lismore Business Promotion Program 2016–2018</li> <li>● LCC Shaping the Lismore CBD Report 2019</li> </ul>



Regular insights, outcomes and updates are shared at [lismore.nsw.gov.au/business](https://lismore.nsw.gov.au/business).





# Report

<b>Subject</b>	<b>Advisory Groups Membership</b>
<b>TRIM Record No</b>	BP25/198:EF13/463-7
<b>Prepared by</b>	Executive Officer - General Manager and Mayor & Councillors
<b>Reason</b>	To determine the membership of the Council Advisory Groups
<b>Strategic Theme</b>	Leadership and participation
<b>Strategy</b>	We communicate and engage with our community.
<b>Action</b>	Coordinate and initiate community engagement in Council activities and decision-making.

## Executive Summary

At the 25 March Extraordinary Meeting Council adopted new terms of reference, including membership, for the Aboriginal, Sister City, Disability Inclusion, Koala and Lismore Villages Advisory Groups.

Following an Expression of Interest (EOI) period councillors are now asked to determine the community members to be appointed to each group.

## Recommendation

That Council appoint the following community members to the below advisory groups:

1. Aboriginal –
2. Sister City –
3. Disability Inclusion –
4. Koala –
5. Lismore Villages -

## Background

At the 25 March 2025 Extraordinary Meeting Council adopted new terms of reference, including membership, for the Aboriginal (AAG), Sister City (SCAG), Disability Inclusion (DIAG), Koala (KAG) and Lismore Villages Advisory Groups (LVAG). A copy of the terms is attached.

The terms of reference provide for a maximum of 8 community members for the AAG, SCAG, DAIG and KAG. The LVAG is a maximum of 2 community members per district.

28 EOI's were received (Aboriginal 3, Sister City 8, Disability Inclusion 10, Koala 2, Lismore Villages 5) during the submission period.

## Public consultation

Expressions of Interest were sought from the community via YourSay from 2–30 April 2025.

## Attachment/s

1. Terms of Reference - Advisory Groups March 2025 (Over 7 pages)
2. Aboriginal Advisory Group EOI\_Redacted (Over 7 pages)
3. Sister City Advisory Group EOI\_Redacted (Over 7 pages)
4. Disability Inclusion Advisory Group EOI\_Redacted (Over 7 pages)
5. Koala Advisory Group EOI\_Redacted (Over 7 pages)
6. Lismore Villages Advisory Group EOI\_Redacted (Over 7 pages)

## Report

<b>Subject</b>	<b>Investments - April 2025</b>
<b>TRIM Record No</b>	BP25/270:EF22/122-3
<b>Prepared by</b>	Management Accountant
<b>Reason</b>	Required by Local Government Act 1993, Local Government (General) Regulation 2021 and Council's Investment Policy
<b>Strategic Theme</b>	Leadership and participation
<b>Strategy</b>	We provide effective management and responsible governance.
<b>Action</b>	Ensure the efficient and effective operation of Council.

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## Executive Summary

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

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

## Cash and Investments

Investments held at the end of each month are set out below (the balances represent the face value or the purchase price of investments). In addition, Council held cash in various bank accounts 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
April 2025	\$117,742,758	\$1,299,803	\$2,046,696

## 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.

Additional roads advanced funding of \$49.878 million was received on 3 April 2025.

Month end balances are set out below.

Month	Balance Advance Grant Funding
April 2025	\$100,674,319

## Socially Responsible Investments

In April the percentage of the portfolio invested in Socially Responsible Investments (SRI) has increased to 38% from 35%, the total value of SRI's was increased to \$44 million from a \$39 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**

April investments returned 4.73%, this is compared to the annualised Bank Bill (BB) Index bank rate of 4.38%. For the 12 months ended April 2025, Council's portfolio has returned 4.91% 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
April 2025	\$117,742,758	\$119,184,103	\$112,909,861	\$114,285,103	4.73%	4.38%	38%

\*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 April, 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 \$1.299 million held in various bank accounts, being operational accounts. These are not included in the Investment portfolio.

Council also held approximately \$2.047 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 \$100.674 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 30 April 2025 was \$44 million, the percentage of the portfolio held in SRI’s is 38%, up from 35% the previous month.

\* Note - this includes Fossil Fuel Free Investments

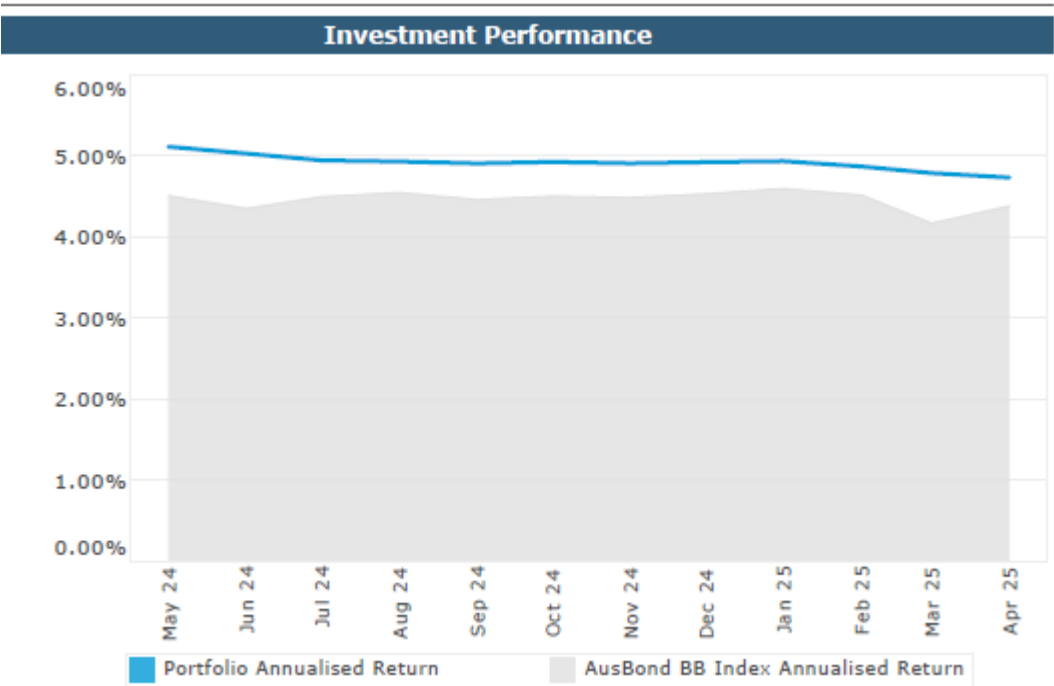
Portfolio structure

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 - April 2025

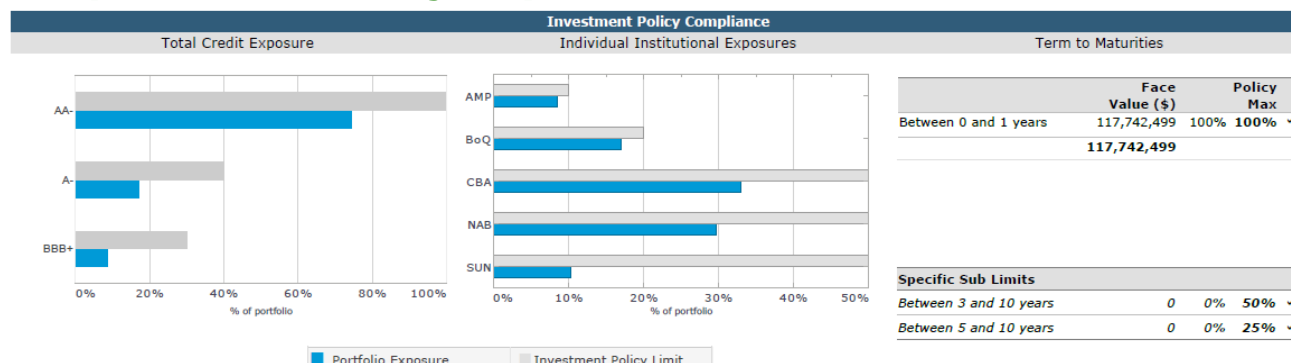
Investment Holdings			
	Face Value (\$)	Current Value (\$)	Current Yield (%)
Cash	38,742,499	38,742,499	4.1794
Term Deposit	79,000,000	80,441,604	4.9284
	117,742,499	119,184,103	4.6819

Investment Performance



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

## Compliance with Policy Requirement



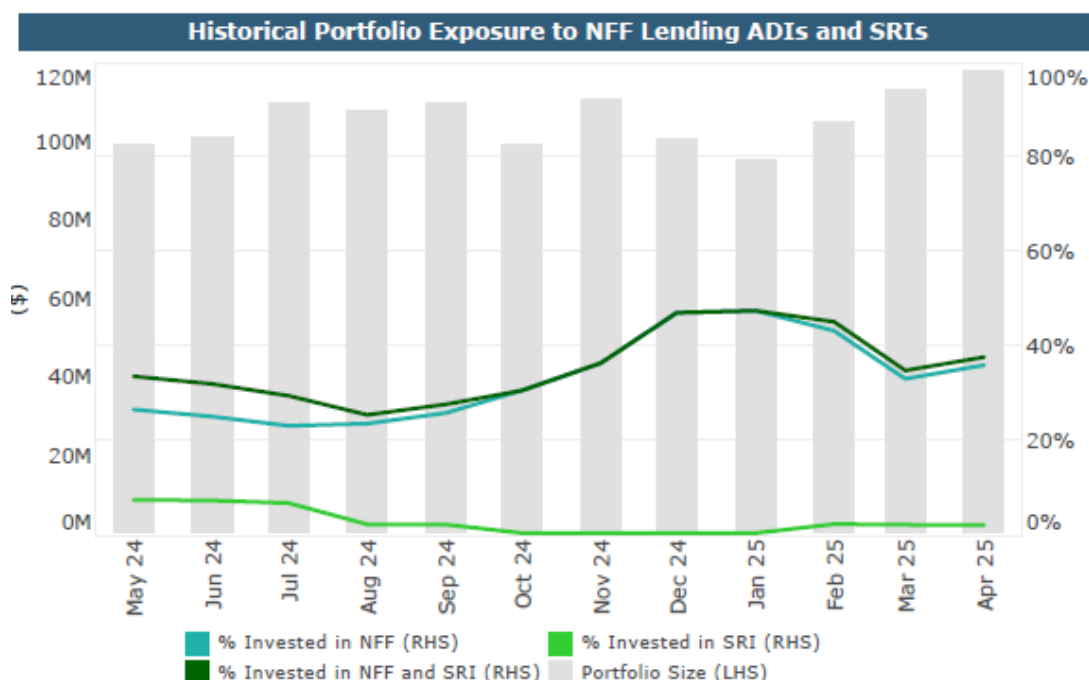
## Socially Responsible Investments (SRI's)

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 \$38,727,916. 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 55.70%.

## **New Investment Policy**

A new investment policy was adopted by Council 28 April 2025 after a 28-day exhibition period. No public submissions were received.

This investment report has been prepared with reference to the previous investment policy. Future investment reports will be prepared with reference to the newly adopted policy.

## **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 April 2025 is provided.

## **Attachment/s**

1. ED25/15698 (Over 7 pages)

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

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## Notice of Motion / Question with Notice

**Subject**                      **Mayoral Attendance Report**

**TRIM Record No**        BP25/251:EF19/25-7

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That Council receives the Mayoral Attendance Report for April 2025.

### April

- 1    CSP Wyrallah Community Workshop
- 2    CSP Lismore Community Workshop  
     NSW Small Business Commissioner  
     CSP Goonellabah Community Workshop
- 3    CSP Nimbin Community Workshop  
     Rivers College Lismore High Campus Tiny Home Auction
- 8    Council Meeting
- 9    Business After Hours – Lismore Workers Club
- 10   Circular Timber: From Salvage to Showcase Exhibition Opening
- 15   Councillor Briefing
- 16   Rous Council Meeting
- 17   Media Event: Lismore Cinemas  
     Media Event: DA Approvals
- 22   Media Event: Nimbin Toilet Block openingp
- 24   LCC & NSW RA – Bi-monthly meeting
- 25   Anzac Day Services and Wreath Laying
- 28   Northern Rivers Community Leaders Forum
- 29   Richmond Police District Awards Ceremony  
     Meeting with Widjabul Tribal Elders  
     Councillor workshop
- 30   Northern Rivers Joint Organisation

### Attachment/s

There are no attachments for this report.

**TRIM Record No:**    BP25/251:EF19/25-7



## Notices of Motion / Questions with Notice



Nimbin Toilet Block opening



Lismore Cinemas announcement



Council DA Approvals

## Notice of Motion / Question with Notice

Councillor Harper Dalton-Earls has given notice of intention to move:

That Council write to the NSW Reconstruction Authority requesting it investigate a partnership for the sale of salvaged materials from buyback properties condemned for demolition to the community.

### Councillor Comment

#### Outcome Sought

As the demolition of flood-affected homes progresses, there is an opportunity to ensure valuable materials such as timber doors, leadlight windows, and decorative architraves are salvaged and made available to the local community. Many of these homes have been cleaned and lived in since the 2022 flood and should not be automatically classified as flood waste. Currently, there is overwhelming community concern that these materials are being removed solely by private contractors, going to landfill, without community access or benefit. Redirecting these items to local reuse centres would promote sustainability, reduce waste, and honour community heritage. Also providing those still rebuilding from the flood with the opportunity to purchase high quality materials.

#### Cost of Implementing

Nil.

#### Funding Source

Funding should be sought from the RA to facilitate this process.

#### Officer Consulted

Nil

#### Officer Comment

#### Head of Water & Waste

Supported.

### Attachment/s

There are no attachments for this report.

**TRIM Record No:** BP25/248:EF19/25-7

## Notice of Motion / Question with Notice

**Councillor Electra Jensen** has given notice of intention to move:

That six (6) parking spaces in Bounty Street, Lismore be changed from 10 hour to 2 hour zones.

### Councillor Comment

#### Outcome Sought

The Blood Bank does lifesaving work and they sometimes lose donors due to there being no available car spaces close to the facility.

#### Cost of Implementing

Staff time and sign production

#### Funding Source

Traffic management budget

#### Officer Consulted

Previous councillor request

### Officer Comment

#### Head COO Shared Services

Council previously resolved to provide the 10-hour parking in September 2023 and the request for dedicated parking at the Blood Bank was not supported by the Traffic and Road Safety Consultation Group in June 2024. This group has representatives from NSW Police and Transport for NSW.

### Attachment/s

There are no attachments for this report.

**TRIM Record No:** BP25/252:EF19/25-7

## Notice of Motion / Question with Notice

**Councillor Virginia Waters** has given notice of intention to move:

That Council:

1. notes the findings of the Northern Rivers Living Lab research into timber recovery and reuse, particularly the practical experience of deconstructing two properties in North Lismore
2. acknowledges the key three recommendations to support a robust circular timber and reuse system:
  - a. development of deconstruction guidelines that align with a circular economy principles
  - b. establishment of a circular recovery facility to store, process and support the reuse of salvaged materials
  - c. development of a value assessment framework to accurately compare the benefits of deconstruction and material recovery and material recovery versus traditional demolition
3. writes to the relevant NSW ministers and the NSW Reconstruction Authority requesting urgent action to:
  - a. enable and support development of deconstruction guidelines
  - b. fund and facilitate the establishment of circular material recovery infrastructure in the Northern Rivers
  - c. support the creation of value assessment framework
  - d. seek a temporary pause on the demolition of flood affected homes to allow time for the adoption of deconstruction practices and the recovery of valuable materials
4. receives a further report on opportunities for Council to actively participate in and advocate for these circular economy outcomes within the ongoing recovery and rebuild

### Councillor Comment

### Outcome Sought

As above

### Cost of Implementing

Staff time

### Funding Source

Not required

### Officer Consulted

None

### Attachment/s

There are no attachments for this report.

**TRIM Record No:** BP25/254:EF19/25-7

## Notice of Motion / Question with Notice

**Councillor Adam Guise** has given notice of intention to move:

That Ordinary Meetings of Council for 2025 be held on the second Tuesday of the month commencing at 6.00pm from 10 June to 9 December 2025.

### Councillor Comment

#### Outcome Sought

That daytime meetings revert to evening meetings to enable councillors who work in the day to attend meetings and to allow members of the public to attend to speak and watch online more conveniently.

#### Cost of Implementing

Nil

#### Funding Source

Not applicable

#### Officer Consulted

Not applicable

#### Officer Comment

#### Executive Officer – General Manager & Mayor and Councillors

Below is a comparison of costs, public access and website lives

	February 2024	March 2024	April 2024	February 2025	March 2025	April 2025
Catering costs	\$505	\$500	\$450	\$305	\$247	\$333
Public access speakers	3	0	5	3	9	2
Website live views	257	145	749	745	495	329

### Attachment/s

There are no attachments for this report.

**TRIM Record No:** BP25/255:EF19/25-7

## Notice of Motion / Question with Notice

**Councillor Big Rob** has given notice of intention to move:

That:

1. Council prepares a Planning Proposal reviewing planning provisions relating to Rural Landsharing Community development, with a view to removing these provisions
2. A workshop be arranged to discuss:
  - a) existing Rural Landsharing Community developments and approved housing limits
  - b) non-compliant Rural Landsharing Community developments
  - c) land property titles for Rural Landsharing Community developments

### Councillor Comment

#### Outcome Sought

Rural Landsharing Community Development, also known as Multiple Occupancy (MO) developments, tend to create more issues than they resolve.

It is hoped relevant information can be provided to councillors relating to existing approved MOs, MO compliance concerns can be reviewed, options and support to rezone MOs where possible and appropriate are considered for those landholders looking to do so voluntarily, and whether the option to approve new MOs should be removed from our planning documents going forward to prevent further issues from arising.

#### Cost of Implementing

No additional costs to existing work program

#### Funding Source

A planning proposal is currently being prepared looking at several planning options.

#### Officer Consulted

Acting General Manager

#### Officer Comment

##### Strategic Planning Coordinator

The Strategic Planning team are undertaking a full review of the Lismore Local Environmental Plan (LEP) and the Development Control Plan (DCP). It is recommended the review of planning provisions relating to Rural Landsharing Community development, and the possibility of removing these provisions, be considered within this work program.

This would achieve officer resourcing efficiencies and ensure the best outcome for a full and complete LEP.

The LEP and DCP review commenced in April 2025 and will be complete by June 2026. Details can be discussed at a workshop as per point 2, and future workshops that will be arranged as part of the review.

### Attachment/s

There are no attachments for this report.

**TRIM Record No:** BP25/256:EF19/25-7

## Notice of Motion / Question with Notice

**Councillor Virginia Waters** has given notice of intention to move:

That Council:

1. writes to the NSW Reconstruction Authority, CEO Mal Lanyon and Minister for Recovery and Member for Lismore, The Hon Janelle Saffin MP to explore the opportunity to use land earmarked for the Resilient Lands Program for warehousing relocatable homes as a temporary storage solution until homes can be relocated to final location
2. request feedback on outcomes of discussions and any identified pathways to progressing the temporary use of land for this purpose

### Councillor Comment

#### Outcome Sought

To remove relocatable homes at risk on the floodplain, leaving them insitu is a risk of damage or loss in the event of future flooding. Temporary warehousing on SCU land in East Lismore would be a practical and immediate solution to protect them while lands are developed. Ensuring the homes are safeguarded and prepared for future relocation as infrastructure is progressively developed at the site.

#### Cost of Implementing

Staff time

#### Funding Source

NSW Reconstruction Authority

#### Officer Consulted

Nil

### Attachment/s

There are no attachments for this report.

**TRIM Record No:** BP25/262:EF19/25-7



## Notice of Motion / Question with Notice

**Councillor Big Rob** has given notice of intention to move:

That Council policy number 5.17.10 is revoked.

### Councillor Comment

#### Outcome Sought

The policy was not reviewed following the 2021 election or the 2024 election as required. It reads more like an academic paper saying a whole lot of nothing than a policy document guiding council into measurable actions. It is way too complicated and difficult to read.

#### Cost of Implementing

Not applicable

#### Funding Source

Not applicable

#### Officer Consulted

Not applicable

### Officer Comment

#### Strategic Planning Coordinator

Action A1.2.4 of the adopted Operational Plan/ Delivery Program is to develop a Climate Resilience Strategy and Adaptation Strategy. A review of the Climate Resilience Policy is intended to be a part of this program of works. The Strategic Planning team have commenced work on this program, it is expected to be finalised mid-2026. Officers have noted the feedback provided above on the existing policy and will take it into consideration. Officers will provide a briefing to councillors in due course.

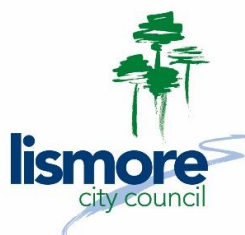
The work outlined above on a Climate Resilience and Adaptation Strategy is being carried out in tandem with the scheduled review of the Biodiversity Management Strategy (C4.1.04), and the Local Strategic Planning Statement (D3.5.02), both of which are scheduled for 2025/2026.

Additionally, central to all of the above, a suite of new Integrated Planning and Reporting (IP&R) documents are currently in draft including a new Community Strategic Plan and Delivery Program which will come into effect from June 2025. Officers will ensure the above strategies are delivered in accordance with these new plans.

### Attachment/s

- [1.](#) 5.17.10 Climate Resilience Policy

**TRIM Record No:** BP25/257:EF19/25-7



## POLICY MANUAL

<b>Policy title:</b>	<b>Climate Resilience Policy (2020)</b>
<b>Policy number:</b>	<b>5.17.10</b>
<b>Objective:</b>	<b>E5 We continue to grow our reputation and capacity as a regional city.</b>
<b>Link to community vision/service:</b>	<b>E5.5.5 Support initiatives that grow Lismore as a regional city</b>
<b>Program Area:</b>	<b>Partnerships Planning and Engagement</b>
<b>Policy created:</b> 9 February 2020	<b>Council reviewed:</b>
<b>Last reviewed by staff:</b> 9 February 2020	<b>TRIM Ref:</b> ED20/32034

### A. POLICY SUMMARY

- A1 The Lismore City Council Climate Resilience Policy aims to maximise the economic, social, cultural and environmental wellbeing of the Lismore City LGA Community.
- A2 The Policy aligns with the objectives of Lismore City Council's *Community Strategic Plan 2017 – 2027*, *Local Strategic Planning Statement 2020 – 2040* and Lismore City Council's *Renewable Energy Master Plan 2014* target of 100% renewables by 2023, and demonstrates Lismore City Council is meeting its State legislative obligations by adopting and actively transitioning toward to the NSW Government's Net Zero Emissions by 2050 target.
- A3 The Policy is a whole of Council commitment that provides a framework for the development of all future strategic and action plans to respond, adapt and build resilience to climate change risks to the community, Council assets and infrastructure and environmental systems.
- A4 Council recognizes that a climate resilient community requires; mitigation actions to reduce human-induced climate change; adaptation actions to reduce climate impacts; effective institutions, strategies, and choices for risk management that are identified, implemented, and sustained; and actions that create a policy environment that supports communities to learn, adapt, transform and use their experiences to thrive in a climate changed world.
- A5 Recent events including drought, floods, bushfires and COVID-19 have impacted the community's capacity to adapt. To assist the community to withstand the cumulative impacts of changes to the climate, this policy's principle objective is to build climate resilience.

**B. POLICY CONTEXT**

- B1 In December 2015, 195 countries signed the United Nations Framework Convention on Climate Change Paris Agreement, reaffirming aims to limit global temperature rise this century to well below 2 degrees Celsius above pre-industrial levels, actively pursue efforts to limit the rise to 1.5 degrees Celsius and to achieve net zero emissions by 2050.
- B2 In November 2016, Australia ratified the Paris Agreement committing to reduce greenhouse gas emissions by 26 to 28 per cent below 2005 levels by 2030. Emissions have, instead, risen each year since 2015, and current (2019) projections indicate Australia may not meet its Paris Agreement commitment.
- B3 The NSW Government endorsed the Paris Agreement in 2016 and under its *Climate Change Policy Framework* set a target of net zero emissions by 2050.
- B4 In 2017, the *North Coast Regional Plan 2036* committed to manage natural hazards and climate change, recognising that climate change may worsen bushfires, coastal erosion, rising sea levels, storms, floods, acid sulfate soils and landslips.
- B5 In August 2019, Lismore City Council declared a Climate Emergency, acknowledging Council and the Lismore City Council LGA Community is likely to be substantially affected by climate impacts, particularly more intense and less frequent rain events, floods, bushfires, droughts, heatwaves, sea level rise and by the subsequent impacts on human systems and ecosystem health and wellbeing.
- B6 In March 2020, Lismore City Council resolution to create a Climate Resilience Policy and to seek funds to develop a Climate Resilience Strategy

**C. POLICY DEFINITIONS****Climate Change:**

*A measurable change to the climate that persists for an extended period which is attributed directly or indirectly to human activities that alter the composition of the global atmosphere and which is in addition to natural climate variability.*

**Climate Change Adaptation:**

*Actions undertaken to reduce the adverse consequences of climate change and harness any beneficial opportunities to reduce the impacts of climate stresses on human and natural systems.*

**Climate Change Mitigation:**

*Mitigation involves actions that are intended to reduce the magnitude of human contributions to climate change including strategies to reduce greenhouse gas sources and emissions and enhance greenhouse gas sinks.*

**Community Climate Resilience:**

*The capacity of a socio-ecological system to successfully adapt to impacts caused by climate change in the face of disturbance, stress and adversity. Resilience enables the community to better adapt, reorganize, and evolve, leaving it better prepared for future climate change impacts*

**Council:**

*Lismore City Council*

**Greenhouse gas sinks:**

*Activities that instate and/or support natural systems to capture and store (sequester) atmospheric carbon dioxide.*

**Resilience:**

*The ability of a system and its component parts to anticipate, absorb, accommodate, or recover from the effects of a hazardous event in a timely and efficient manner, including through ensuring the preservation, restoration, or improvement of its essential basic structures and functions.*

**The Policy:**

*Lismore City Council Climate Resilience Policy*

**D. POLICY PURPOSE**

- D1 To demonstrate Lismore City Council's leadership in identifying and responding to climate change risk, by promoting, supporting and delivering climate change action and transformative community resilience planning.
- D2 To support long term financial planning, asset management, strategic planning, and other key LCC processes with consistent, timely and scientifically sound information and local climate projections related to climate change.
- D3 To embed climate change adaptation and resilience as a core component of Council's strategic planning, processes and operations.
- D4 To ensure all functions and activities of council consider climate change adaptation and resilience for a more resilient organisation and community.

**Strategic Principles**

- D5 Council demonstrate their leadership to managing risks associated with climate change.
- D6 Council adopt a strategic approach to the identification of potential impacts that may eventuate as a consequence of climate change
- D7 The policy statement acknowledges the causes and effects of climate change and in doing so seeks to enhance the resilience of the community, the natural and built environment, the local economy and Indigenous and non-Indigenous cultural values.
- D8 Council adopt a culturally sensitive and inclusive approach to the development of mitigation and adaptation measures.

**Policy Commitment Statements for Effective Climate Change Adaptation Risks are Effectively Managed**

- D9 Council implement a proactive approach to anticipate the complex challenges and risks posed by the changing climate and an evidence-based approach to responsive decision making.
- D10 Climate change risks are incorporated into all Council operations and appropriate mitigation, adaptation and resilience building actions are integrated into all strategic and operational management activities. Plans, strategies and benchmarks are reviewed regularly to ensure they remain consistent with most recent and best available scientific evidence.

**Legislative Compliance**

- D11 Council adhere to *Ecologically Sustainable Development* (Local Government Amendment (Ecologically Sustainable Development) Act 1997) values through the integration of social, cultural, ecological and economic considerations into all decision-making processes.
- D12 Council comply with its statutory responsibilities relating to land use planning, financial management, environmental planning and protection and natural resource management.

**Resilient Community**

- D13 Council acknowledges its key role in building climate change resilience, promoting mitigation actions and enabling communities, ecological systems and economic systems to adapt and thrive within a changing climate.
- D14 Council adopt a place-based approach to promote the development of community focused climate change resilience frameworks.

**Low Carbon Operations**

- D15 Council implement a programme of continuous improvement in relation to identifying best practice carbon management and energy reduction strategies and improving energy efficiencies and reducing greenhouse gas emissions.

**Enhanced Ecosystems**

- D16 Council supports local land managers to understand and anticipate climate change impacts upon the complex interactions and interdependencies between human and environmental systems in order to enhance and build greater resilience within local ecosystems.

**Cultural Sites and Objects are Protected**

- D17 Council collaborate with community and key stakeholders to develop risk management plans for cultural sites and environmental heritage areas and seek funds to support future climate change risk management of sites identified.

**Community Leadership and Education**

- D18 Council engage with the Community to ensure transparency in communicating decisions on risk treatment options.
- D19 Council collaborate and partner with the community to enhance the community's understanding of climate change risks and resilience building responses.

**Policy Commitment Statements for Effective Climate Change Mitigation**

- D20 Council incorporate emissions reduction strategies into strategic and operational management activities.
- D21 Council identify opportunities to improve energy efficiency and reduce emissions to improve climate resilience of all Council sites/assets.
- D22 Council include climate change mitigation as a key consideration within its procurement processes with the aim of reducing greenhouse gas emissions in the production, use and disposal of goods.
- D23 Council to offset current and future emissions through accredited Carbon Offset providers.

**Principles to Underpin Climate Resilient Communities**

- D24 Utilise best available science to undertake ongoing identification, monitoring and assessment of climate change risks and their impact on social, cultural, ecological systems, economic systems and the built environment and apply mitigations to reduce risks.
- D25 Partner with the community, State and Federal government to create and implement recovery plans. Evaluate and amend recovery plans after each natural disaster event.
- D26 Partner with universities, health providers and community organisations to deliver resilience training to enhance the Community's understanding of climate risks and resilience.
- D27 Invest in climate resilience opportunities through advancing technology innovation and alternative industries for local employment and continuous improvement in the planning and

management of existing built and natural assets, infrastructure renewal projects and renewable resources.

- D28 Undertake climate change risk assessment and incorporate risks and vulnerabilities to inform asset life cycle analysis for all new and existing infrastructure assets to meet current and projected demands and develop relevant adaptation and mitigation strategies to foster climate resilience.
- D29 Work in partnership with the Community and local agencies to enhance the resilience of biodiversity across the Lismore City LGA.
- D30 Work collaboratively with local agricultural sector and partner with relevant agencies and industry to develop plans and strategies to address food security affected by climate vulnerability.

#### **E. POLICY IMPLEMENTATION AND REVIEW MECHANISM**

- E1 This Policy does not confer any delegated authority upon any person. All delegations to staff are issued by the General Manager.
- E2 This Policy should be read in conjunction with the Lismore City Council Code of Conduct.
- E3 Climate change adaptation and mitigation performance indicators will be included in the Community Strategic Plan, The Delivery Program and the Operational Plan.
- E4 This Policy will be reviewed at the commencement of each new Council term.

#### **F. POLICY INFORMATION SOURCES**

- F1 The primary source of climate change adaptation information will be the most recent Intergovernmental Panel on Climate Change (IPCC) Assessment Report.
- F2 Council will utilise regional and sub-regional climate projections published by the NSW government.
- F3 Council recognises that effective responses to climate change are context-specific, and often addressed best at the local and regional levels.

#### **G. COMMUNICATION**

- G1 Council commits to providing clear, consistent and transparent climate change information and data which demonstrates best practice scientific knowledge.
- G2 The LCC website will communicate key projects and links to reliable information and projections.

#### **H. RELATED LEGISLATION, POLICIES, PROTOCOLS, PROCEDURES AND DOCUMENTS**

##### **Commonwealth Government**

- Environment Protection and Biodiversity Conservation Act 1999 (Cth)
- National Greenhouse and Energy Reporting Act 2007 (Cth)
- Nation Disaster Resilience Strategy 2011 (Cth)
- National Climate Resilience and Adaptation Strategy 2015 (Cth)

##### **NSW State Government**

- Biodiversity Conservation Act 2016 (NSW)
- Environmental Planning and Assessment Act 1979 and Regulations (NSW)

- Local Government Act 1993 (NSW)
- Local Government Amendment (Ecologically Sustainable Development) Act 1997
- Coastal Management Act 2016 (NSW)
- Protection of the Environment Operations Act 1997 and Regulations (NSW)
- Heritage Act 1997 (NSW)
- State Environmental Planning Policies
- NSW Climate Change Policy Framework 2016 (NSW)
- NSW Net Zero Plan Stage 1: 2020 – 2030
- North Coast Regional Plan 2036

#### **Lismore City Council**

- Atmosphere Policy (Policy Number - 5:17:5)
- Biodiversity – Flora and Fauna Policy (Policy Number 5:17:3)
- Community Sun Protection Strategy Policy 1997 (Policy Number – 3:1:14)
- Enterprise Risk Management Policy 2013 (Policy Number – 1:11:12)
- Health Promotion Policy 2014 (Policy Number – 3:1:17)
- Land Policy (Policy Number – 5:17:4)
- Policy Making Policy 1990 (Policy Number – 1:4:2)
- Provision of Public Transport Infrastructure Policy 1999 (Policy Number – 5:3:3)
- Public Tree Policy 2008 (Policy Number – 8:10:1)
- Social Impact Assessment Policy 1995 (Policy Number – 5:2:30)
- Sustainability, Viability and Amenity of Rural and Urban Land Policy 2007 (Policy Number – 5:17:8)
- Trees – Planting and Removal Policy 1981 (Policy Number – 1:8:8)
- Waste Policy (Policy Number – 5:17:6)
- Water Quality and Quantity Policy 2007 (Policy Number 5:17:2)
- Lismore Local Environment Plan 2012
- Lismore Development Control Plan for LEP 2012
- Lismore City Council Renewable Energy Master Plan 2014
- Lismore Growth Management Strategy 2015 – 2035
- Lismore Floodplain Risk Management Plan 2014
- Lismore Community Engagement Strategy 2019 and Community Participation Plan
- Lismore City Council Transport – Asset Management Plan 2015
- Lismore City Council Revised Delivery Programme 2017 – 2021 and Operational Plan 2019 – 2020
- Lismore City Council Code of Conduct Policy 2019



## Notice of Motion / Question with Notice

**Councillor Adam Guise** has given notice of intention to move:

That Council:

1. acknowledges the outcome of the Santin quarry court case where the Land and Environment Court ruled that the DA consent has expired and a new DA is required if the quarry wants to operate
2. provides to the public details of the legal costs incurred by Council and determines how these costs will be paid and who will be responsible for them

### Councillor Comment

#### Outcome Sought

The Land and Environment Court has ruled in favour of the community members who argued that the historical DA consent has expired and therefore requires a new DA for the quarry to operate.

The community members who brought the court action had to spend hundreds of thousands of dollars of their own money to uphold the law so the court case is a vindication of their conviction.

Council has incurred significant legal expenses in defending the action as a second respondent. To ensure that Council is not out of pocket for hundreds of thousands of dollars, Council should seek to recover these costs.

#### Cost of Implementing

Significant legal costs will be incurred if Council does not seek cost recovery

#### Funding Source

Not applicable

#### Officer Consulted

Nil

### Officer Comment

#### Executive Planner

On Wednesday 23 April 2025, the Land and Environment Court delivered its judgement on the appeal concerning Council's approval to extend the operating life of the Santin Quarry in Lismore.

The Court upheld Council's position on four out of five points of contention. However, it determined the original consent had lapsed. Consequently, quarry activities cannot proceed under the original consent.

Council has incurred costs in defending the matter, and is part-liaible for pending cost orders. The Court has foreshadowed cost orders, but at the time of writing they are yet to be made.

In accordance with the legislative framework, the first and second respondents also have Appeal rights.

### Attachment/s

There are no attachments for this report.

**TRIM Record No:** BP25/258:EF19/25-7

## Notice of Motion / Question with Notice

**Councillor Big Rob** has given notice of intention to move:

That Council:

1. immediately implement a reporting policy which requires a report be made to council at least quarterly highlighting any Budget variations to any line item which equates to 5% or more, to be included in council's Quarterly Budget Review Statement; and
2. reported Budget variations include at least the following information:
  - a) Budget Item Name
  - b) Budget Amount (\$)
  - c) Budget Variation (\$) & (%)
  - d) Budget Variation Reason
  - e) Budget Variation Resolution

### Councillor Comment

#### Outcome Sought

Although a lower percentage trigger than 5% would be supported, if a Budget forecast of any significant Budget line item is out either way by a considerable amount, it is important for council to be aware as early as possible.

This will allow any issues with excess spending to be resolved more quickly, and any issues with not enough spending to be reviewed. Any excess funding no longer required can also be allocated more efficiently across Council.

### Cost of Implementing

Staff time

### Funding Source

Internal budget

### Officer Consulted

Nil

### Officer Comment

#### Head Finance

I agree with the sentiment in the notice of motion that regular reporting against budget position is important for transparency, confidence and capital allocation decisions.

Finance is proposing a monthly financial report which will pick up variations in important items, set out rationale of why it has occurred and measures that may be adopted to remediate those items.

## Attachment/s

There are no attachments for this report.

**TRIM Record No:** BP25/261:EF19/25-7

## Notice of Motion / Question with Notice

**Councillor Jeri Hall** has given notice of intention to move:

That Council:

1. include upgrades to Dunoon Road (including the Dunoon/Alexandra Parade intersection/roundabout) in the 2025-2026 budget
2. a report is prepared and submitted to the LTC for consideration to help determine the best way to proceed

### Councillor Comment

#### Outcome Sought

The condition of Dunoon Road has significantly deteriorated, resulting in regular complaints from motorists regarding safety and drivability. The road surface is heavily degraded, with numerous potholes, uneven sections and poor drainage contributing to hazardous driving conditions. The adjacent intersection at Alexandra Parade is similarly impacted, posing increased risk to road users, particularly during adverse weather. Given the growing safety concerns and the need to maintain a reliable local road network, immediate repairs and upgrades are essential to prevent accidents, improve public safety, and support the efficient movement of traffic.

### Cost of Implementing

#### Funding Source

Roads budget

#### Officer Consulted

Chief Operating & Financial Officer

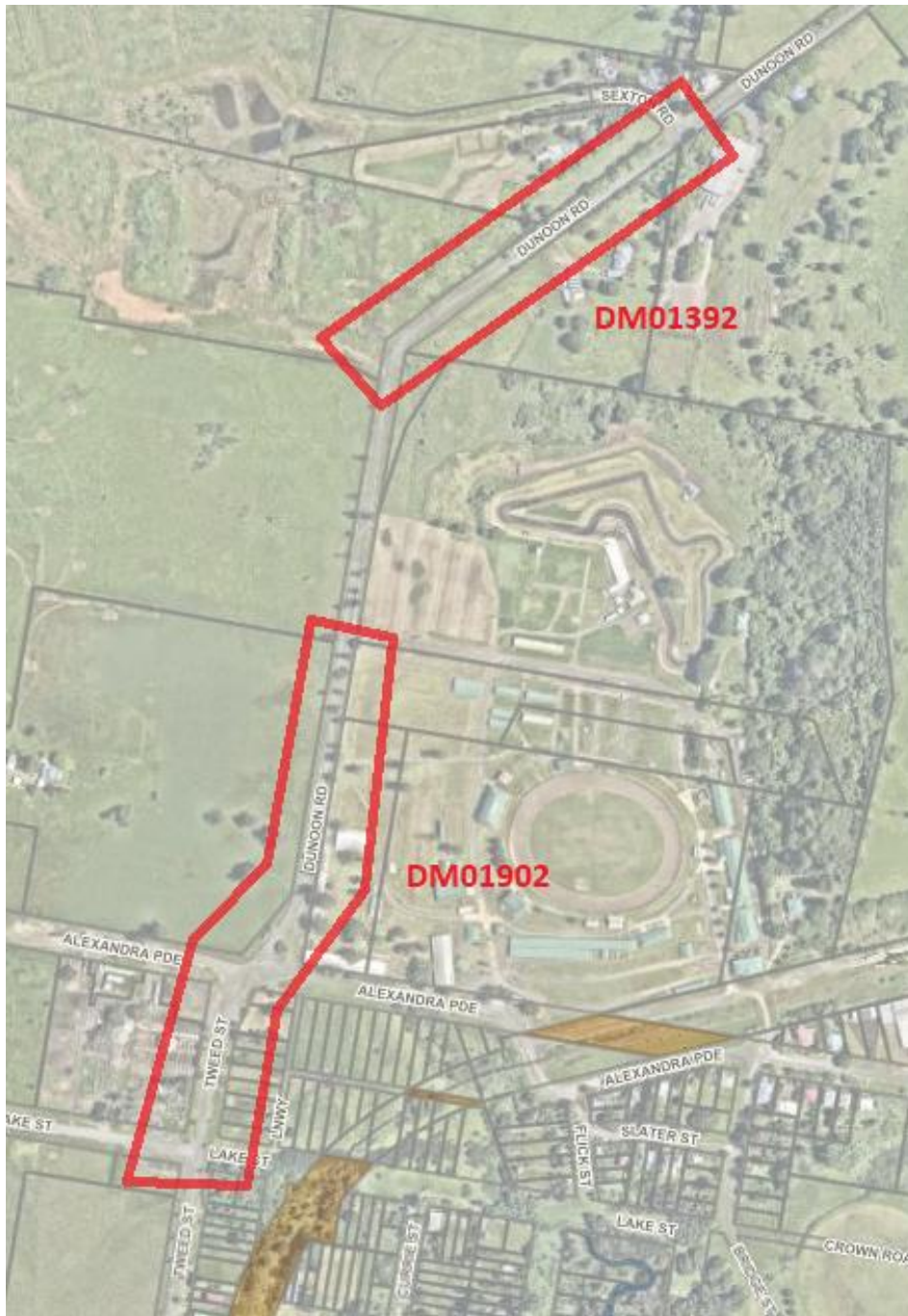
#### Officer Comment

#### Acting Chief Operating & Financial Officer

#### Road improvements for FY25/26

Road improvements for Dunoon Road/Tweed Street/Alexandra Parade have been allocated into the 2025-2026 Roads budget.

There are projects for the area that are with the Flood Restoration Team and Transport NSW. The most relevant and confirmed project arising from AGRN1012 is for 570m of rehabilitation between Lake Street and the Showground entrance (DM01902 below). The other scheduled AGRN1012 project is for 400 mts (DM01392 below), though that project is subject to final funding confirmation. Image below outlines the identified areas.

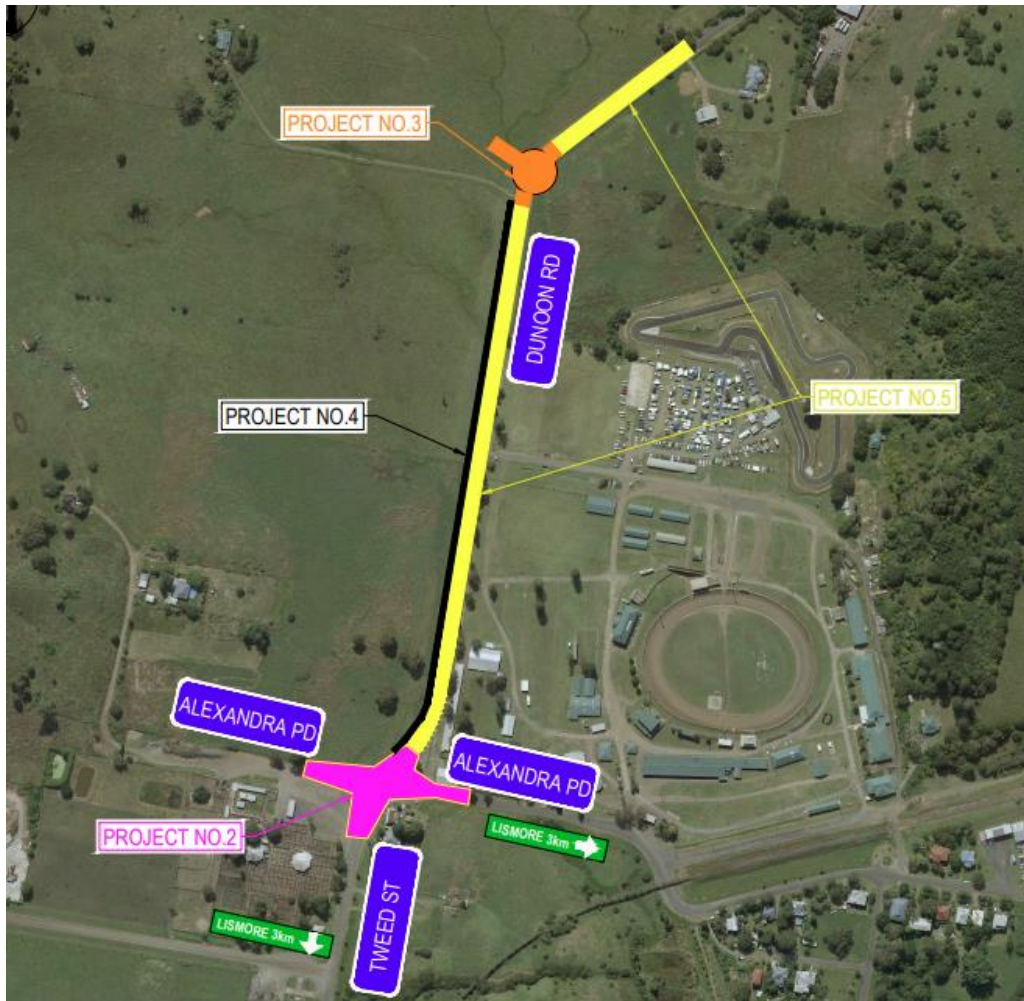


## Further improvements in FY25/26 and beyond

### 1. Dunoon Rd / Tweed St / Alexandra Pde

Council appreciates the significance of the Dunoon Rd, Tweed St and Alexandra Pde intersection and this location in general to the community and has been undertaking planning works in this location across a range of projects. Specifically, Council has submitted an application under the Federal Housing Support Program grant to upgrade the Dunoon Rd, Tweed St and Alexandra Pde intersection. Assessment of this grant is still ongoing and Council is yet to hear an outcome. Council is looking to upgrade the intersection through the installation of a roundabout in this location. There are also plans to install a second roundabout approximately 580m north of this location. Council's plans also include a shared pathway in this location and road upgrade of Dunoon Rd. Council's Roads Planning team is also investigating carparking in this location as part of the above projects as we realise the importance to the Lismore Saleyards (cattle), Lismore Farmers Market, the Lismore Showgrounds and the future Richmond High school campus.



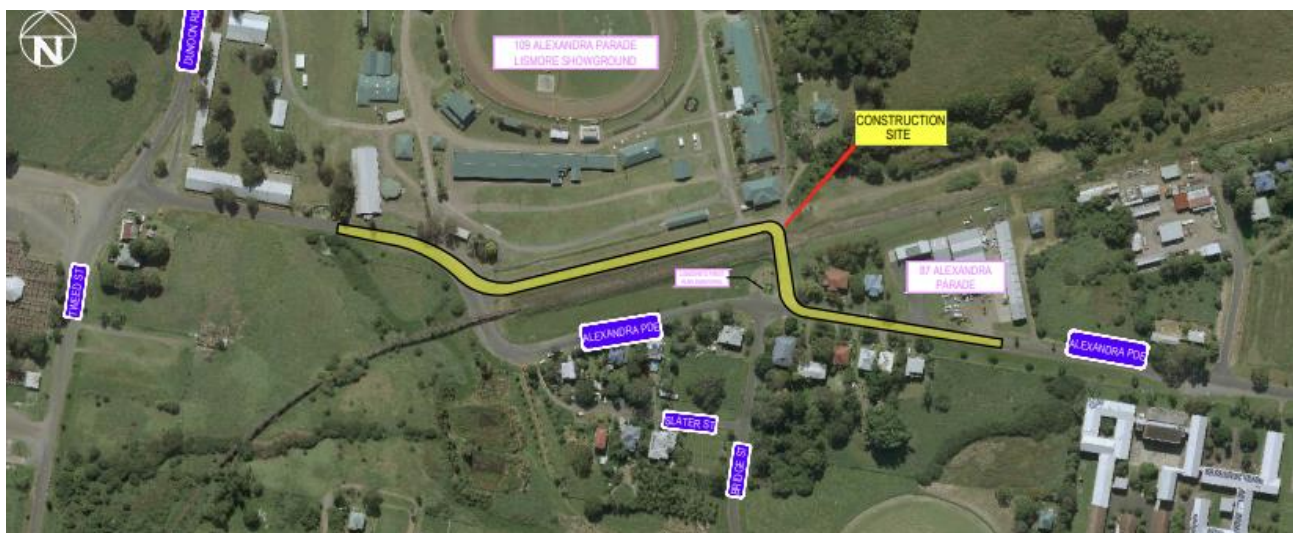


## 2. Richmond River High Campus

Council has reviewed concept scopes for the Richmond River High Campus Access Strategy which will be in the above location and is progressing this with NSW DET and their transport planner.

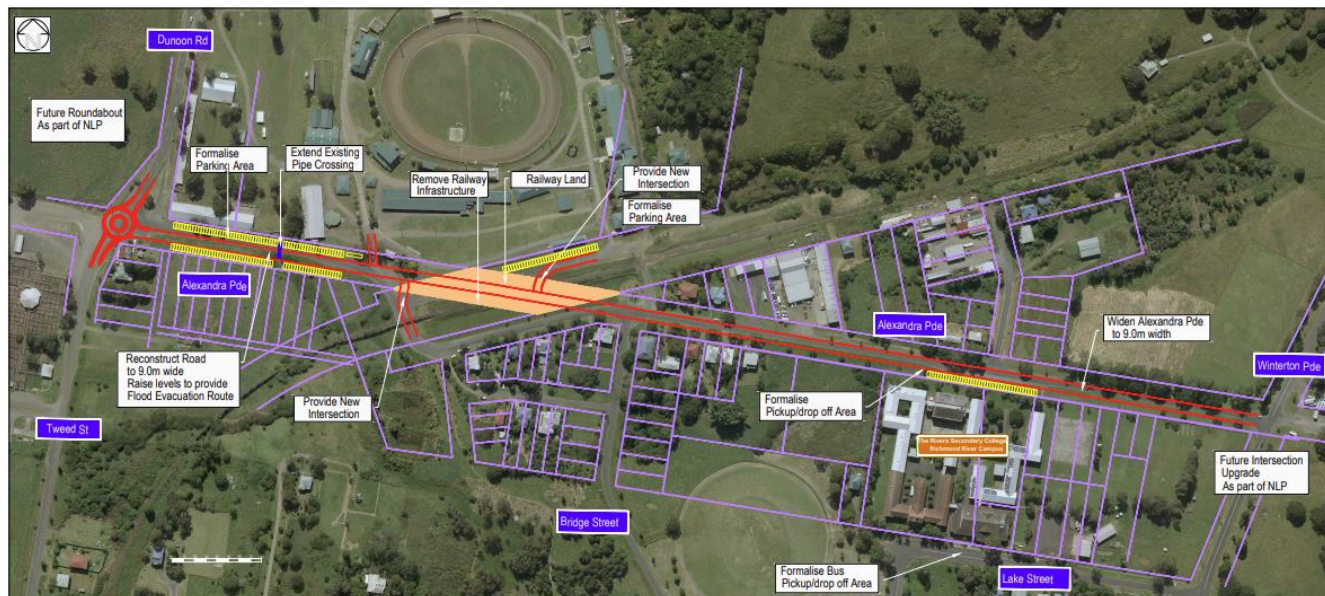
## 3. Alexandra Parade – Stage 1

Council has designed the Alexandra Parade (Viaduct) Road Realignment project and is currently progressing this with Transport Asset Holding Entity of New South Wales. Subject to approvals, Council anticipates this project to be delivered during the 25/26 financial year.



## 4. Alexandra Parade – Stage 2

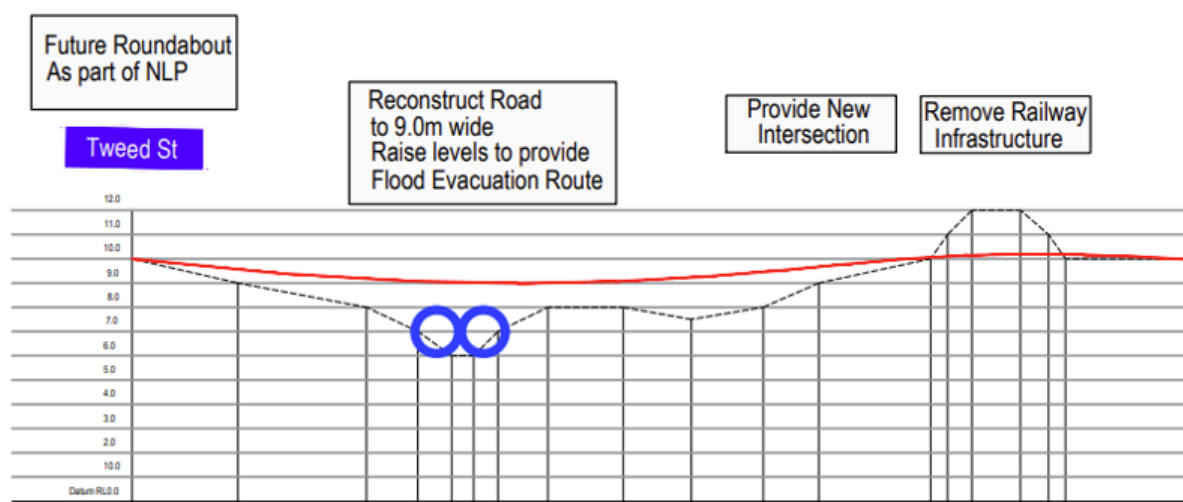
Stage 2 Alexandra Pde project involves the removal of the viaduct and the straightening of the road in this alignment and has had concepts developed. The below concept shows the road alignment, however was completed prior to the school relocation. Noting also that the yellow parking locations are being reviewed with the Roads Planning Team as part of the overall carparking review. The project is subject to heritage approval for the removal of the viaduct.



The below image provides the longitudinal section of Stage 2 Alexandra Pde.

## Alexandra Parade, North Lismore

- Levels of road to be raised significantly to provide Flood Evacuation Route



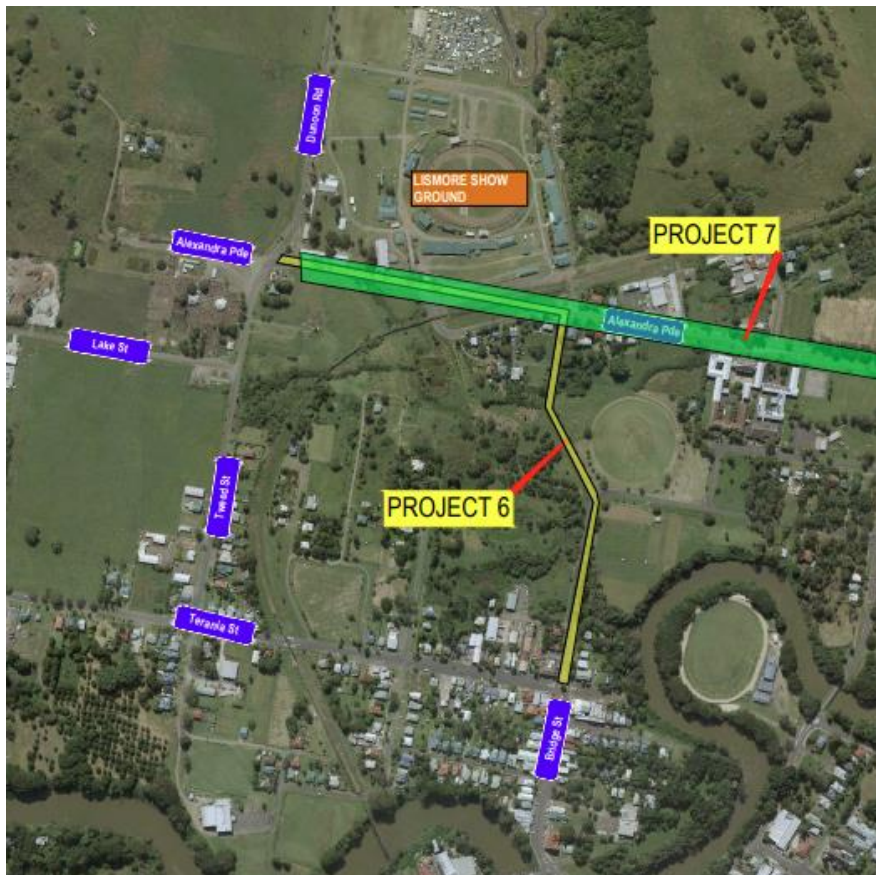


# Notice of Motion / Question with Notice

## 5. North Lismore Connections

Council nominated the North Lismore Connections project under the recent Get Active NSW 2025 grant application. The North Lismore Connections project will significantly enhance the local active transport network by constructing a 1.1-kilometre treelined footpath, addressing critical network gaps. The *Type 3* path (not adjacent to active shopfronts), is 3-meters-wide path that connects residents to key destinations, including the Lismore CBD, North Lismore Showgrounds, and the newly proposed Richmond River High School. It also links the North Lismore Plateau housing development to the broader city, ensuring safe, continuous routes for active transport users. Assessment of this grant is still ongoing and Council is yet to hear an outcome.

Project 6 in the image below being the North Lismore Connections proposed concept alignment.



## Attachment/s

There are no attachments for this report.

**TRIM Record No:** BP25/267:EF19/25-7



## Notice of Motion / Question with Notice

**Councillor Gianpiero Battista** has given notice of intention to move:

That Council:

1. apply a 100% discount to Sections 64 and 711 for secondary dwelling development applications (within sewerred areas)
2. review the policy after the current term of Council
3. receive a report detailing the number of applications submitted and costs every 6 months

### Councillor Comment

#### Outcome Sought

To encourage owners to build on large residential block small granny flat type of accommodations which for the nature of the dwelling could create more affordable housing options and increase housing stock.

#### Cost of Implementing

Foregone revenue of \$4,200 for S7.11 and \$11,500 for S64 per development (excluding Rous charges)

#### Funding Source

Reviewing the impact to the budget on a periodic basis

#### Officer Consulted

Acting General Manager

#### Officer Comment

#### Head Water & Waste

Supportive of this in principle as it will create stimulus. Recommend to include an end date (12 months) at which time a review is undertaken to assess the financial impacts/benefits.

### Attachment/s

There are no attachments for this report.

**TRIM Record No:** BP25/278:EF19/25-7

## Notice of Motion / Question with Notice

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

Can the General Manager please list all current resolutions of council relating to flood mitigation, flood monitoring and flood warning which are yet to be actioned, explain why each has not yet been actioned, and advise when each will be actioned?

### Attachment/s

There are no attachments for this report.

**TRIM Record No:** BP25/259:EF19/25-7

### General Manager's response:

**June 2022**

*RESOLVED that Council:*

1. *install a new digital sign to correctly show metres to overtopping at the Browns Creek Pump Station, and stream the data online on Council's website so it is publicly available to everyone;*
2. *install a new flood warning siren, preferably on top of a building in the CBD, to very clearly notify those in the floodplain when it is time to evacuate;*
3. *install flood monitoring cameras at prominent locations around the floodplain, and stream the data online on Council's website so it is publicly available to everyone;*
4. *seek grant funding to cover the costs of purchasing and installing the various flood level monitoring and warning system devices.*

Item 1 - work has commenced to enable cellular connectivity for the devices and source data that currently supply data to the external display at the Browns Creek Flood Station. This will allow the data to be displayed on the Council's disaster dashboard that matches what is displayed on the external display. Note connectivity is dependent on the cellular network remaining operational during weather events.

Future Improvements: When equipment upgrades comprising the replacement of the Bureau of Meteorology sensors and Council's operational sensors, due consideration will be given to enhance the connectivity and resilience of the data link to the Disaster Dashboard, particularly in the event of a cellular outage.

Items 2 and 4 - grant funding is required and officers are continuing to look for suitable avenues.

Item 3 – there is currently cameras located on Boatharbour, Wyrallah and Nimbin Roads. Officers are continuing to work on having this footage available via the Disaster Dashboard.

## Notice of Motion / Question with Notice

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

Can the General Manager please provide an update regarding the state of the Lismore CBD levee, including any works required to maintain it and any planned upgrades, the ownership status of the Lismore CBD levee, and when any issues relating to ownership will be resolved so works and upgrades can be fast-tracked going forward?

### Attachment/s

There are no attachments for this report.

**TRIM Record No:** BP25/260:EF19/25-7

### General Manager's response:

Lismore City Council, in conjunction with Rous, perform six monthly levee inspections. During these inspections, all components of the levee are assessed to the current condition and any necessary works are identified and prioritised based on collaboration between Lismore City Council and Rous.

Planned upgrades for the levee are the responsibility of the Resilience Program under the Flood Restoration Portfolio. These upgrades are proceeding in accordance with estimated timelines for the Resilience Program.

No element of works and upgrades are being delayed as a consequence of the current ownership model.

## Notice of Motion / Question with Notice

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

Can the General Manager please explain the outcome of the Santin's Quarry modification application addressing each of the five grounds listed in the recent Land & Environment Court decision and, besides choosing to make a decision based on external legal advice relating to ground 1, whether councillors were found to be at fault in any way by making the decision made?

### Attachment/s

There are no attachments for this report.

**TRIM Record No:** BP25/253:EF19/25-7

### General Manager's response:

Of the 5 grounds, the Applicants were successful on Ground 1, but that was sufficient for the Court to find in their favour and declare the modified consent invalid. Council was successful on Grounds 2, 3, and 4, and partly-successful on Ground 5.

The soundness of Council's actions and decisions in relation to the modification and the subsequent Court matter are outlined below:

Ground 1: The Applicants were successful on Ground 1. The Court found that the word "lapse" contained within Condition 2 had the effect of voiding the consent at the expiration of the specified period, preventing approval of the modification application.

Ground 2: Council was successful on Ground 2. The Court found that the acoustic impacts had been sufficiently considered by Council in the determining of the application.

Ground 3: Council was successful on Ground 3. The Court found that Council had the requisite state of satisfaction that the modification was 'substantially the same'.

Ground 4: Council was successful on Ground 4. The Court found that Council was reasonably justified, and within its powers, that the modification was 'substantially the same'.

Ground 5: Council was partly successful on Ground 5, with the second half of Condition 11 found to be voidable. If Council has been successful on all other Grounds, then the Court would have severed the second-part of Condition 11 (pertaining to adjustable hours of operation), but the consent would have remained valid.

**Confidential Business**

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## Confidential Matters – Closed Council Meeting

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

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

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

### Clause 14.9 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.

## Recommendation

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

<b>Item</b>	12.1 Lease of 97 Caniaba Street, South Lismore
<b>Grounds for Closure</b>	Section 10A(2) (d i):
<b>Public Interest</b>	Discussion of this matter in an open meeting would on balance be contrary to the public interest because it relates to: commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

**MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE CITY OF LISMORE HELD IN  
COUNCIL CHAMBERS ON TUESDAY 8 APRIL 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; Dr Logan, Chief Operating & Financial Officer; Mr Butron, Chief Corporate & Community Officer; Ms Geraghty, Head Legal Services; Mr Schubert, Technology Support Officer; 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

## Confirmation of Minutes

72/25 **RESOLVED** that the minutes of the following meeting be confirmed:

- Extraordinary Council meeting 25 March 2025
- Extraordinary Council meeting 27 February 2025
- Ordinary Council meeting 11 February 2025
- Confidential Council meeting 11 February 2025

(Councillors Bing/Waters)

**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:** 10.1 Site-specific Development Control Plan chapter for the proposed urban release area at 1055 Bruxner Highway, Goonellabah  
**Nature:** I am a real estate agent

**Clr Rob declared a Pecuniary, Significant Conflict of Interest for the following item:** 12.1 RFQ Q25/11 Urban Rivers and Catchments Program  
**Nature:** I am involved with Lismore Lake Incorporated and will leave the Chamber

## Mayoral Minute(s) and Condolence Motions

## Reports of Committees

## Matters Arising

## Reports of the General Manager

### **10.1 Site-specific Development Control Plan chapter for the proposed urban release area at 1055 Bruxner Highway, Goonellabah**

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73/25 **RESOLVED** that Development Control Plan, Part B Chapter 11, be adopted and published on the Lismore City Council website.

(Councillors Battista/Knight-Smith) (BP25/65)

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

**Voting against:** Councillor Guise

### **10.2 DCP Housekeeping Amendments**

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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

This matter was deferred by officers to a later meeting.

### 10.3 Investments - March 2025

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74/25 **RESOLVED** that the report be received and noted.

(Councillors Bing/Hall) (BP25/162)

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

**Voting against:** Councillors Guise and Waters

At this point the meeting adjourned for a recess as the audio system was not working properly, the time being 10:14AM

The meeting resumed at 10:19AM

## Notices of Motion / Questions with Notice

### 11.1 Mayoral Attendance Report

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75/25 **RESOLVED** that Council receives the Mayoral Attendance Report for March 2025.

(Councillors Krieg/Bing) (BP25/152)

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

**Voting against:** Councillor Rob

### 11.2 Letter of Support for Bexhill Quarry Parklands Association

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76/25 **RESOLVED** that Council:

1. writes a supporting letter to the Bexhill Quarry Parklands Association
2. contacts Crown Lands to request a review and a response indicating how any ongoing risks may be addressed to allow public access

(Councillors Hall/Dalton-Earls) (BP25/150)

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

**Voting against:** Nil

### **11.3 Purchase of Former Vinnies Building, 40 Cullen St, Nimbin**

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77/25

**RESOLVED** that Council:

1. includes 40 Cullen Street, Nimbin, in the upcoming Council Property Strategy Review, to assess the opportunity to provide cultural, community and economic significance to Nimbin
2. inform St Vincent's de Paul that an assessment of 40 Cullen St is being included in Council's Property Strategy Review

(Councillors Waters/Rob) (BP25/148)

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

**Voting against:** Nil

### **11.4 Flood Response Planning**

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MOTION moved 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.

(Councillors Rob/Jensen)

**Councillor Waters left the meeting, the time being 10:50AM**

**Councillor Waters returned to the meeting, the time being 10:51AM**

**Councillor Bing left the meeting, the time being 11:00AM**

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

78/25

**RESOLVED** that Council organise CBD flood response planning sessions in late November 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.

(Councillors Rob/Jensen) (BP25/145)

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

**Voting against:** Nil

### **11.5 Disaster Management Committee**

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MOTION moved 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.

(Councillors Rob/Hall)

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

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

**Councillor Jensen returned to the meeting, the time being 11:12AM**

**Councillor Hall returned to the meeting, the time being 11:13AM**

79/25      **RESOLVED** 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.

(Councillors Rob/Hall) (BP25/146)

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

**Voting against:**                Councillor Guise

### **11.6 Local Crime Concerns**

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MOTION moved 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.

(Councillors Rob/Bing)

**Councillor Guise left the meeting, the time being 11:19AM**

**Councillor Guise returned to the meeting, the time being 11:21AM**

**Councillor Knight-Smith left the meeting, the time being 11:21AM**

**Councillor Knight-Smith returned to the meeting, the time being 11:23AM**

**Councillor Jensen left the meeting, the time being 11:24AM**

**Councillor Jensen returned to the meeting, the time being 11:25AM**

**Councillor Dalton-Earls left the meeting, the time being 11:28AM**

80/25

**RESOLVED** that Council:

1. 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 and relevant stakeholders, to contribute to the discussion and to help resolve any issues
2. write to Janelle Saffin MP, Member for Lismore, to seek funding for the implementation of the Police, Ambulance, Clinical, Early, Response (PACER) program in Lismore

(Councillors Rob/Bing) (BP25/154)

**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 11:31AM**

#### 11.7 Item 71/21

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

#### **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

## Matter of Urgency

81/25 **DEFEATED** that the following issue be considered.

That Council writes to the NSW Reconstruction Authority, CEO Mal Lanyon, Minister for Recovery and Member for Lismore Janelle Saffin MP, Minister for Emergency Services Jihad Dib MP, Minister for Planning and Public Spaces Paul Scully MP, Minister for Housing Rose Jackson MP and the Hon. Chris Minns Premier requesting they:

1. cease demolition of flood impacted homes until they provide council and the community with the assessments, criteria and processes used to determine whether homes are relocated or demolished
2. ensure all demolition works are carried out to safe work practices, noting community concerns about apparent unsafe conditions at the Baillie Street demolition site
3. prioritise the ethical reuse and recycling of materials from any homes approved for demolition, in line with community expectations and environmental responsibility

(Councillors Waters/Guise)

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

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

### 11.8 CBD Clean Up

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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?

#### **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

#### **11.9 Adequate Disabled Access**

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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?

#### **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.

#### **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

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

### 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 Matters – Closed Council Meeting

82/25

**RESOLVED** that Council now exclude the press and public and meet in Closed Council to consider the following matters;

<b>Item</b>	12.1 RFQ Q25/11 Urban Rivers and Catchments Program
<b>Grounds for Closure</b>	Section 10A(2) (d i):
<b>Public Interest</b>	Discussion of this matter in an open meeting would on balance be contrary to the public interest because it relates to: commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.
<b>Item</b>	12.2 T2025-08 Supply and Delivery of Ready Mixed Concrete Tender
<b>Grounds for Closure</b>	Section 10A(2) (d i):
<b>Public Interest</b>	Discussion of this matter in an open meeting would on balance be contrary to the public interest because it relates to: commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.
<b>Item</b>	12.3 T2025-07 Supply or Supply & Installation of Road Safety Barrier Systems
<b>Grounds for Closure</b>	Section 10A(2) (d i):
<b>Public Interest</b>	Discussion of this matter in an open meeting would on balance be contrary to the public interest because it relates to: commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.
<b>Item</b>	12.4 General Manager appointment
<b>Grounds for Closure</b>	Section 10A(2) (a):
<b>Public Interest</b>	Discussion of this matter in an open meeting would on balance be contrary to the public interest because it relates to: personnel matters concerning particular individuals (other than councillors).

(Councillors Bing/Dalton-Earls)

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

The General Manager returned to the meeting, the time being 12:47PM

## Resumption of Open Council

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

### 12.1 RFQ Q25/11 Urban Rivers and Catchments Program

That:

1. in accordance with Clause 178(1)(a) of the *Local Government (General) Regulation 2021*, Council accepts the quote from Workways Australia (T/A Envite Environment)
2. Council delegates authority to the General Manager to enter and administer the contract under the terms of the Request for Quote
3. a redacted copy of this report be released as a public document

(Councillors Bing/Waters) (BP25/163)

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

**Voting against:** Nil

**Absent:** Councillor Rob

### 12.2 T2025-08 Supply and Delivery of Ready Mixed Concrete Tender

That:

1. in accordance with the *Local Government (General) Regulation 2021* – Part 7 Tendering, Council accepts the tender to form an un-ranked panel of approved providers from the following suppliers for Tender T422425RTC on a Schedule of Rates based contract:
  - a. Boral Resources
  - b. Graham's Concrete
  - c. Holcim
2. the panel be awarded for an initial period of three (3) years, with an optional extension of two (2) one (1) year extensions, commencing on 9 April 2025
3. delegation be provided to the General Manager to:
  - a. finalise and execute the contract, the options to extend the contract when required, and any other documentation required to give effect to this resolution
  - b. approve purchases without a fixed upper limit of expenditure from an approved budget source for Tender T2025-08 Supply of Ready Mixed Concrete
4. a redacted copy of this report will be released as a public document

(Councillors Gordon/Knight-Smith) (BP25/137)

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

**Voting against:** Nil

### **12.3 T2025-07 Supply or Supply & Installation of Road Safety Barrier Systems**

That:

1. in accordance with the *Local Government (General) Regulation 2021* – Part 7 Tendering, Council accepts the tender from the following suppliers for Tender T2025-07 (REGPRO402425) on a Schedule of Rates based contract for Supply and Installation of Road Safety Barriers:
  - a. A1 Highways
  - b. GRI Road Services
  - c. Road Safety Barriers
  - d. Irwin Family Trust
2. the panel be awarded for an initial period from 9 April 2025 to 31 March 2028 with a provision for two, 1-year extensions based on satisfactory supplier performance, which may take this contract through to 31 March 2030
3. delegation be provided to the General Manager to:
  - a. finalise and execute the contract, the options to extend the contract when required, and any other documentation required to give effect to this resolution
  - b. approve purchases without a fixed upper limit of expenditure from an approved budget source for Tender T2025-07 Supply or Supply & Installation of Road Safety Barrier Systems.
4. a redacted copy of this report will be released as a public document

(Councillors Bing/Knight-Smith) (BP25/136)

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

**Voting against:** Nil

### **12.4 General Manager appointment**

That:

1. the Council notes the resignation of Mr Jon Gibbons as Lismore City Council's, General Manager and thanks him for his dedicated service to the organisation and community
2. the Council appoints Eber Butron as the Council's Acting General Manager, effective 3 May 2025, pursuant to sections 336 and 351 of the *Local Government Act 1993*, with such person to remain as the Council's Acting General Manager for a maximum of 12 months until the Council appoints a new General Manager or



until a further decision of Council to appoint a different Acting General Manager, whichever occurs first

3. the total remuneration package for the Acting General Manager is the same as the package for the former General Manager
4. the Mayor and members of the General Manager Performance Review Committee be authorised under Section 351 of the *Local Government Act 1993* to take the necessary action to engage and commence the recruitment process for a General Manager with Council to be involved in the interview process and final appointment

(Councillors Gordon/Knight-Smith) (BP25/158)

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

**Voting against:** Nil

## Closure

This concluded the business and the meeting terminated at 12.49pm.

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

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**MAYOR**

## Confidential Report

### Report

Subject	RFQ Q25/11 Urban Rivers and Catchments Program
TRIM Record No	BP25/163:AF25/517
Prepared by	Environmental Strategies Coordinator
Reason	To accept a recommended contractor to supply Project Delivery for the Regenerating for Resilience in Lismore's Urban Endangered Rainforests project
Strategic Theme	Our natural environment
Strategy	Our waterways and catchments are healthy.
Action	Enhance riparian vegetation and manage off-stream impacts to improve water quality.
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

A Request for Quote (RFQ) for a suitably qualified person or persons to deliver technical project services for the Regenerating for Resilience in Lismore's Urban Endangered Rainforests project closed on 3 March 2025. Three submissions were received. An evaluation panel of LCC staff and one external assessor unanimously recommends a preferred supplier.

#### Recommendation

That:

1. in accordance with Clause 178(1)(a) of the *Local Government (General) Regulation 2021*, Council accepts the quote from Workways Australia (T/A Envite Environment)
2. Council delegates authority to the General Manager to enter and administer the contract under the terms of the Request for Quote
3. a redacted copy of this report be released as a public document

#### Background

Lismore City Council led the development and submission of a Consortium-driven application to the Urban Rivers and Catchments Program 2023 Grant Opportunity in early 2024. The grant is administered through the Australian Department of Climate Change, Energy, the Environment and Water.

The grant amount includes funds to engage technical project services to deliver the technical components of the project, including reporting, contractor and partnership management, site planning and engagement. Suitably skilled and knowledgeable individual traders or companies were sought to provide technical project management services. The consultant will work with a consortium of community groups and agencies to drive and coordinate the successful delivery of the technical and onground

Lismore City Council

Meeting held 8 April 2025 - RFQ Q25/11 Urban Rivers and Catchments Program

1

Confidential Report

aspects of the Australian Government funded Urban Rivers Catchment Program “Regenerating for Resilience in Lismore’s Urban Endangered Rainforests” project (the project).

An amount of \$266,240 (ex GST) is provided in the grant to fund the delivery of technical project management services to the project over a three-year period.

Request for Quote

A RFQ was issued via VendorPanel on 6 February 2025 to deliver 3 years of technical project services associated with the Regenerating for Resilience in Lismore’s Urban Endangered Rainforests project. Suitably skilled and knowledgeable individual traders or companies were sought to provide technical project management services – to work with a consortium of community groups and agencies to drive and coordinate the successful delivery of the technical and on-ground aspects of the Australian Government funded Urban Rivers Catchment Program “Regenerating for Resilience in Lismore’s Urban Endangered Rainforests” project (the project).

Quote Evaluation

A total of three quotes were received by the close of submissions on 4 March 2025. The three quotes are listed below:

- Workways Australia T/A Envite Environment



The evaluation panel comprising Council’s Environmental Strategies Coordinator, Council’s Environmental Strategies Officer (NRM) and an external partner to the project from Rous County Council, undertook the assessment of quotes received. The evaluation 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.

Due diligence in checking each tenderers accreditations, currency of insurance, and business viability status was carried out by Council Procurement officers.

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	■

## Confidential Report

Quotes 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

### Quote Price ( )

- Comparison of quotations received
- Comparison with benchmarks or budget
- Value for money
- Whole of life cost

### Capability, Experience and Availability ( )

Provision of a Reverse Brief that addresses

- A statement of intent demonstrating understanding of the scope and purpose of the work
- Technical skills and capability of key personnel proposed to perform the Services (including sub-consultants)
- Proposed timeline to achieve the deliverables listed in Appendix A
- Proposed strategy to manage workload flexibly according to project changes
- Understanding of local conditions, cultural protocols and community values
- Appropriate resources provided to successfully deliver the work
- An outline of the expected inputs to be supplied by the Lismore City Council
- Milestones for reporting and preferred payment terms
- Appropriate References
- Statement of Financial capacity
- Statement of company Fit for Purpose

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

- Documented WH&S management systems
- Any previous WH&S prosecutions
- Documented Quality Management Systems/Plan

### Local Content ( )

- Plan to source materials and/or services from the Lismore LGA during implementation
- Plan to employ local labour for the operations
- Physical location of the business

Modern Slavery Risks required a declaration from all applicants addressing the Modern Slavery Risk Checklist

## Confidential Report

### Evaluation Results

Table 1. Summarised Evaluation Scores

		ENVITE
		QUOTE 1
Project Name - Q25/11	Weighting	Score
Mandatory Criteria	Y/N	(Out of 10)
Price		5.6
Scored Criteria		
Capability and Experience		9.0
WH&S, Quality Management Systems		8.7
Local Content		9.7
Totals	100%	
Rank		
Price (Exl GST) proxy based on standard rate		\$126.00
Average Price:	\$123.67	
Priced Score:		2.41
Standardised Score:		5.6
Total Project Hours		2115.00

### Price Evaluation

All price submissions were checked for accuracy and that all the necessary inclusions had been priced. As this was a fixed-price quote, the provision of number of hours for project delivery was used as a proxy for price. Two quotes provided a price proxy (number of hours available) that meet the project delivery requirements. One quote ( ) provided a price proxy that does not meet the delivery requirements.

The hours (price proxy) submitted are included in Table 1 and listed below:

- o Workways Australia T/A Envite Environment 2115 hr

### Non-Price Evaluation

All quotes demonstrated high level capacity, capability and experience in terms of skills and resources available to deliver the project.

The assessment panel considered the non-price criteria associated with capability and experience and local content. All assessors ranked Envite Environment as the preferred quote based on non-price values. An overall marginal difference of 1.4% between Quote 1 and Quote 2 is shown in Table 1, when price is included. A rationale was applied to differentiate the two applicants who met the available hours requirements, and it was determined that the Envite quote provided acceptable value for money for the project and provided higher suitability in terms of the non-price values. The Envite quote outranks the other quotes based on their capabilities and experience whilst providing acceptable hours of delivery.

After assessing all submissions based on the agreed criteria and weightings, the evaluation panel concluded that Workways Australia T/A Envite Environment are the preferred quote for the project.



## Confidential Report

### Budget

Funding for the project is provided through the Urban Rivers Catchment Program grant program, delivered by the Federal Department of Climate Change, Energy, the Environment and Water, from March 2025 to February 2028.

### Conclusion

Whilst all three submissions represented high-calibre proposals to deliver quality service, the preferred supplier is recommended as they demonstrate the best capacity to meet the requirements of the service delivery. Envite has demonstrated excellent skills set, extensive knowledge of local conditions and communities that are critical to the success of delivering the work. Their quote meets the requirements for adequate time resourcing, thus providing suitable value for money. In addition, the location of the company as local providers reduces project delivery costs and impacts on LCC staff resources and provides for high local employment. The company has documented quality management systems, high local spend, demonstrated experience, excellent skills set and extensive knowledge of local conditions and communities.

The Evaluation Panel recommends Contract Q25/11 "Regenerating for Resilience in Lismore's Urban Endangered Rainforests" project be awarded to Workways Australia (T/A Envite Environment) for the price, capability, experience and availability to deliver the proposed solution.

### Attachment/s

There are no attachments for this report.

## Confidential Report

### Report

Subject	<b>T2025-08 Supply and Delivery of Ready Mixed Concrete Tender</b>
TRIM Record No	BP25/137:AF25/1216
Prepared by	Manager Roads Engineering
Reason	To inform Council of the submissions received for Tender T2025-08 Supply and Delivery of Ready Mixed Concrete and to provide recommendations for adoption.
Strategic Theme	Our built environment
Strategy	Our city and village services are well managed and maintained.
Action	Provide a road network that is safe and serviceable.
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

An open tender process for T2025-08 Supply & Delivery of Ready Mixed concrete was advertised in order to form an unranked panel of approved providers for the supply and delivery of ready mixed concrete.

This tender was undertaken and managed by Regional Procurement through T422425RTC with other neighbouring councils participating in the tender.

A total of four (4) submissions were received and deemed conforming through the tender evaluation process. A list of the three (3) suitably qualified and experienced providers for Lismore has been determined and recommended for inclusion in the panel.

#### Recommendation

That:

1. in accordance with the *Local Government (General) Regulation 2021 – Part 7 Tendering*, Council accepts the tender to form an un-ranked panel of approved providers from the following suppliers for Tender T422425RTC on a Schedule of Rates based contract:
  - a. Boral Resources
  - b. Graham's Concrete
  - c. Holcim
2. the panel be awarded for an initial period of three (3) years, with an optional extension of two (2) one (1) year extensions, commencing on 9 April 2025
3. delegation be provided to the General Manager to:

Lismore City Council

Meeting held 8 April 2025 - 12.2 - T2025-08 Supply and Delivery of Ready Mixed Concrete Tender

1



## Confidential Report

- a. finalise and execute the contract, the options to extend the contract when required, and any other documentation required to give effect to this resolution
  - b. approve purchases without a fixed upper limit of expenditure from an approved budget source for Tender T2025-08 Supply of Ready Mixed Concrete
4. a redacted copy of this report will be released as a public document

### Background

This tender has been advertised to replace T2022-07 Supply and Delivery of Ready Mixed Concrete which has recently expired. This previous tender was used extensively by Council officers through the delivery of its road and bridge construction and maintenance programs and provided Council with a value for money service.

Regional Procurement has again called for an open Panel Source by Council Tender as a result of discussions with participating Richmond Tweed councils regarding requirements for the Supply & Delivery of Ready Mixed Concrete.

The following Councils participated in this Tender process:

- Rous County Council
- Byron Shire Council
- Lismore City Council
- Richmond Valley Council
- Clarence Valley Council

This tender provides for the timely, cost-effective procurement of these products whilst removing the potential risk of breaching tender threshold requirements.

### Tender Process

The tender has been conducted in accordance with Clause 166(a) of the *Local Government (General) Regulation 2021*. Conflict of Interest Declarations were signed by all participating evaluation panel members, including the Regional Procurement facilitator, prior to their receipt of Tender submissions.

This tender was published on Tenderlink on 9 January 2025 with Tenders closing at 10.00am on 11 February 2025.

A total of four (4) tender submissions were received and all tenders were deemed conforming to the Tender requirements. No late submissions were received.

It is noted that one submission received provided rates for Byron Shire only and has therefore been excluded from this evaluation process.

### Tender Assessment

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.

The tender evaluation attached provides details for the assessment of submissions received for the supply and delivery of ready mixed concrete and scoring against each of the criterion.

### Comments

#### Finance

No issues or concerns.

## Confidential Report

### Other officer comments

#### Head Roads & Quarry

Supports the tender to form an un-ranked panel of approved providers for Tender T422425RTC on a Schedule of Rates based contract.

### Public consultation

Not required.

### Conclusion

Submissions for Tender T2025-08 Supply & Delivery of Ready Mixed Concrete have been assessed in accordance with the requirements outlined in the Request for Tender documentation.

The tender evaluation panel has undertaken an assessment of the submissions received and identified the suppliers to be included in the un-ranked panel for the period of the contract.

It is recommended that Council supports this process and adopts the recommendations.

### Attachment/s

1. T2025-08 Supply & Delivery of Ready Mixed Concrete Evaluation



**Addendum 1: Evaluation Results:**

Evaluation Criteria	%	Boral Resources	Graham's Concrete	Holcim
Price				
3.0m <sup>3</sup> STRENGTH GRADE N40 80MM SLUMP AGGREGATE SIZE 10MM <b>DELIVERED TO ZONE 1</b>				
2.8m <sup>3</sup> STRENGTH GRADE N20 80MM SLUMP AGGREGATE SIZE 10MM - <b>DELIVERED TO ZONE 2</b>				
1.2m <sup>3</sup> STRENGTH GRADE N25 80MM SLUMP AGGREGATE SIZE 20MM - <b>DELIVERED TO ZONE 3</b>				
1.8m <sup>3</sup> STRENGTH GRADE N32 80MM SLUMP AGGREGATE SIZE 10MM - <b>DELIVERED TO ZONE 4</b>				
10.2m <sup>3</sup> STRENGTH GRADE S25 NON-SLURRY EXTRUDED K&G MIX 7/5MM AGGREGATE 0-15 MM SLUMP <b>DELIVERED TO ZONE 3</b>				
2.0m <sup>3</sup> STRENGTH GRADE S20 BLOCK WORK GROUT 10/7MM AGGREGATE 150 MM SLUMP <b>DELIVERED TO ZONE 2</b>				
<b>Total Price</b>	50	53.04	50.22	53.49
Physical Resources				
Quality Assurance				
Ecologically Sustainable Development				
Customer Service				
Local Supplier Preference				
<b>Total Non Price</b>	50	42.00	45.50	26.00
<b>Total Score</b>	100	95.04	95.72	79.49

## Confidential Report

### Report

Subject	T2025-07 Supply or Supply & Installation of Road Safety Barrier Systems
TRIM Record No	BP25/136:AF25/1206
Prepared by	Manager Roads Engineering
Reason	To inform Council of the submissions received for tender T2025-07 Supply or Supply & Installation of Road Safety Barriers Systems and to provide recommendations for adoptions.
Strategic Theme	Our built environment
Strategy	Our city and village services are well managed and maintained.
Action	Provide a road network that is safe and serviceable.
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

An open tender process for T2025-07 Supply or Supply & Installation of Road Safety Barrier Systems was advertised to form an unranked panel of approved providers for the supply of this service.

This tender was undertaken and managed by Regional Procurement through REGPRO402425 with other neighbouring councils participating in the tender.

A total of ten (10) submissions were received and deemed conforming through the tender evaluation process. A list of four (4) suitably qualified and experienced providers has been determined for supply and installation from the submissions received and recommended for inclusion in the panel.

### Recommendation

That:

1. in accordance with the *Local Government (General) Regulation 2021* – Part 7 Tendering, Council accepts the tender from the following suppliers for Tender T2025-07 (REGPRO402425) on a Schedule of Rates based contract for Supply and Installation of Road Safety Barriers:
  - a. A1 Highways
  - b. GRI Road Services
  - c. Road Safety Barriers
  - d. Irwin Family Trust



## Confidential Report

2. the panel be awarded for an initial period from 9 April 2025 to 31 March 2028 with a provision for two, 1-year extensions based on satisfactory supplier performance, which may take this contract through to 31 March 2030
3. delegation be provided to the General Manager to:
  - a. finalise and execute the contract, the options to extend the contract when required, and any other documentation required to give effect to this resolution
  - b. approve purchases without a fixed upper limit of expenditure from an approved budget source for Tender T2025-07 Supply or Supply & Installation of Road Safety Barrier Systems.
4. a redacted copy of this report will be released as a public document

### Background

Council staff frequently require the supply and installation of road safety barrier systems as part of its capital and maintenance road and bridge programs. Due to the volume and associated costs of these works, there is the potential of approaching or exceeding the tender threshold whilst delivering these projects.

As such, a tender was called for the Supply or Supply and Installation of Road Safety Barrier Systems for participating councils on an 'as required' basis. Regional Procurement has called an open Panel Source by Council Tender with participating Mid North Coast councils and Richmond Tweed councils regarding requirements for the Road Safety Barrier Systems.

The following Councils participated in this Tender process:

- Ballina Shire Council
- Bellingen Shire Council
- Byron Shire Council
- Clarence Valley Council
- Coffs Harbour City Council
- Kyogle Council
- Lismore City Council
- Mid Coast Council
- Nambucca Valley Council
- Richmond Valley Council

By having this tender in place, procurement of these services can be undertaken in a timely, cost-effective manner whilst also removing the potential risk of breaching tender threshold requirements. This tender also provides flexibility to Council staff who will be able to select a supplier from the un-ranked panel based on availability and the schedule of rates provided.

### Tender Process

The tender has been conducted in accordance with Clause 166(a) of the *Local Government (General) Regulation 2021*. Conflict of Interest Declarations were signed by all participating evaluation panel members, including the Regional Procurement facilitator, prior to their receipt of Tender submissions.

This tender was published on Tenderlink on 3 December 2024 with Tenders closing at 10.00am on 16 January 2025.

A total of seven (7) tender submissions were received for the supply and installation of road safety barrier systems and all tender submissions were deemed conforming to the tender requirements. Assessment of supply only (that being three (3) tender submissions) was not undertaken as Council does not have the appropriate plant or equipment to install the safety barrier systems itself.

No late tenders were received.

## Confidential Report

### Tender Assessment

The tender 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.

The tender evaluation attached provides details for the assessment of submissions received for the supply and installation of road safety barrier systems, and scoring against each criterion.

Of the seven (7) submissions received and evaluated for supply and installation, four suppliers most suitably located to Lismore were selected for inclusion in its panel of providers. This provides a sufficient pool of suppliers for staff to call on when required whilst minimizing establishment costs.

### Comments

#### Head of Roads & Quarry

Supports the Recommendation that Council accepts the tender from the suppliers for Tender T2025-07 (REGPRO402425) on a Schedule of Rates based contract for Supply and Installation of Road Safety Barriers.

### Public consultation

Not required.

### Conclusion

Submissions for Tender T2025-07 Supply or Supply and Installation of Road Safety Barrier Systems have been assessed in line with the requirements outlined in the Request for Tender documentation.

The tender evaluation panel has undertaken an assessment of the submissions received and identified the suppliers to be included in the un-ranked panel for the period of the contract.

It is recommended Council supports this process and adopts its recommendations.

### Attachment/s

1. T2025-07 Supply & Installation of Road Safety Barrier Systems



## Addendum 1: Evaluation Results

Tender No.: REGPRO002025									
Cat. 1 Supply & Installation Annexures A, B and C									
Evaluation Criteria Price		Weighting		At Highways		GRI Road Services		Road Safety Barriers	
		%							
31m of Ezguard (or TNSW equivalent) QW ET-SS Terminal (or equivalent) at either end - Soil condition: Non reactive clay - Dia-before-you-dig: complete & no services present - Traffic control: 3 person crew plus relief staff (by Tenderer) - R/O Cert by Council		■■■■							
Lump Sum Rate For Annexure A		\$ ex GST							
68m of Ezguard (or TNSW equivalent) QW ET-SS Terminal (or equivalent) at either end - Radius 50mtr overall length 12 mtrs - Soil condition: non reactive clay - Dia-before-you-dig: Complete & no services present - Traffic control: 3 person crew required plus relief staff (by Tenderer) - R/O Cert obtained by Council		■■■■							
Lump Sum Rate For Annexure B		\$ ex GST							
2 x 70 metres of Flexience (or TNSW equivalent) from Anchor to Anchor as per drawings (4 Anchors in total) in accordance with Specifications and/or Australian Standards - Concrete Plant within a 5km distance from site - Soil Condition: Non-Reactive Clay with NO ROCK present - Dia-Before-You-Dig: Already Complete and No Services Present - TCP's Require Approval by Principals Representative - Speed Restrictions for Traffic Control and R/O, also obtained by Council		■■■■							
Lump Sum Rate For Annexure C		\$ ex GST							
Total Price		50		33,339		27,43		33,37	
		Rank		8		7		6	



**MINUTES OF THE CONFIDENTIAL MEETING OF THE COUNCIL OF THE CITY OF LISMORE HELD  
IN COUNCIL CHAMBERS ON TUESDAY 8 APRIL 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; Dr Logan, Chief Operating & Financial Officer; Mr Butron, Chief Corporate & Community Officer; Ms Cotterill, Governance & Risk Manager and Mrs Mitchell, Executive Officer to the General Manager & Mayor and Councillors.

**Councillor Rob left the meeting, the time being 11:53AM**

**12.1 RFQ Q25/11 Urban Rivers and Catchments Program**

72/25

**RESOLVED** that:

1. in accordance with Clause 178(1)(a) of the *Local Government (General) Regulation 2021*, Council accepts the quote from Workways Australia (T/A Envite Environment)
2. Council delegates authority to the General Manager to enter and administer the contract under the terms of the Request for Quote
3. a redacted copy of this report be released as a public document

(Councillors Bing/Waters) (BP25/163)

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

**Voting against:** Nil

**Absent:** Councillor Rob

**Councillor Rob returned to the meeting, the time being 11:54AM**

### **12.2 T2025-08 Supply and Delivery of Ready Mixed Concrete Tender**

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73/25

**RESOLVED** that:

1. in accordance with the *Local Government (General) Regulation 2021* – Part 7 Tendering, Council accepts the tender to form an un-ranked panel of approved providers from the following suppliers for Tender T422425RTC on a Schedule of Rates based contract:
  - a. Boral Resources
  - b. Graham's Concrete
  - c. Holcim
2. the panel be awarded for an initial period of three (3) years, with an optional extension of two (2) one (1) year extensions, commencing on 9 April 2025
3. delegation be provided to the General Manager to:
  - a. finalise and execute the contract, the options to extend the contract when required, and any other documentation required to give effect to this resolution
  - b. approve purchases without a fixed upper limit of expenditure from an approved budget source for Tender T2025-08 Supply of Ready Mixed Concrete
4. a redacted copy of this report will be released as a public document

(Councillors Gordon/Knight-Smith) (BP25/137)

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

**Voting against:** Nil

### **12.3 T2025-07 Supply or Supply & Installation of Road Safety Barrier Systems**

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74/25

**RESOLVED** that:

1. in accordance with the *Local Government (General) Regulation 2021* – Part 7 Tendering, Council accepts the tender from the following suppliers for Tender T2025-07 (REGPRO402425) on a Schedule of Rates based contract for Supply and Installation of Road Safety Barriers:
  - a. A1 Highways
  - b. GRI Road Services
  - c. Road Safety Barriers
  - d. Irwin Family Trust
2. the panel be awarded for an initial period from 9 April 2025 to 31 March 2028 with a provision for two, 1-year extensions based on satisfactory supplier performance, which may take this contract through to 31 March 2030
3. delegation be provided to the General Manager to:

- a. finalise and execute the contract, the options to extend the contract when required, and any other documentation required to give effect to this resolution
  - b. approve purchases without a fixed upper limit of expenditure from an approved budget source for Tender T2025-07 Supply or Supply & Installation of Road Safety Barrier Systems.
4. a redacted copy of this report will be released as a public document

(Councillors Bing/Knight-Smith) (BP25/136)

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

**Voting against:** Nil

**The General Manager, Chief Corporate & Community Officer and Chief Operating & Financial Officer left the meeting at 11:58AM**

## Confidential Mayoral Minutes

### 12.4 General Manager appointment

MOTION moved that:

1. the Council notes the resignation of Mr Jon Gibbons as Lismore City Council's, General Manager and thanks him for his dedicated service to the organisation and community
2. the Council appoints Eber Butron as the Council's Acting General Manager, effective 3 May 2025, pursuant to sections 336 and 351 of the *Local Government Act 1993*, with such person to remain as the Council's Acting General Manager for a maximum of 12 months until the Council appoints a new General Manager or until a further decision of Council to appoint a different Acting General Manager, whichever occurs first
3. the total remuneration package for the Acting General Manager is the same as the package for the former General Manager
4. the Mayor and members of the General Manager Performance Review Committee be authorised under Section 351 of the *Local Government Act 1993* to take the necessary action to engage and commence the recruitment process for a General Manager with Council to be involved in the interview process and final appointment

(Councillors Gordon/Knight-Smith)

FORESHADOWED MOTION that:

1. the Council notes the resignation of Mr Jon Gibbons as Lismore City Council's, General Manager and thanks him for his dedicated service to the organisation and community
2. the Council appoints ..... as the Council's Acting General Manager, effective 3 May 2025, pursuant to sections 336 and 351 of the *Local Government Act 1993*, with such person to remain as the Council's Acting General Manager for a maximum of 12 months until the Council appoints a new General Manager or until a further decision of Council to appoint a different Acting General Manager, whichever occurs first
3. the total remuneration package for the Acting General Manager is the same as the package for the former General Manager
4. the Mayor and members of the General Manager Performance Review Committee be authorised under Section 351 of the *Local Government Act 1993* to take the necessary action to engage and commence the recruitment process for a General Manager with Council to be involved in the interview process and final appointment

(Councillor Hall)

75/25

**RESOLVED** that:

1. the Council notes the resignation of Mr Jon Gibbons as Lismore City Council's, General Manager and thanks him for his dedicated service to the organisation and community
2. the Council appoints Eber Butron as the Council's Acting General Manager, effective 3 May 2025, pursuant to sections 336 and 351 of the *Local Government Act 1993*, with such person to remain as the Council's Acting General Manager for a maximum of 12 months until the Council appoints a new General Manager or until a further decision of Council to appoint a different Acting General Manager, whichever occurs first
3. the total remuneration package for the Acting General Manager is the same as the package for the former General Manager
4. the Mayor and members of the General Manager Performance Review Committee be authorised under Section 351 of the *Local Government Act 1993* to take the necessary action to engage and commence the recruitment process for a General Manager with Council to be involved in the interview process and final appointment

(Councillors Gordon/Knight-Smith) (BP25/158)

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

**Voting against:** Nil

Resumption of Open Council

76/25	<b>RESOLVED</b> that Council reopen the doors to the public and return to open session.  (Councillors Bing/Battista)  <b>Voting for:</b> Councillors Battista, Bing, Dalton-Earls, Gordon, Guise, Hall, Jensen, Knight-Smith, Krieg, Rob and Waters <b>Voting against:</b> Nil
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Closure

This concluded the business and the meeting terminated at 12.46pm.  
CONFIRMED this > > 2025 at which meeting the signature herein was subscribed.

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MAYOR