



Council

An Ordinary Meeting of Lismore City Council will be held at the Council Chambers on Tuesday 10 June 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

4 June 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

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 13 May, 2025..... | 43 |
| Lismore City Council held 13 May, 2025..... | 62 |
| Lismore City Council held 3 June, 2025..... | 64 |

6. Disclosures of Interest

7. Mayoral Minute(s) and Condolence Motions

8. Reports of Committees

9. Matters Arising

| | |
|-------------------------------|---|
| 9.1 Questions on Notice | 7 |
|-------------------------------|---|

10. Reports of the General Manager

| | |
|--|----|
| 10.1 Reconciliation Action Plan (RAP) 2025-2029..... | 11 |
| 10.2 Proposed Acquisition of Part 136 Gundurimba Road, Monaltrie NSW | 13 |
| 10.3 Investments - May 2025 | 16 |
| 10.4 Loan with Commonwealth Bank | 23 |
| 10.5 Advisory Groups..... | 26 |
| 10.6 Annual Mayor and Councillor Fees..... | 29 |

11. Notices of Motion / Questions with Notice

| | |
|---|----|
| 11.1 Mayoral Attendance Report..... | 32 |
| 11.2 Council Meeting Overflow..... | 34 |
| 11.3 Council and RA liaise regarding housing stock..... | 35 |
| 11.4 Advisory Group Admin Support | 36 |
| 11.5 Public Private Partnerships | 37 |
| 11.6 Pothole Repair Solutions..... | 38 |
| 11.7 45 McKenzie Street Lismore | 39 |
| 11.8 Northern Rivers Recovery and Resilience Program..... | 40 |

12. Confidential Business

| | |
|--|----|
| 12.1 RFQ T25/3 – Acceptance of Quotation for Supply of Waste Collection Vehicles and Approval for Disposal of Aged Fleet Assets..... | 42 |
|--|----|

12.2 Request for Proposal Recommendation - T24/21 Landslip Restoration Package
Evaluation Recommendation.....42

Matters Arising



Matters Arising

| | |
|------------------------|---|
| Subject | Questions on Notice |
| TRIM Record No | BP25/303:EF23/173 |
| Prepared by | Executive Officer - General Manager and Mayor & Councillors |
| Reason | To provide a response to councillors for Questions taken on Notice at the previous Council meeting. |
| Strategic Theme | Leadership and participation |
| Strategy | Our decisions and actions are open, transparent, effective and in the interests of all. |
| Action | Manage Council meetings and provide support to Councillors in fulfilling their role. |

Executive Summary

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

Recommendation

That the Questions on Notice responses provided in this report be noted.

Background

10.5 2025 Status update and review Lismore Urban Stormwater Management Plan

Clr Guise

1. In light of the recommendation to delegate authority to you to vary the priority order of projects and to add on other projects as part of this plan will you use that authority to prioritise the drainage/stormwaters issues for Ubrihien Street and surrounding streets of Sherwood Drive and Shelly Avenue?

Officer response:

Ubrihien Street had three significant issues in that area, as per below.

Ballina Road (Bruxner Highway) run-off – Stormwater run-off on Ballina Road has been a longstanding issue affecting the above-mentioned streets. Council officers, on behalf of TfNSW through the Road Maintenance Council Contract (RMCC), completed works to improve the stormwater run-off in January this year. The image below illustrates the work completed including increase in stormwater pit capacity and driveway drainage flow improvements to reduce run-off to neighbouring streets.

Post construction monitoring is confirming the improvements appear to be working as per design expectations.

Officers did attend the area during the TC Alfred event to clear away debris that was causing localised flooding and will continue to monitor.



44 Ubrihien Street – This historic ongoing issue has been rectified. A stormwater pit at the rear of property was completely full of silt causing stormwater to overflow and cascade over retaining walls through and under the property. The pit has been cleared and regular communication with the customer post repairs clarified this issue has been resolved and the customer is very thankful.



27 Ubrihien Street –A makeshift bitumen bund was installed by Roads some years ago helping to divert road surface runoff away from the lowset properties on the southern side of Ubrihien Street as there is no formalised swale or drainage system in place, this has overtime deteriorated causing the road runoff to enter the low set properties.

After consultation with the resident at 27 Ubrihien Street Council renewed the bitumen bunding to divert and minimise any surface water entering the lowset properties. Council has not been contacted about any further issues with water entering his property.

Ubirhien Street drainage was also cleaned on the opposite side of the road to the bitumen bunding.



10.6 March 2025 Quarterly Budget Review Statement

Clr Guise

1. On the theme of drains and flooding, page 55 refers to the Bruxner Highway survey and concept design estimate, is this anything to do with addressing the Ubrihien and surrounding streets stormwater issues.

Officer response:

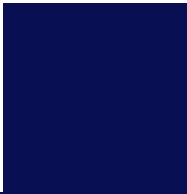
No, it is not referring to Ubrihien and surroundings streets stormwater issues. The grant is related to the 1055 Bruxner Hwy Development Water and Sewer planning:

| 4 Grants and contributions - operating | | |
|--|---|--------|
| Revenues | Water - Grant funding received from the NSW Reconstruction Authority for Bruxner Highway Sewer and Water Concept Design and Cost Estimation | 46,200 |

Attachment/s

There are no attachments for this report.

Reports of the General Manager



Report

| | |
|------------------------|--|
| Subject | Reconciliation Action Plan (RAP) 2025-2029 |
| TRIM Record No | EF24/10BP25/293:EF24/10 |
| Prepared by | Coordinator Organisation Development |
| Reason | To seek Council adoption of the RAP 2025-2029 |
| Strategic Theme | An inclusive and healthy community |
| Strategy | We recognise our Aboriginal and Torres Strait Islander community and cultures. |
| Action | Ensure workforce planning strategies, human resource practices and all stages of the employment lifecycle reflect Reconciliation Action Plan commitments and responsibilities. |

Executive Summary

Lismore City Council currently has a Reconciliation Action Plan (RAP) 2022-2024 which nominally expired in July 2024. There have been challenges in the development of the new RAP with gaining appropriate levels of representation from Aboriginal and Torres Strait Islander workers on the RAP internal working group and with recruiting a RAP Coordinator to drive the development of the document. These challenges have been overcome with the engagement of an indigenous consultant to conduct the external and internal consultation and assist with the development of the document. The new RAP is now a four- year document, which will align to the Delivery program under three key focus areas: People, Culture, Country, Heritage and Language, and Partnerships and Cultural Celebrations with sixteen (17) new actions to further progress reconciliation within the organisation.

Recommendation

That Council adopt the Reconciliation Action Plan 2025-2029 as attached.

Background

Lismore City Council developed its first Reconciliation Action Plan (RAP) in 2013. Over the past twelve years there have been clear successes but also challenges to overcome. Our current RAP 2022 – 2024 was an Innovate RAP and focused on fostering strong respectful and trusting relationships with Aboriginal and Torres Strait Islander peoples particularly with the Bundjalung nation and the broader Northern region. The Plan emphasized creating tangible pathways into Council employment through full time, part time and casual work as well as apprenticeships and traineeships to enhance employment opportunities and break down of the barriers for Aboriginal and Torres Strait Islander communities. Council aimed to promote cultural exchange and education among all workers and the wider community, reinforcing a commitment for listening and learning. Some examples of this are Councils support of initiatives such as National Aborigines and Islanders Day Observance Committees (NAIDOC) Community Day, Koori Rugby League Knockout, Aboriginal Art Exhibitions, the commitment to the Corey James Memorial scholarship and the Elsa Dixon school- based apprenticeships.

The new RAP has been developed with assistance from consultant Tim Roberts from East Coast Heritage and Archaeology who has facilitated internal and external consultation to help shape the document, as well as expertise and guidance from the RAP internal working group.

A local Aboriginal and Torres Strait Islander artist, Tywana Caldwell was selected through an Expression of Interest process to feature her artwork which she has titled **Nguliboo** throughout the document. Ms Caldwell is a proud Bundjalung woman who lives in Lismore and has also grown up in Lismore. Her artwork symbolises the RAP and its vision.

This RAP will be for a period of four years to align to the Delivery Program, Operational Plan and associated budgets. As such it is no longer endorsed by Reconciliation Australia as Reconciliation Australia RAP's are generally for a two- year period. Further the Reconciliation Australia registration process adds approximately six months to the RAP development timelines which did not align with Council's timelines to deliver a new RAP by 30 June 2025.

There are three key focus areas for the new RAP, they are:

- People, Culture, Country,
- Heritage and Language and
- Partnerships and Cultural Celebrations

There are seventeen new actions all with measurable outcomes to further progress reconciliation and embed culturally safe practices to attract and retain Aboriginal and Torres Strait Islander workers to ensure Lismore City Council's workforce composition reflects community demographics.

Comments

Finance

There is a budget provision of \$10,000 for development and/or implementation of the RAP that currently sits within the People and Culture budget.

Public consultation

There were two ways both indigenous and non- indigenous community members could provide feedback into the RAP development process. They could attend the drop in Community "Yarn and Yol" session held in Lismore or provide feedback via the "Your say" engagement portal. There were also discussions with the Ngulingah Aboriginal Land Council and whilst the Land Council did not offer any specific feedback, the RAP does align with the Ngulingah Aboriginal Land Council's Community Land and Business Plan (CLBP).

Conclusion

The new RAP 2025 – 2029 is presented to Council for adoption following internal and external consultation.

Attachment/s

1. RAP FINAL draft for endorsement (Over 7 pages)

Report

| | |
|------------------------|---|
| Subject | Proposed Acquisition of Part 136 Gundurimba Road, Monaltrie NSW |
| TRIM Record No | BP25/241:CDR25/289 |
| Prepared by | Property Officer |
| Reason | To obtain a resolution to acquire land required by Council's Waste Facility. |
| Strategic Theme | Our built environment |
| Strategy | Our land-use planning caters for all sectors of the community. |
| Action | Ensure land is available and serviced to meet population growth in locations that are accessible, close to services and employment, and suitable for development. |

Executive Summary

This report recommends Council endorse the land acquisition and the General Manager be delegated authority to finalise the terms of any negotiated agreement.

Negotiations have commenced with the registered proprietor of Lot 1 in DP 772418, located at 136 Gundurimba Road, Monaltrie ("the Land"), for the acquisition of a portion of the property required to eliminate an encroachment and improve access and stormwater infrastructure for the waste facility.

Recommendation

That Council:

1. endorse the acquisition of part of Lot 1 in DP 772418, known as 136 Gundurimba Road, Monaltrie
2. the landowner's costs associated with the acquisition be met by Council, including but not limited to survey, fencing, Council fees, the landowner's reasonable legal fees, valuation fees and plan registration fees
3. delegate authority to the General Manager to negotiate the terms of acquisition and compensation and to execute all documents necessary to give effect to this resolution

Background

A recent land survey of Council's waste management facility at 313 Wyrallah Road, Monaltrie NSW identified part of the site, specifically the boundary fencing, encroaches onto adjoining private land described as Lot 1 in DP 772418, known as 136 Gundurimba Road, Monaltrie. This encroachment is believed to have resulted from a historical boundary fencing misalignment. The proposed acquisition, highlighted blue in Image 1, will eliminate the encroachment and improve access and stormwater infrastructure for the waste facility adjoining the subject land.

Council officers have initiated discussions with the landowner regarding the possibility of acquiring a portion of land through negotiated agreement. A resolution of Council is required to progress to formal negotiations and finalise an agreement.



Image 1 – Proposed Acquisition – subject to final survey

Legal Framework

Section 377 of the *Local Government Act 1993* provides that a Council's power to acquire land is non-delegable. This means that only the Council, by formal resolution, can approve the acquisition of land—either by agreement or compulsorily.

The procedure that must be followed for the acquisition of any land not offered for public sale is set out in the *Land Acquisition (Just Terms Compensation) Act 1991* (NSW). Under this Act, Council has the authority to compulsorily acquire land required for public purposes, subject to prescribed procedural requirements and the provision of just compensation.

Compensation must be determined in accordance with Section 55 of the *Land Acquisition (Just Terms Compensation) Act 1991*. Compensation is either determined by agreement between the parties or if no agreement is reached, and a compulsory acquisition proceeds, the NSW Valuer **General** determines the amount of compensation payable. Acquisition by agreement generally involves fewer formalities, reduced costs, and can be finalised more efficiently than a compulsory process.

In this case, the land proposed for acquisition is essential for the continued lawful and safe operation of Council's waste facility. The facility provides a public utility and is considered an essential service, which supports the acquisition being for a legitimate public purpose.

Funding

All costs associated with the acquisition—including legal, valuation, compensation, and administrative fees—will be funded by Lismore City Council Waste Capital Funds.

Comments

Acting Manager of Waste Operations

The proposed acquisition is supported as it will secure the necessary land to ensure the continued, compliant operation of the waste management facility. The acquisition will also enable important improvements to site access and stormwater infrastructure, while resolving the existing boundary encroachment in a practical and responsible manner.

Public consultation

Public consultation beyond negotiations with the landholder is not required for the land acquisition. Staff will make all efforts to acquire the land by agreement. In the event agreement cannot be reached, a report will be brought back to Council to consider its options.

Conclusion

The proposed acquisition will enable improved access and stormwater infrastructure for Council's waste management facility, supporting its continued operation in accordance with legal and planning requirements. It will also resolve the existing boundary encroachment on privately owned land. A formal resolution by Council is required to initiate the acquisition process and ensure the ongoing operation of the facility in accordance with legal and planning requirements.

Acquisition by agreement is preferred; however, should agreement not be achievable, Council should be prepared to proceed with compulsory acquisition in accordance with the *Land Acquisition (Just Terms Compensation) Act 1991*.

Approval of the recommendations will ensure legal compliance, support good governance, and protect Council's infrastructure interests.

Attachment/s

There are no attachments for this report.

Report

| | |
|------------------------|---|
| Subject | Investments - May 2025 |
| TRIM Record No | BP25/324:EF22/122-3 |
| Prepared by | Management Accountant |
| Reason | Required by Local Government Act 1993, Local Government (General) Regulation 2021 and Council's Investment Policy |
| Strategic Theme | Leadership and participation |
| Strategy | We provide effective management and responsible governance. |
| Action | Ensure the efficient and effective operation of Council. |

Executive Summary

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

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

| <u>Cash and Investments Breakdown</u> | \$ |
|---|--------------------|
| A1: Operational Cash Accounts | 1,370,439 |
| A2: Restricted Operational Cash Accounts | 2,050,319 |
| A Total Operational Cash Accounts | 3,420,758 |
| B1: Investments: Business Online Saver Cash Account | 35,356,883 |
| B2: Other Investments including Term Deposits | 76,014,872 |
| B Total Investments | 111,371,755 |
| C1: Flood Works Advanced Funding for Roads | 90,345,776 |
| C2: Flood Works Advanced Funding for Buildings | 19,474 |
| C3: Flood Works Advanced Funding for Waster | 6,681,443 |
| C Total Flood Works Advanced Funding | 97,046,693 |
| Total Cash, Investments and Advanced Funding | 211,839,206 |

Operational Cash Accounts (Line A1)

Council maintains an operational bank account for general purposes including employee costs, creditor payments, and expenditure on the capital works program. These funds are not part of the investment portfolio. The month-end balance is reflected at line A1.

Restricted Operational Cash Accounts (Line A2)

These include funds held in separate accounts for specific grant-funded projects and trust obligations that legally or contractually require isolation from general funds. These balances are also excluded from the investment portfolio and are reflected at line A2.

Investments: Business Online Saver Cash Account (Line B1)

This account offers short-term liquidity and is used to optimize interest earnings when there are surplus funds in operational accounts. Funds are transferred in or out of this account as needed for operational costs. This account is part of the investment portfolio, and the balance is listed at line B1.

Investments: Other Investments including Term Deposits (Line B2)

Primarily composed of term deposits, these are longer-term investments held with authorized deposit-taking institution (Banks and Credit Unions). These investments are made in order to maximise investment earnings. Council is limited in its investment options in accordance with the Minister's Investment Order and the Investment Policy adopted by Council. The month-end balance is noted at line B2.

Investments Restricted

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 Works Funding (Lines C1, C2, C3)

Council has received advanced funding for approved flood restoration works across:

- Roads (C1)
- Buildings (C2)
- Waste (C3)

These funds are held in an overnight money market account to ensure liquidity, earning interest at 3.93% (RBA Cash Rate + 0.08%). As these funds are committed to specific flood recovery projects, they are **not included** in Council's investment portfolio report.

Socially Responsible Investments

In May the percentage of the portfolio invested in Socially Responsible Investments (SRI) has decreased to 37% from 38%, the total value of SRI's was decreased to \$41 million from a \$44 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

May investments returned 4.60%, this is compared to the annualised Bank Bill (BB) Index bank rate of 4.12%. For the 12 months ended May 2025, Council's portfolio has returned 4.87% compared to the Annualised BB Index bank rate of 4.42%.

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 |
|----------|---------------------------|-------------------------------|---------------------------|------------------------------|----------------|------------------------------------|--------------------|
| May 2025 | \$111,371,755 | \$112,874,214 | \$117,742,758 | \$119,184,103 | 4.60% | 4.12% | 37% |

*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 May, 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 incurred further expenditure on flood restoration works which is yet to be reimbursed.

In addition (as noted above), Council has approximately \$1.370 million held in an operational bank account. This has not included in the Investment portfolio.

Council also held approximately \$2.050 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 \$97.046 million to expend on approved restoration works. These funds are held in an overnight money market account to maintain liquidity, the account is earning a rate of return of 3.93%.

Socially Responsible Investments

Where the opportunity arises, Council will seek SRI investment opportunities. However the investment product will be considered in the context of Council's overall cashflow requirements, investment returns and the security of the investment.

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

Council's value of ethical investments as of 31 May 2025 was \$41 million, the percentage of the portfolio held in SRI's is 37%.

* Note - this includes Fossil Fuel Free Investments

Portfolio structure

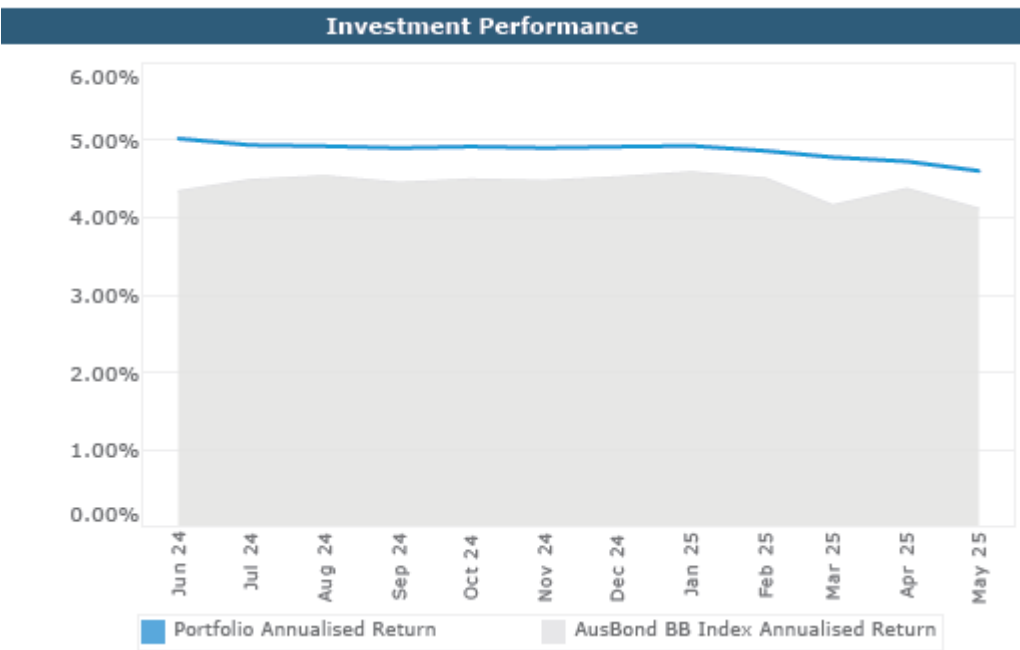
Council is limited in its investment options in accordance with the Minister's Investment Order and the Investment Policy adopted by Council. The current portfolio is split between cash and fixed deposits. These offer a lower return to other products however have a greater security around capital protection.

Lismore City Council
Executive Summary - May 2025

Investment Holdings

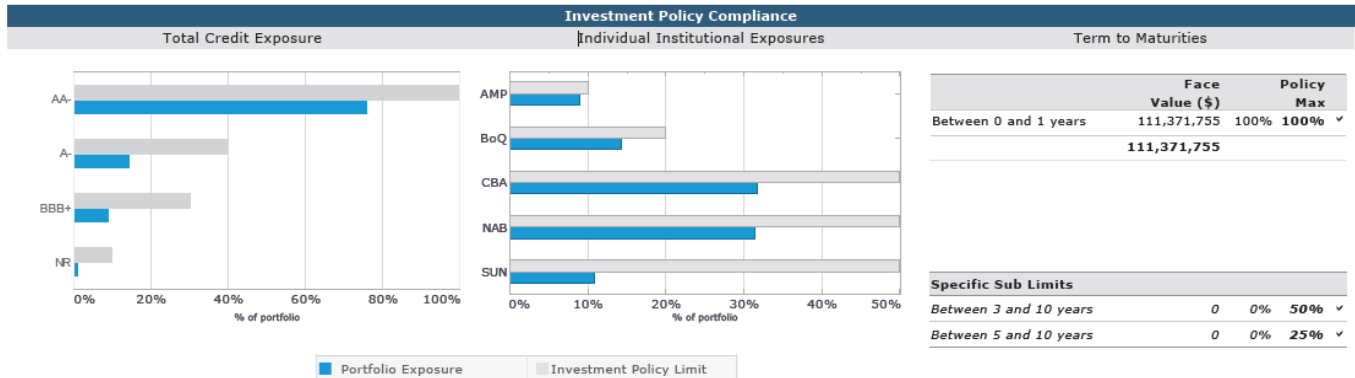
| | Face Value (\$) | Current Value (\$) | Current Yield (%) |
|--------------|-----------------|--------------------|-------------------|
| Cash | 35,371,755 | 35,371,755 | 3.9293 |
| Term Deposit | 76,000,000 | 77,502,459 | 4.8628 |
| | 111,371,755 | 112,874,214 | 4.5663 |

Investment Performance

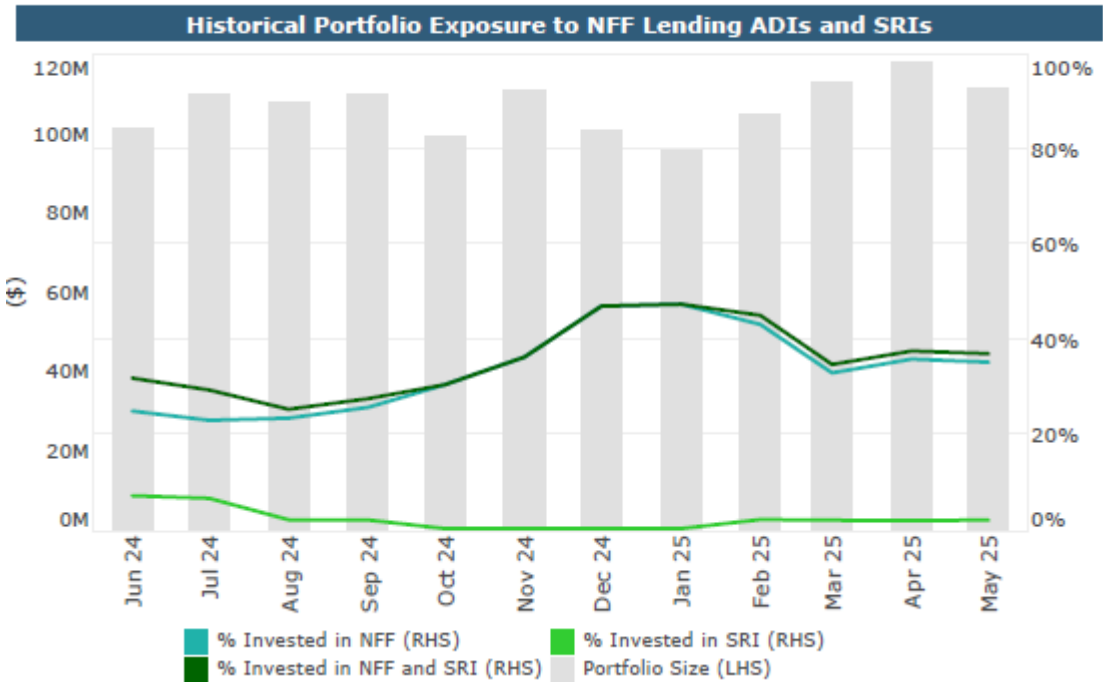


Over the last sixteen months Council has consistently achieved a return better than the Annualised BB Index return.

Compliance with Policy Requirement



Socially Responsible Investments (SRI's)



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.

The following amount has been included in the Investment Portfolio.

- Commonwealth Bank of Australia Business Online Saver account: \$35,356,883.

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 51.33%.

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 and 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 May 2025 is provided.

Attachment/s

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

Report

| | |
|------------------------|---|
| Subject | Loan with Commonwealth Bank |
| TRIM Record No | BP25/325:EF22/122-3 |
| Prepared by | Head of Finance |
| Reason | Existing loan with Commonwealth Bank is maturing and a decision is required as to if it is to be refinanced |
| Strategic Theme | Leadership and participation |
| Strategy | We provide effective management and responsible governance. |
| Action | Ensure the efficient and effective operation of Council. |

Executive Summary

Purpose of this report is to seek Council approval to refinance an existing Commonwealth Bank of Australia (CBA) loan which is maturing on 19 June 2025, with a new 2 year term CBA loan at the prevailing interest rates.

Recommendation

That the Council approve a new loan with Commonwealth Bank of Australia to refinance an existing loan with a two year term, interest only and at an indicative interest rate of 4.92%.

Background

In or around 19 June 2020, Council executed a loan with CBA on the following terms:

| | |
|-------------------------------------|---|
| Funded date | 19 June 2020 |
| Amount | \$1,783,000 |
| Purpose | Industrial land development costs - \$1,562,000 Oakes Oval and Crozier Field development - \$221,000 |
| Term | 5 years (but repayments were based on a 10-year term) |
| Expiry date | 19/6/2020 |
| Residual balance at maturity | \$909,303.01 |

Funds from the above loan appear to have been deployed and there is no ongoing requirement for additional funds for those original purposes (based on discussions with internal stakeholders). Specifically, both Oakes Oval and Crozier Fields have been appropriately developed and Council is no longer pursuing the Industrial land development.

Accordingly, Council has the option to repay the loan or to refinance with CBA or another lender.

Officers have had discussions with CBA about proposed refinancing terms. They are happy to refinance over a 2 year or 5 year period at the following interest rates (provided on 12 May 2025). Please note these rates are indicative only and subject to change with market developments including Federal Reserve Bank decisions.

| Term | Rate |
|---------------------------------|-------|
| 5 year fixed - full repaid | 5.18% |
| 2 year fixed – interest only | 4.92% |
| 2 year variable – interest only | 5.42% |

There have also been some discussions with TCorp's Local Government team but there appeared to be little appetite to be involved (having regard to the size of the loan and refinancing context and circumstances). They have indicated they prefer lending long term against infrastructure assets.

From management review CBA pricing for a 2-year interest only term looks attractive on a relative basis. They have also agreed to sharpen up these rates as part of the final offer, which is subject to internal Credit Committee approval. CBA's final offer will be tabled at the Council meeting.

If the refinancing option is preferred by Council, funds raised from the new loan would be invested in accordance with Council's Investment Policy. Indicative CBA term deposit rates as at 20 May 2025 are set out in the Appendix for Councils information. The 24 month term deposit rate is 3.75%.

Set out below is an analysis comparing the two options.

| Option | Detail | Net cost/gain (pa) | | Pro's/Cons |
|-----------|---|---------------------------------|-------------------|--|
| Refinance | Refinance with CBA 2 year interest only to minimise cashflow impact + invest proceeds in Term Deposit (2 year) through Prudential | Interest cost | (\$44,739) | <ul style="list-style-type: none"> Existing lender Documents are known and loan can be settled without difficulty Has a small incremental net cost. Positive effect on liquidity position of Council |
| | | Interest income | \$34,099 | |
| | | Net Cost | (\$10,639) | |
| | | | | |
| Repay | With Council consent, repay the loan utilising previously "internally restricted" reserves. | Interest saved by not borrowing | \$44,739 | <ul style="list-style-type: none"> Requires specific Council consent to use restricted reserves. Less cash funds available to cover all reserves; cash funds will need to be built up as replacement. Negative effect on liquidity position |
| | | Interest income (not earned) | (\$34,099) | |
| | | Net Hypothetical Gain | \$10,639 | |
| | | | | |

Based on the above both options are affordable. The hypothetical gain in option 2 is notional and represents opportunity cost/gain.

Given Council's cash position from a liquidity perspective option 1 is preferable. Specifically, in the current financial circumstances it is financially prudent to have a higher cash buffer for operational requirements. Similar to last financial year, the Auditor General will test Council's liquidity position based on 30 June cash holdings as part of the review of Financial Statements of regional councils. Additional cash holding is important to improve liquidity.

Based on discussions with CBA, indicatively two weeks is needed for the loan documentation to be finalised. If Council approval is obtained at the 10 June meeting, there is more than adequate time for this to be finalised. The Head of Finance has approved delegations to finalise legal documentation.

Public consultation

Not required.

Attachment/s

There are no attachments for this report.

Report

| | |
|------------------------|---|
| Subject | Advisory Groups |
| TRIM Record No | BP25/322:EF13/463-7 |
| Prepared by | Executive Officer - General Manager and Mayor & Councillors |
| Reason | To determine the membership and meeting dates of the Council Advisory Groups |
| Strategic Theme | Leadership and participation |
| Strategy | We communicate and engage with our community. |
| Action | Coordinate and initiate community engagement in Council activities and decision-making. |

Executive Summary

At the 13 May 2025 Meeting Council appointed community members to the Aboriginal, Sister City, Disability Inclusion, Koala and Lismore Villages Advisory Groups.

Following a further Expression of Interest (EOI) period councillors are now asked to determine an additional community member to be appointed to the Lismore Villages Advisory Group and the date and time for the initial group meetings.

Recommendation

That Council:

1. appoint the following community members to the below:
 - a) Lismore Villages – Tracey Whitby (Clunes)
2. confirm the first meeting times and dates will be in the Council Chambers:
 - a) Aboriginal Advisory Group – Tuesday 15 July at 2.00pm
 - b) Koala Advisory Group – Thursday 10 July at 1.00pm
 - c) Lismore Villages Advisory Group – Monday 4 August at 2.00pm
 - d) Sister City Advisory Group – Thursday 10 July at 5.00pm
 - e) Disability Inclusion Advisory Group – Thursday 19 June at 12.00pm

Background

At the 13 May 2025 Ordinary Meeting Council appointed members for the Aboriginal (AAG), Sister City (SCAG), Disability Inclusion (DIAG), Koala (KAG) and Lismore Villages Advisory Groups (LVAG). Some groups were not fully subscribed so it was determined to reopen Expressions of Interest (EOI).

One additional EOI was received for the Lismore Villages Advisory Group.

The terms of reference state Council will determine the date and time for the initial meeting of each group.

Public consultation

Expressions of Interest were sought from the community via YourSay from 19 May 2025. It remains open to fill vacancies.

Attachment/s

1. [Lismore Villages Advisory Group application](#)



Respondent No: 6

Login: Anonymous

Email: n/a

Responded At: May 21, 2025 16:45:42 pm

Last Seen: May 21, 2025 16:45:42 pm

IP Address: n/a

Q1. **Name** Tracey Whitby

Q2. **Phone** [REDACTED]

Q3. **Email** [REDACTED]

Q4. **Address** [REDACTED], Clunes

Q5. **Which Village Area do you represent?** Clunes - Bexhill & District

Q6. **What contribution could you make to the LVAG?**

I have lived in Clunes for 32 years, participated in many community events and volunteer at the Coronation Hall as well as being a member of the Clunes Old School committee and the Clunes Tennis Club. I think I can represent many different members of the Clunes community, as I speak often with locals of all ages.

Q7. **Do you represent a particular community group or perspective?**

I am a big advocate for the natural environment, am Vice President of the Friends of the Lismore Rainforest Botanic Gardens and also have been a strong spokesperson for the arts, preserving village life and maintaining the peaceful charm and community spirit that makes Clunes a wonderful place to live.

Q8. **What skills and knowledge can you bring to the LVAG?**

I was a high school teacher of Languages and English for over 35 years, have experience in administration of the Alliance Francaise Lismore and the Botanic Gardens., have previously been a member of the LCC Sister City Advisory Group.

Report

| | |
|------------------------|--|
| Subject | Annual Mayor and Councillor Fees |
| TRIM Record No | BP25/240:EF19/668-7 |
| Prepared by | Executive Officer - General Manager and Mayor & Councillors |
| Reason | For Council to determine the maximum fees payable to the Mayor and councillors for 2025-2026 |
| Strategic Theme | Leadership and participation |
| Strategy | Our decisions and actions are open, transparent, effective and in the interests of all. |
| Action | Manage Council meetings and provide support to Councillors in fulfilling their role. |

Executive Summary

The Local Government Remuneration Tribunal each year determines the range of annual fees to be paid to Mayors and Councillors. Council needs to resolve within the category range the fees to be paid.

Recommendation

That the fees payable to the Mayor and councillors for 2025-2026 be \$68,800 and \$27,860 respectively.

Background

Pursuant to Section 241 of the *Local Government Act 1993*, the Local Government Remuneration Tribunal has determined the annual fees to be paid to Mayors and Councillors during the period 1 July 2025 to 30 June 2026. The Tribunal has determined a 3 per cent increase in the minimum and maximum fees. The full determination is attached to this report.

Lismore City Council is categorised as a Regional Centre. Council is to resolve the annual fee to be paid within the minimum and maximum range as determined by the Tribunal. If Council does not fix a fee, the amount defaults to the minimum.

Councillor Fee

The councillor fee for Regional Centre councils is a minimum fee of \$15,830 each (\$174,130 in total) and a maximum fee of \$27,860 each (\$306,460 in total).

Lismore City Council's adopted fees payable to councillors over past years is as below.

| | Minimum fee | Maximum fee | Adopted fee paid to councillors |
|-----------|-------------|-------------|---------------------------------|
| 2022-2023 | \$14,338 | \$25,310 | \$24,810 |
| 2023-2024 | \$14,810 | \$26,070 | \$24,810 |
| 2024-2025 | \$15,370 | \$27,050 | \$27,050 |

Mayoral Fee

The mayoral fee for Regional Centre councils is a minimum fee of \$32,940 and a maximum fee of \$68,800.

| | Minimum fee | Maximum fee | Adopted fee paid to councillors |
|-----------|-------------|-------------|---------------------------------|
| 2022-2023 | \$29,920 | \$62,510 | \$61,280 |
| 2023-2024 | \$30,820 | \$64,390 | \$61,280 |
| 2024-2025 | \$31,980 | \$66,800 | \$66,800 |

In April 2022 Council resolved to pay the superannuation contribution payment for councillors who opt-in. If the maximum fee is adopted in 2025-2026 this will equate to \$278.60 per councillor per month and \$966.60 for the Mayor.

Comments

Finance

The Draft 2025-2026 Operational Plan Budget, which is on public exhibition until 14 June 2024, includes \$68,800 for the mayoral fee and \$306,500 for councillor fees.

Attachment/s

1. Local Government Remuneration Tribunal 2025 Annual Determination (Over 7 pages)

Notices of Motion / Questions with Notice



Notice of Motion / Question with Notice

Subject **Mayoral Attendance Report**

TRIM Record No BP25/332:EF19/25-7

That Council receives the Mayoral Attendance Report for May 2025.

May

- 1 Lismore Alliance official launch
 Councillor workshop
- 2 Northern Rivers Watershed Initiative Tree Planting
- 5 Councillor workshop
- 6 Councillor workshop
- 7 South Lismore Businesses - Lismore Flood Restoration update
 Rocky Creek Dam boat tour
- 8 LGNSW Rural & Regional Summit – panelist
 Country Mayors Association Reception
- 9 Country Mayors Association
- 13 Council meeting
- 14 RTRL meeting
- 15-16 Flood Management Australia Conference – presenter
- 20 Media Event: NSW Open Golf Championships
 Site inspection – Lismore Skatepark
 Councillor workshop
- 21 Rous County Council meeting
- 22 Northern Rivers Joint Organisation meeting and workshop
- 26 NEMA Exercise Convergence – presenter
- 27 Councillor briefing
- 28 Emmanuel College visit
- 29 Reconciliation Week Flag Raising Ceremony
- 30 Regional Cities NSW meeting with Ministers Kamper and Suvaal

Attachment/s

There are no attachments for this report.

TRIM Record No: BP25/332:EF19/25-7

Notices of Motion / Questions with Notice



Northern Rivers Watershed Initiative Tree Planting



Country Mayors Association Reception



LGNSW Rural & Regional Summit



Media Event: NSW Open Golf Championships



Reconciliation Week Flag Raising Ceremony

Notice of Motion / Question with Notice

Councillor Big Rob has given notice of intention to move:

That Council:

1. amends clause 18.3 of the Code of Meeting Practice to read:
18.3 If the business of the meeting is unfinished after 5 hours and the council does not resolve to extend the meeting, or if the meeting is unfinished after 30 minute extension, the chairperson must either::
 - a) *defer consideration of the remaining items of business on the agenda to the next ordinary meeting of the council, or*
 - b) *adjourn the meeting to the next Thursday at 6pm to extend no later than 9pm, and defer consideration of the remaining items of business on the agenda to the next ordinary meeting of the council if the business of the meeting is still unfinished.*
2. places the suggested changes to the Code of Meeting Practice on exhibition for a period of 28 days and accepts submissions for revised Code of Meeting Practice for a period of 42 days. Any submissions received are reported back to Council for consideration and adoption of the Code

Councillor Comment

Outcome Sought

To facilitate advanced scheduling for all parties to reduce the likelihood of calendar conflicts

Cost of Implementing

Not applicable

Funding Source

Not applicable

Officer Consulted

Governance & Risk Manager

Attachment/s

There are no attachments for this report.

TRIM Record No: BP25/366:EF19/25-7

Notice of Motion / Question with Notice

Councillor Virginia Waters has given notice of intention to move:

That Council liaises with the NSW Reconstruction Authority to identify hazard free sites within the LGA to store the dwelling stock bought back due to the 2022 flood.

Councillor Comment

Outcome Sought

These precious assets remain a liability in current locations and need to be stored in hazard free locations to ensure they are not compromised by future potential disaster.

Cost of Implementing

Nil

Funding Source

Nil

Officer Consulted

Acting Chief Corporate & Community Officer

Officer Comment

Acting Chief Corporate & Community Officer

LCC Officers have a monthly catchup with the NSW Reconstruction Authority and will discuss this initiative at the next available meeting.

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 staff provide advisory group admin support to prepare and distribute agendas, and to schedule meetings to assist councillors chairing the advisory group meetings.

Councillor Comment

Outcome Sought

Councillors don't have adequate access to admin software used by council staff, including the ability to access member information, establish email groups, and schedule meetings for all participants. It is appropriate for staff to prepare and distribute agendas, and to schedule meetings.

Cost of Implementing

TBA

Funding Source

TBA

Officer Consulted

Nil

Officer Comment

Executive Officer – General Manager and Mayor & Councillors

Councillors will be provided members emails addresses to communicate. Once the group decides on meeting dates, officers can send invites.

As indicated in the March 2025 report to Council regarding the advisory groups, Council does not currently have resourcing, both financially or an officer, to undertake administration for the groups.

Attachment/s

There are no attachments for this report.

TRIM Record No: BP25/347:EF19/25-7

Notice of Motion / Question with Notice

Councillor Big Rob has given notice of intention to move:

That Council seek out expressions of interest to consider public private partnership opportunities which may add value to or improve existing council assets and infrastructure.

Councillor Comment

Outcome Sought

Council often sells off assets quite cheaply, instead of trying to add value before selling or to make holding assets more viable.

While Council undertakes its Property Strategy, it may be a good time to seek out expressions of interest to see if value can be added across Council's assets and infrastructure. This should present new and innovative ideas not previously considered by Council.

Cost of Implementing

TBA

Funding Source

TBA

Officer Consulted

Nil

Officer Comment

Acting General Manager

Council is examining various models for dealing with its property assets through the Property Strategy. These will be briefed and reported to Council accordingly.

Attachment/s

There are no attachments for this report.

TRIM Record No: BP25/346:EF19/25-7

Notice of Motion / Question with Notice

Councillor Big Rob has put the following question with notice:

Can the General Manager outline any pothole repair solutions being considered by council to address the seemingly increasing backlog of pothole repairs, including the use of machinery to cut, crop and clean areas more efficiently (eg: jcbcea.com.au/machines/wheeled-excavator/pothole-pro/) or self-propelled pothole patching equipment to operate independently (eg: superiorroads.com/products/5000/)?

Attachment/s

There are no attachments for this report.

TRIM Record No: BP25/345:EF19/25-7

Acting General Manager's response:

Yes, various solutions are being considered. In regards to the Pothole Pro mentioned, the Roads Strategic Asset Engineer attended a demonstration at a neighbouring council to view the operation of the machine and is undertaking a cost assessment of whether the machine would suit the needs of the Lismore LGA.

Further discussion on this topic will take place during the multi-site Roads Workshop scheduled for 1 July 2025.

Notice of Motion / Question with Notice

Councillor Big Rob has put the following question with notice:

Can the General Manager provide details relating to the current use at 45 McKenzie Street Lismore, explain what is currently happening there, if a development application has been lodged, has work already commenced, and who is the consent authority?

Attachment/s

There are no attachments for this report.

TRIM Record No: BP25/344:EF19/25-7

Acting General Manager's response:

Prior to the 2022 floods, the site at 45 McKenzie Street was used as an aged care facility. The facility was significantly damaged during the 2022 floods and has not been re-occupied since. There are works currently being undertaken on the site, to repair and reinstate the building to pre-flood conditions. These works are being undertaken under the exempt development provisions; consent is not required for these repair works.

A development application (DA) for the site has been very recently submitted and is still in the DA intake phase. This DA proposes to change the use of the premise to temporary accommodation and associated support services to homeless persons. The proposed temporary accommodation includes 58 rooms, primarily involving single rooms, with a small number of larger rooms suitable for family groups. While the application is still in the DA intake phase, it appears on initial assessment that the consent authority will be Lismore Council.

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 any Northern Rivers Recovery and Resilience Program project details, the expected impact of each project, funding milestone information, and outline how each project was selected, whether there was public and/or councillor consultation, and who decided to progress each project?

Attachment/s

There are no attachments for this report.

TRIM Record No: BP25/285:EF19/25-7

Acting General Manager's response:

An upcoming Councillor Briefing scheduled for 15 July 2025 will provide information on the Northern Rivers Recovery and Resilience Program.

Confidential Business



Confidential Matters – Closed Council Meeting

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

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

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

Clause 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:

| | |
|----------------------------|---|
| Item | 12.1 RFQ T25/3 – Acceptance of Quotation for Supply of Waste Collection Vehicles and Approval for Disposal of Aged Fleet Assets |
| Grounds for Closure | Section 10A(2) (d i): |
| Public Interest | Discussion of this matter in an open meeting would on balance be contrary to the public interest because it relates to: commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it. |
| Item | 12.2 Request for Proposal Recommendation - T24/21 Landslip Restoration Package Evaluation Recommendation |
| Grounds for Closure | Section 10A(2) (d ii): |
| Public Interest | Discussion of this matter in an open meeting would on balance be contrary to the public interest because it relates to: commercial information of a confidential nature that would, if disclosed confer a commercial advantage on a competitor of the Council. |

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE CITY OF LISMORE HELD IN COUNCIL CHAMBERS ON TUESDAY 13 MAY 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 Butron, Acting General Manager; Mr Smith, Acting Chief Operating & Financial Officer; Mr Snow, Acting Chief Corporate & Community Officer; Mr Reinhold, Acting Head Planning & Environment; Ms Sullivan, Head Customer Experience; Ms Geraghty, Head Legal Services; Mr Singh-Pangly, Head Finance; Mr Fordham, Corporate Accountant; Mr Hewage, Financial Accountant; Mr Geikie, Executive Officer – Chief Corporate & Community Office; Ms Zaat, Corporate Reporting Coordinator; Mr Schubert, Technology Support Officer; Ms Cotterill, Governance & Risk Manager and Mrs Mitchell, Executive Officer to the General Manager & Mayor and Councillors.

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

83/25

RESOLVED that:

1. a leave of absence be approved for Councillor Battista from 10 to 30 June 2025
2. attendance by audio-visual link be approved for Councillor Hall due to illness and Councillor Battista for the 10 June 2025 Ordinary Meeting

(Councillors Knight-Smith/Guise)

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

Voting against: Nil

Confirmation of Minutes

84/25

RESOLVED that the minutes of the following meeting be confirmed:

- Ordinary Council meeting 8 April 2025
- Confidential Council meeting 8 April 2025

(Councillors Bing/Gordon)

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

Disclosures of Interest

Clr Krieg declared a Non-Pecuniary, Non-Significant Conflict of Interest for the following item: 11.9 Santin Quarry legal outcome

Nature: I know Mr Santin

Clr Krieg declared a Non-Pecuniary, Non-Significant Conflict of Interest for the following item: 11.14 Lismore CBD Levee update

Nature: I am a member of Rous County Council

Clr Krieg declared a Non-Pecuniary, Non-Significant Conflict of Interest for the following item: 11.15 Santin's Quarry

Nature: I know Mr Santin

Clr Dalton-Earls declared a Non-Pecuniary, Non-Significant Conflict of Interest for the following item: 10.2 Planning Proposal to allow certain light industries to RU1, E1 and E2 zones

Nature: I live in a rural area

Clr Dalton-Earls declared a Non-Pecuniary, Non-Significant Conflict of Interest for the following item: 11.2 Community Access to Salvaged Materials from Buyback Homes

Nature: I look for recycled materials and likes to work on houses and I received a buyback

Clr Gordon declared a Non-Pecuniary, Non-Significant Conflict of Interest for the following item: 10.7 Business Lismore Funding Request

Nature: I am a member of Business Lismore and former President and Vice-President

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

11.4 Living Lab

Nature: I have a financial relationship with Dan Etheridge and will leave the Chamber

Clr Gordon declared a Non-Pecuniary, Non-Significant Conflict of Interest for the following item: 11.6 Rural Landsharing Community Development

Nature: I am a real estate agent

Clr Gordon declared a Non-Pecuniary, Non-Significant Conflict of Interest for the following item: 11.9 Santin Quarry legal outcome

Nature: I know Mr Santin

Clr Gordon declared a Non-Pecuniary, Non-Significant Conflict of Interest for the following item: 11.14 Lismore CBD Levee update

Nature: I sit as a member of Rous County Council

Clr Gordon declared a Non-Pecuniary, Non-Significant Conflict of Interest for the following item: 11.15 Santin's Quarry
Nature: I know Mr Santin

Clr Battista declared a Non-Pecuniary, Non-Significant Conflict of Interest for the following item: 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
Nature: I am a member of the Friendship Festival Committee which receives money from Council and my wife is involved with Samson Challenge which also receives funding

Clr Hall declared a Non-Pecuniary, Non-Significant Conflict of Interest for the following item: 10.2 Planning Proposal to allow certain light industries to RU1, E1 and E2 zones
Nature: I live in a rural area

Clr Hall declared a Non-Pecuniary, Non-Significant Conflict of Interest for the following item: 11.9 Santin Quarry legal outcome
Nature: I know Mr Santin

Clr Hall declared a Non-Pecuniary, Non-Significant Conflict of Interest for the following item: 11.15 Santin's Quarry
Nature: I know Mr Santin

Clr Rob declared a Non-Pecuniary, Non-Significant Conflict of Interest for the following item: 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
Nature: I am a member of Lismore Lake which receives funding from Council

Clr Rob declared a Non-Pecuniary, Non-Significant Conflict of Interest for the following item: 11.9 Santin Quarry legal outcome
Nature: I know Mr Santin

Clr Rob declared a Non-Pecuniary, Non-Significant Conflict of Interest for the following item: 11.15 Santin's Quarry
Nature: I know Mr Santin

Clr Knight-Smith declared a Non-Pecuniary, Non-Significant Conflict of Interest for the following item: 10.7 Business Lismore Funding Request
Nature: My parents are members of Business Lismore

Clr Bing declared a Non-Pecuniary, Non-Significant Conflict of Interest for the following item: 11.9 Santin Quarry legal outcome
Nature: I know Mr Santin

Clr Bing declared a Non-Pecuniary, Non-Significant Conflict of Interest for the following item: 11.15 Santin's Quarry
Nature: I know Mr Santin

Clr Jensen declared a Non-Pecuniary, Non-Significant Conflict of Interest for the following item: 11.9 Santin Quarry legal outcome
Nature: I have met Mr Santin

Clr Jensen declared a Non-Pecuniary, Non-Significant Conflict of Interest for the following item: 11.15 Santin's Quarry
Nature: I have met Mr Santin

Clr Waters declared a Non-Pecuniary, Non-Significant Conflict of Interest for the following item: 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
Nature: I am a volunteer for Lismore Lantern Parade that receives money from Council for events. If it is specifically mentioned, I will leave the Chamber

Clr Waters declared a Non-Pecuniary, Non-Significant Conflict of Interest for the following item: 11.6 Rural Landsharing Community Development
Nature: I live on a rural landsharing community

Clr Waters declared a Non-Pecuniary, Non-Significant Conflict of Interest for the following item: 11.2 Community Access to Salvaged Materials from Buyback Homes
Nature: I received a buyback

Clr Waters declared a Significant Conflict of Interest for the following item:
11.4 Living Lab
Nature: I received a buyback

Councillor Dalton-Earls left the meeting, the time being 10:19AM

Mayoral Minute(s) and Condolence Motions

85/25

RESOLVED that Council:

1. convenes a committee consisting of all interested councillors to participate in the recruitment process for a General Manager
2. provide delegated authority to the committee to shortlist and interview candidates and details of the preferred candidate be reported back to Council for resolution

(Councillor Krieg)

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

Voting against: Nil

Absent: Councillor Dalton-Earls

Reports of Committees

8.1 Lismore Flood Risk Management Committee - 10 April 2025

86/25

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

(Councillors Rob/Knight-Smith) (BP25/242)

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 10:22AM

Matters Arising

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

MOTION move 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
4. affordable housing be included in the Community Strategic Plan as a core strategic outcome

(Councillor Knight-Smith/Dalton-Earls)

FORESHADOWED MOTION moved 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
4. all references to affordable housing be replaced by diverse housing, where practicable

(Councillors Battista/Gordon)

Councillor Rob left the meeting, the time being 10:47AM

Councillor Rob returned to the meeting, the time being 10:47AM

Councillor Jensen left the meeting, the time being 10:53AM

Councillor Jensen returned to the meeting, the time being 10:54AM

RESOLVED that the motion be put.

(Councillor Rob)

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

Voting against: Councillors Dalton-Earls and Guise

Absent: Councillor Hall

87/25

DEFEATED 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
4. affordable housing be included in the Community Strategic Plan as a core strategic outcome

(Councillors Knight-Smith/Dalton-Earls) (BP25/243)

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

Voting against: Councillors Battista, Bing, Gordon, Hall, Jensen, Krieg and Rob
RESOLVED that the motion be put.

(Councillor Rob)

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

Voting against: Councillors Guise Knight-Smith and Waters

88/25

On submission to the meeting the foreshadowed motion became the motion and was **RESOLVED** 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
4. all references to affordable housing be replaced by diverse housing, where practicable

(Councillors Battista/Gordon) (BP25/243)

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

Voting against: Councillors Guise and Waters

Councillor Big Rob left the meeting, the time being 11:14 AM

Councillor Virginia Waters left the meeting, the time being 11:14 AM

Councillor Big Rob returned to the meeting, the time being 11:14 AM

At this point in time Councillor Guise disclosed a non-pecuniary, non-significant conflict of interest as he owns RU1 land but am a general class of ratepayer.

10.2 Planning Proposal to allow certain light industries to RU1, E1 and E2 zones

MOTION moved 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.

(Councillors Gordon/Bing)

Councillor Waters returned to the meeting, the time being 11:16AM

Councillor Dalton-Earls left the meeting, the time being 11:16AM

Councillor Dalton-Earls returned to the meeting, the time being 11:18AM

- 89/25 **RESOLVED** 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.

(Councillors Gordon/Bing) (BP25/155)

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

Voting against: Councillor Guise

10.3 Planning proposal to allow additional permitted uses in South Lismore to support rail trail

MOTION moved 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

(Councillors Battista/Knight-Smith)

Councillor Bing left the meeting, the time being 11:28AM

Councillor Waters left the meeting, the time being 11:29AM

Councillor Bing returned to the meeting, the time being 11:29AM

Councillor Waters returned to the meeting, the time being 11:30AM

Councillor Rob left the meeting, the time being 11:33AM

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

- 90/25 **RESOLVED** 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

(Councillors Battista/Knight-Smith) (BP24/1124)

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

Voting against: Nil

10.4 DCP Housekeeping Amendments

MOTION moved 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

(Councillors Bing/Battista)

Councillor Hall left the meeting, the time being 11:38AM

Councillor Hall returned to the meeting, the time being 11:40AM

91/25

RESOLVED 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

(Councillors Bing/Battista) (BP25/235)

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

Voting against: Councillors Guise and Waters

10.5 2025 Status update and review Lismore Urban Stormwater Management Plan

92/25

RESOLVED 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

(Councillors Bing/Dalton-Earls) (BP25/238)

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

Voting against: Councillor Guise

10.6 March 2025 Quarterly Budget Review Statement

That Council:

1. adopts the attached March 2025 Quarterly Budget Review Statement and approve the recommended variations
2. note the forecast employee benefits and on costs budget has been restated for additional water, sewer and flood related expenses. The General Fund **forecast** employee benefit and costs have only been partly adjusted to manage impact on internally restricted reserves. Management plan to remain within approved total expenses budget of \$151m for FY2024-2025. Management will report final total salary cost numbers as part of year end processes

Councillor Jensen left the meeting, the time being 12:11PM

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

Councillor Dalton-Earls left the meeting, the time being 12:15PM

Councillor Dalton-Earls returned to the meeting, the time being 12:17PM

Councillor Knight-Smith left the meeting, the time being 12:18PM

Councillor Knight-Smith returned to the meeting, the time being 12:20PM

93/25

RESOLVED that Council:

1. adopts the attached March 2025 Quarterly Budget Review Statement and approve the recommended variations
2. note the forecast employee benefits and on costs budget has been restated for additional water, sewer and flood related expenses. The General Fund **forecast** employee benefit and costs have only been partly adjusted to manage impact on internally restricted reserves. Management plan to remain within approved total expenses budget of \$151m for FY2024-2025. Management will report final total salary cost numbers as part of year end processes

(Councillors Bing/Dalton-Earls) (BP25/219)

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

Voting against: Councillor Guise

At this point the meeting adjourned for lunch, the time being 12:43PM

The meeting resumed at 1:15PM

10.7 Business Lismore Funding Request

94/25

RESOLVED that Council:

1. 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. 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

(Councillors Rob/Knight-Smith) (BP25/239)

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

Voting against: Nil

10.8 Advisory Groups Membership

MOTION moved that Council:

1. appoint the following community members to the below advisory groups:
 - a) Aboriginal –
 - b) Sister City –
 - c) Disability Inclusion –
 - d) Koala –
 - e) Lismore Villages –

(Councillors Waters/Rob)

RESOLVED that the session go into Committee of the Whole.

(Councillors Rob/Gordon)

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

Voting against: Councillor Guise

RESOLVED that Council leave Committee of the Whole and return to the meeting.

(Councillors Krieg/Dalton-Earls)

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

Voting against: Nil

95/25

RESOLVED that Council:

1. appoint the following community members to the below advisory groups:
 - a) Aboriginal – Bradley Walker, Cindy Roberts, Tim Roberts
 - b) Sister City – Micheal Lynch, Cindy Roberts, Taz McLaren, Bradley Walker, Matthew Healy, Elizabeth Olivieri, Daniel Gubby, Brandon Yee
 - c) Disability Inclusion – Micheal Lynch, Brad Lancaster, Alicia Knight, Diana Grobler, Bridget Barker, Jenny London, John Zambelli, Elissa Caldwell
 - d) Koala – Lucy Kinsley, Elissa Caldwell, Shae Salmon, Mark Bailey
 - e) Lismore Villages –
 - Nimbin - Gwen Trimble, Max Pike
 - Modanville/Dunoon - Adrienne Morgan
 - Richmond Hill/Lindendale -
 - Rural South - Lucy Kinsley
 - Rural North West – Denise Whitney

Clunes/Bexhill -

2. promote and accept expressions of interest for vacant positions and be reported back to Council for further decision

(Councillors Waters/Rob) (BP25/198)

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

Voting against: Nil

10.9 Investments - April 2025

96/25 **RESOLVED** that the report be received and noted.

(Councillors Bing/Battista) (BP25/270)

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

Voting against: Councillors Guise and Waters

Councillor Gordon left the meeting, the time being 1:54PM

Notices of Motion / Questions with Notice

11.1 Mayoral Attendance Report

MOTION moved that Council receives the Mayoral Attendance Report for April 2025.

Councillor Gordon returned to the meeting, the time being 1:56PM

97/25 **RESOLVED** that Council receives the Mayoral Attendance Report for April 2025.

(Councillors Krieg/Battista) (BP25/251)

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

Voting against: Councillor Rob

11.2 Community Access to Salvaged Materials from Buyback Homes

98/25

RESOLVED 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.

(Councillors Dalton-Earls/Knight-Smith) (BP25/248)

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

Voting against: Councillor Rob

11.3 Bounty Street parking

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

(Councillors Jensen/Rob)

Councillor Waters left the meeting, the time being 2:24PM

Councillor Waters returned to the meeting, the time being 2:26PM

99/25

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

(Councillors Jensen/Rob) (BP25/252)

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

Voting against: Nil

Councillor Gordon left the meeting, the time being 2:31PM

11.4 Living Lab

MOTION moved 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

(Councillors Waters/Knight-Smith)

FORESHADOWED MOTION moved 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

(Councillor Battista)

Councillor Knight-Smith left the meeting, the time being 2:38 PM

Councillor Hall left the meeting, the time being 2:42PM

Councillor Knight-Smith returned to the meeting, the time being 2:44PM

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

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

Councillor Rob left the meeting, the time being 2:45PM

Councillor Knight-Smith left the meeting, the time being 2:45PM

Councillor Bing returned to the meeting, the time being 2:46PM

Councillor Jensen returned to the meeting, the time being 2:46PM

Councillor Rob returned to the meeting, the time being 2:46PM

Councillor Knight-Smith returned to the meeting, the time being 2:46PM

RESOLVED that the motion be put.

(Councillor Krieg)

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

Voting against: Councillors Guise and Waters

Absent: Councillors Gordon and Hall

100/25

DEFEATED 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

(Councillors Waters/Knight-Smith) (BP25/254)

Voting for: Councillors Guise, Knight-Smith and Waters

Voting against: Councillors Battista, Bing, Dalton-Earls, Jensen, Krieg and Rob

Absent: Councillors Gordon and Hall

RESOLVED that the motion be put.

(Councillor Krieg)

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

Voting against: Councillors Guise, Knight-Smith and Waters

Absent: Councillors Gordon and Hall

101/25 On submission to the meeting the foreshadowed motion became the motion and was **RESOLVED** 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

(Councillors Battista/Bing) (BP25/254)

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

Voting against: Councillors Guise, Krieg, Rob and Waters

Absent: Councillors Gordon and Hall

Councillor Jensen left the meeting, the time being 3:00PM

Councillor Gordon returned to the meeting, the time being 3:01PM

Councillor Jensen returned to the meeting, the time being 3:01PM

Continuation of Meeting and Altering Order of Business

MOTION moved that:

1. the time being 3.00pm the meeting continue to 3.30pm
2. the order of business be altered to debate item 12.1 Lease of 97 Caniaba Street, South Lismore

(Councillors Krieg/Dalton-Earls)

RESOLVED that the motion be put.

(Councillor Rob)

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

Voting against: Councillors Guise, Knight-Smith and Waters

Absent: Councillor Hall

102/2510
3/25

RESOLVED that:

3. the time being 3.00pm the meeting continue to 3.30pm
4. the order of business be altered to debate item 12.1 Lease of 97 Caniaba Street, South Lismore

(Councillors Krieg/Dalton-Earls)

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

Voting against: Councillors Guise, Knight-Smith and Waters

Absent: Councillor Hall

Resumption of Open Council

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

12.1 Lease of 97 Caniaba Street, South Lismore

That Council delegate authority to the General Manager, in relation to 97 Caniaba Street, South Lismore (being Lot 2 DP1283633) to:

1. enter negotiations for the lease of the land
2. report back to Council for final approval before execution

(Councillors Rob/Jensen) (BP25/275)

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

The time being 3.24pm the following items were deferred to the 10 June 2025 at 10.00am.

- 11.5 Revert to evening Council meetings
- 11.6 Rural Landsharing Community Development
- 11.7 Temporary warehousing solution for relocatable homes
- 11.8 Policy Number 5.17.10
- 11.9 Santin Quarry legal outcome
- 11.10 Budget Variations
- 11.11 Dunoon Road Repairs/Upgrades
- 11.12 Lismore Affordable Housing Strategy
- 11.13 Flood related resolutions
- 11.14 Lismore CBD Levee update
- 11.15 Santin's Quarry

Closure

This concluded the business and the meeting terminated at 3.24pm.

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

MAYOR

**MINUTES OF THE CONFIDENTIAL MEETING OF THE COUNCIL OF THE CITY OF LISMORE HELD
IN COUNCIL CHAMBERS ON TUESDAY 13 MAY 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 Butron, Acting General Manager; Mr Smith, Acting Chief Operating & Financial Officer; Mr Snow, Acting Chief Corporate & Community Officer; Mr Reinhold, Acting Head Planning & Environment; Ms Cotterill, Governance & Risk Manager and Mrs Mitchell, Executive Officer to the General Manager & Mayor and Councillors.

12.1 Lease of 97 Caniaba Street, South Lismore

83/25 **RESOLVED** that Council delegate authority to the General Manager, in relation to 97 Caniaba Street, South Lismore (being Lot 2 DP1283633) to:

1. enter negotiations for the lease of the land
2. report back to Council for final approval before execution

(Councillors Rob/Jensen) (BP25/275)

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

Voting against: Councillors Guise and Waters

Absent: Councillor Hall

Resumption of Open Council

84/25 **RESOLVED** that Council reopen the doors to the public and return to open session.

(Councillors Rob/Dalton-Earls)

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

Voting against: Councillor Knight-Smith

Closure

This concluded the business and the meeting terminated at 3.20pm.

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

MAYOR

**MINUTES OF THE EXTRAORDINARY MEETING OF THE COUNCIL OF THE CITY OF LISMORE
HELD IN COUNCIL CHAMBERS ON TUESDAY 3 JUNE 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 and Rob together with Mr Butron, Acting General Manager; Mr Smith, Acting Chief Operating & Financial Officer; Mr Snow, Acting Chief Corporate & Community Officer; Ms van Iersel, Acting Head Planning & Environment; Mr Schubert, Technology Support Officer; Ms Cotterill, Governance & Risk Manager and Mrs Mitchell, Executive Officer to the General Manager & Mayor and Councillors.

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

104/25 **RESOLVED** that an apology be received from Councillor Waters.

(Councillors Hall/Dalton-Earls)

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

Voting against: Nil

Disclosures of Interest

Clr Krieg declared a Non-Pecuniary, Non-Significant Conflict of Interest for the following item: 10.5 Santin Quarry legal outcome

Nature: I know Mr Santin

Clr Krieg declared a Non-Pecuniary, Non-Significant Conflict of Interest for the following item: 10.10 Lismore CBD Levee update

Nature: I am a member of Rous County Council

Clr Krieg declared a Non-Pecuniary, Non-Significant Conflict of Interest for the following item: 10.11 Santin's Quarry

Nature: I know Mr Santin

Clr Hall declared a Non-Pecuniary, Non-Significant Conflict of Interest for the following item: 10.5 Santin Quarry legal outcome

Nature: I know Mr Santin

Clr Hall declared a Non-Pecuniary, Non-Significant Conflict of Interest for the following item: 10.11 Santin's Quarry
Nature: I know Mr Santin

Clr Gordon declared a Non-Pecuniary, Non-Significant Conflict of Interest for the following item: 10.2 Rural Landsharing Community Development
Nature: I am a real estate agent

Clr Gordon declared a Non-Pecuniary, Non-Significant Conflict of Interest for the following item: 10.5 Santin Quarry legal outcome
Nature: I know Mr Santin

Clr Gordon declared a Non-Pecuniary, Non-Significant Conflict of Interest for the following item: 10.10 Lismore CBD Levee update
Nature: I sit as a member of Rous County Council

Clr Gordon declared a Non-Pecuniary, Non-Significant Conflict of Interest for the following item: 10.11 Santin's Quarry
Nature: I know Mr Santin

Clr Bing declared a Non-Pecuniary, Non-Significant Conflict of Interest for the following item: 10.5 Santin Quarry legal outcome
Nature: I know Mr Santin

Clr Bing declared a Non-Pecuniary, Non-Significant Conflict of Interest for the following item: 10.11 Santin's Quarry
Nature: I know Mr Santin

Clr Jensen declared a Non-Pecuniary, Non-Significant Conflict of Interest for the following item: 10.5 Santin Quarry legal outcome
Nature: I have met Mr Santin

Clr Jensen declared a Non-Pecuniary, Non-Significant Conflict of Interest for the following item: 10.11 Santin's Quarry
Nature: I have met Mr Santin

Clr Dalton-Earls declared a Non-Pecuniary, Non-Significant Conflict of Interest for the following item: 10.3 Temporary warehousing solution for relocatable homes
Nature: I actively involved in and created "Relocate Lismore Homes"

Clr Guise declared a Non-Pecuniary, Non-Significant Conflict of Interest for the following item: 10.2 Rural Landsharing Community Development
Nature: I am a member of a strata community but a general class of persons

Clr Rob declared a Non-Pecuniary, Non-Significant Conflict of Interest for the following item: 10.5 Santin Quarry legal outcome
Nature: I know Mr Santin

Clr Rob declared a Non-Pecuniary, Non-Significant Conflict of Interest for the following item: 10.11 Santin's Quarry
Nature: I know Mr Santin

Notices of Motion / Questions with Notice

10.1 Revert to evening Council meetings

105/25 MOTION moved 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.

(Councillors Guise/Knight-Smith) (BP25/255)

FORESHADOWED MOTION moved that Council:

1. amends clause 18.3 of the Code of Meeting Practice to read:
18.3 If the business of the meeting is unfinished after 5 hours and the council does not resolve to extend the meeting, or if the meeting is unfinished after 5.5 hours, the chairperson must either:
 - a) *defer consideration of the remaining items of business on the agenda to the next ordinary meeting of the council, or*
 - b) *adjourn the meeting to the next Thursday at 6pm to extend no later than 9pm and defer consideration of the remaining items of business on the agenda to the next ordinary meeting of the council if the business of the meeting is still unfinished.*
2. places the suggested changes to the Code of Meeting Practice on exhibition for a period of 28 days and accepts submissions for revised Code of Meeting Practice for a period of 42 days. Any submissions received are reported back to Council for consideration and adoption of the Code

(Councillor Rob)

106/25 **DEFEATED** 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.

(Councillors Guise/Knight-Smith) (BP25/255)

Voting for: Councillors Guise and Knight-Smith

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

On submission to the meeting the foreshadowed motion became the motion that Council:

2. amends clause 18.3 of the Code of Meeting Practice to read:
18.3 If the business of the meeting is unfinished after 5 hours and the council does not resolve to extend the meeting, or if the meeting is unfinished after 5.5 hours, the chairperson must either:
 - c) *defer consideration of the remaining items of business on the agenda to the next ordinary meeting of the council, or*
 - d) *adjourn the meeting to the next Thursday at 6pm to extend no later than 9pm and defer consideration of the remaining items of business on the agenda to the*

next ordinary meeting of the council if the business of the meeting is still unfinished.

3. places the suggested changes to the Code of Meeting Practice on exhibition for a period of 28 days and accepts submissions for revised Code of Meeting Practice for a period of 42 days. Any submissions received are reported back to Council for consideration and adoption of the Code

(Councillor Rob)

Lapsed due to want of a seconder.

10.2 Rural Landsharing Community Development

MOTION moved 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 Rob)

Lapsed due to want of a seconder.

10.3 Temporary warehousing solution for relocatable homes

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

Motion withdrawn

10.4 Policy Number 5.17.10

107/25 **RESOLVED** that Council policy number 5.17.10 is revoked.

(Councillors Rob/Gordon) (BP25/257)

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

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

10.5 Santin Quarry legal outcome

MOTION moved 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

(Councillors Guise/Knight-Smith)

Councillor Dalton-Earls left the meeting, the time being 10:37AM

Councillor Dalton-Earls returned to the meeting, the time being 10:39AM

Councillor Dalton-Earls left the meeting, the time being 10:39AM

Councillor Dalton-Earls returned to the meeting, the time being 10:40AM

Councillor Jensen left the meeting, the time being 10:44AM

Councillor Jensen returned to the meeting, the time being 10:46AM

Councillor Knight-Smith left the meeting, the time being 10:47AM

Councillor Knight-Smith returned to the meeting, the time being 10:49AM

Councillor Rob left the meeting, the time being 10:51AM

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

FORESHADOWED MOTION moved that Council 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 Knight-Smith)

108/25 **DEFEATED** 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

(Councillors Guise/Knight-Smith) (BP25/258)

Voting for: Councillors Guise and Knight-Smith

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

- 109/25 On submission to the meeting the foreshadowed motion became the motion and was **DEFEATED** that Council 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.

(Councillors Knight-Smith/Guise) (BP25/258)

Voting for: Councillors Guise and Knight-Smith

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

10.6 Budget Variations

- 110/25 **RESOLVED** 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

(Councillors Rob/Hall) (BP25/261)

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

Voting against: Councillor Knight-Smith

10.7 Dunoon Road Repairs/Upgrades

111/25 MOTION moved that Council include upgrades to Dunoon Road (including the Dunoon/Alexandra Parade intersection/roundabout) in the 2025-2026 budget.

(Councillors Hall/Rob) (BP25/267)

FORESHADOWED MOTION moved that a briefing be held to consider road priorities.

(Councillor Guise)

112/25 **RESOLVED** that Council include upgrades to Dunoon Road (including the Dunoon/Alexandra Parade intersection/roundabout) in the 2025-2026 budget.

(Councillors Hall/Rob) (BP25/267)

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

Voting against: Councillor Guise

Councillor Hall left the meeting, the time being 11:25AM

Councillor Hall returned to the meeting, the time being 11:26AM

10.8 Lismore Affordable Housing Strategy

MOTION moved that:

1. Council apply a 100% discount to Sections 64 and 711 for:
 - a. secondary dwelling development applications (within sewerage areas)
 - b. development applications lodged by not-for-profit community groups from the LGA (within sewerage areas)
2. the policy conclude on 30 June 2027 and be reviewed at this time
3. Council receive a report detailing the number of applications submitted and costs every 6 months

(Councillors Battista/Dalton-Earls)

Councillor Krieg left the meeting, the time being 11:48AM

Councillor Gordon left the meeting, the time being 11:48AM

Councillor Gordon returned to the meeting, the time being 11:48AM

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

113/25

RESOLVED that:

1. Council apply a 100% discount to Sections 64 and 711 for:
 - a. secondary dwelling development applications (within sewerage areas)
 - b. development applications lodged by not-for-profit community groups from the LGA (within sewerage areas)
2. the policy conclude on 30 June 2027 and be reviewed at this time
3. Council receive a report detailing the number of applications submitted and costs every 6 months

(Councillors Battista/Dalton-Earls) (BP25/278)

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

Voting against: Councillor Guise

10.9 Flood related resolutions

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?

Acting 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.

10.10 Lismore CBD Levee update

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?

Acting 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.

114/25

RESOLVED that Council:

1. enter discussions with Rous County Council regarding transfer of ownership of the Lismore CBD Levee to Lismore City Council
2. have a workshop to consider the implications of transfer

(Councillors Rob/Hall) (BP25/260)

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

Voting against: Councillor Guise

10.11 Santin's Quarry

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?

Acting 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.

Closure

This concluded the business and the meeting terminated at 12.13pm.

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

MAYOR