



Council

An Ordinary Meeting of Lismore City Council will be held at the Council Chambers on Tuesday 12 March 2024 at 6.00pm

Members of Council are requested to attend.

Lismore City Council acknowledges the Widjabul Wia-bal people of the Bundjalung nation, traditional custodians of the land on which we meet.

Jon Gibbons
General Manager

6 March 2024



ETHICAL DECISION MAKING AND CONFLICTS OF INTEREST

A guiding checklist for councillors, staff and community committees

Ethical decision making

- Is the decision or conduct legal?
- Is it consistent with government policy, Council's objectives and Code of Conduct?
- What will the outcome be for you, your colleagues, the Council, anyone else?
- Does it raise a conflict of interest?
- Do you stand to gain personally at public expense?
- Can the decision be justified in terms of public interest?
- Would it withstand public scrutiny?

Conflict of interest

A conflict of interest is a clash between private interest and public duty. There are two types of conflict:

- Pecuniary – an interest that you have in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to yourself or another person or entity defined in part 4 of the Lismore City Council Code of Conduct with whom you are associated.
- Non-pecuniary – a private or personal interest that you have that does not amount to a pecuniary interest as defined in the Lismore City Council Code of Conduct. These commonly arise out of family or personal relationships, or out of involvement in sporting, social, religious or other cultural groups and associations, and may include an interest of a financial nature.

The test for conflict of interest

- Is it likely I could be influenced by personal interest in carrying out my public duty?
- Would a fair and reasonable person believe I could be so influenced?
- Conflict of interest is closely tied to the layperson's definition of "corruption" – using public office for private gain.
- Important to consider public perceptions of whether you have a conflict of interest.

Identifying problems

- Do I have private interests affected by a matter I am officially involved in?
- Is my official role one of influence or perceived influence over the matter?
- Do my private interests' conflict with my official role?

Disclosure and participation in meetings

- A councillor or a member of a Council Committee who has a pecuniary interest in any matter with which the Council is concerned and who is present at a meeting of the Council or Committee at which the matter is being considered must disclose the nature of the interest to the meeting as soon as practicable.
- The councillor or member must not be present at, or in sight of, the meeting of the Council or Committee:
 - a. at any time during which the matter is being considered or discussed by the Council or Committee, or
 - b. at any time during which the Council or Committee is voting on any question in relation to the matter.

No Knowledge - a person does not breach this clause if the person did not know and could not reasonably be expected to have known that the matter under consideration at the meeting was a matter in which he or she had a pecuniary interest.

Non-pecuniary Interests - Must be disclosed in meetings.

There are a broad range of options available for managing conflicts & the option chosen will depend on an assessment of the circumstances of the matter, the nature of the interest and the significance of the issue being dealt with. Non-pecuniary conflicts of interests must be dealt with in at least one of the following ways:

- It may be appropriate that no action be taken where the potential for conflict is minimal. However, councillors should consider providing an explanation of why they consider a conflict does not exist.
- Limit involvement if practical (eg. participate in discussion but not in decision making or vice versa). Care needs to be taken when exercising this option.
- Remove the source of the conflict (eg. relinquishing or divesting the personal interest that creates the conflict)
- Have no involvement by absenting yourself from and not taking part in any debate or voting on the issue as of the provisions in the Code of Conduct (particularly if you have a significant non-pecuniary interest)

Whilst seeking advice is generally useful, the ultimate decision rests with the person concerned.

Agenda

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

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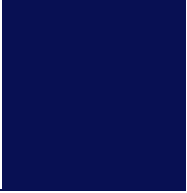
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Mayoral Minute(s) and Condolence Motions



Mayoral Minutes

Subject **Mayoral Attendance Report**

TRIM Record No BP24/240:EF19/25-6



That Council receives the Mayoral Attendance Report for February 2024.

February

- 6 Councillor briefing
- 7 Chamber of Commerce Business After Hours Event
- 9 Trinity College Commencement Mass
- Media conference: Resilient Lands announcement
- 12 Media interview: CNN
- Northern Rivers Community Leaders Forum
- 13 Media interview: Sky Sports Radio
- Council meeting
- 15 Media interview: Sky News
- Nimbin Advisory Group
- 16 Northern Rivers Joint Organisation Board meeting
- 19 Councillor workshop
- 20 Minister Hoenig visit
- Adjourned Council meeting
- 21 Minister Hoenig visit
- 27 Media interview: NBN News
- 28 Mayor's morning tea for SCU International Students
- Media interview: Prime News
- Chamber of Commerce Business After Hours Event
- Media interview: Sky TV

Attachment/s

There are no attachments for this report.

TRIM Record No: BP24/240:EF19/25-6



Business After Hours Event



Resilient Lands announcement



Minister Hoenig visit with Northern Rivers Mayors



Media interview



Business After Hours Event at Showground

Reports of Committees



Report of Committee

Local Traffic Committee - 14 February 2024

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

Attachment/s

1. [↓](#) Local Traffic Committee Minutes - Meeting of 14 February 2024

Local Traffic Committee Minutes 14 February 2024

MINUTES OF THE LOCAL TRAFFIC COMMITTEE HELD IN COUNCIL CHAMBERS ON WEDNESDAY 14 FEBRUARY 2024 AT 11.00AM

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

Councillor Hall (Chairperson), Sgt Clint Williams (NSW Police), Ms Elisa Thompson (On Behalf of Janelle Saffin MP) and Ms Caleisse Dunston (Transport for NSW).

In Attendance

Councillor Rob, Mr Goodwin, Design Services Engineer and Ms Kerry, Business Support Officer (minutes).

Apologies

Apologies for non-attendance were received on behalf of Janelle Saffin, MP (Member for Lismore).

Confirmation of Minutes

RESOLVED that the minutes of 13 December 2023 were confirmed.

(Members Dunston/Thompson)

Voting for: Councillor Hall, Members Dunston, Thompson and Williams

Voting against: Nil

Disclosure of Interest

Nil.

4.1 Request for Change in Parking - Carrington Street, Lismore

RECOMMENDED that Council supports in principle the conversion of existing parallel parking to angle parking in Carrington Street (one side).

(Members Williams/Thompson)

Local Traffic Committee Minutes 14 February 2024

Voting for: Councillor Hall, Members Dunston, Thompson and Williams

Voting against: Nil

4.2 Request for No Stopping Zones - Bellevue Avenue, Lismore Heights

RECOMMENDED that Council supports in principal the installation of No Stopping zones on Bellevue Avenue, Lismore Heights at the proposed locations.

(Member Dunston/Councillor Hall)

Voting for: Councillor Hall, Members Dunston, Thompson and Williams

Voting against: Nil

Closure

This concluded the business and the meeting terminated at 11:45 am.

Report of Committee

Nimbin Advisory Group 15 February 2024

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

Attachment/s

1. [Minutes](#)

Recommendations from the meeting of the Nimbin Advisory Group are reproduced below for the awareness of councillors, as these seek specific Council actions –

5.2 Nimbin Place Plan community engagement

That the:

1. Group receive and note the report
2. second community workshop on Wednesday 6 March commence from 7.30am

5.3 9 Sibley Street

That Council defer this matter, and discuss recommendations as submitted in the Nimbin Place Plan engagement.

5.4 Library Services for Nimbin

That Council defer this matter, and discuss recommendations as submitted in the Nimbin Place Plan engagement.

5.7 Western Carpark Maintenance

That Council:

1. update and paint line markings in the car park and pedestrian crossings
2. consider the speed humps in the Western Carpark to be extended, to replace bollards

5.11 Safety and Maintenance Concerns - Nimbin Wayfinding Project

That:

1. the Group note and receive the report
2. Council will address the urgent safety request as raised at the meeting, and action as soon as possible by installing a non-slip step guard on the newly installed two steps leading to the car park
3. Council provides ongoing project updates, taking into consideration the concerns raised by community

5.14 Expanding the collection area of the Nimbin SBRVL

That Council:

1. review the SBRVL and include commercial entities operating outside of the current designated SBRVL area
2. discuss this matter with the Nimbin Chamber

Nimbin Advisory Group Minutes 15 February 2024

**MINUTES OF THE NIMBIN ADVISORY GROUP HELD IN BIRTH & BEYOND SUITE ON THURSDAY
15 FEBRUARY 2024 AT 5.30PM**

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

Present

Councillors Krieg (Chair), Rob, Bird; Members Diana Roberts, Gwen Trimble, Megan James, Michael Balderstone, Sue Edmonds, Susanna Stock, Nat Meyer

LCC Officers: Mr Gibbons, General Manager; Mr Chadburn, Head of Fleet & Open Spaces; Mr Parks, Strategic Planning Coordinator; Ms Sproule, Community Engagement Officer

Guest: Ms Harriet McKindlay, Fourfold Studio

Apologies

Councillor Cook, Members Doug Pinch, Amy-Kate Dillon

Confirmation of Minutes

The previous December meeting was cancelled, no minutes to confirm.

Disclosure of Interest

Nil

5.1 Nimbin Good Times

NAG16/24 **RESOLVED** that the Group nominate Member James to write the Nimbin Good Times update.

(Members Roberts/Trimble) (BP24/110)

Voting for: Councillor Bird, Members Balderstone, Edmonds, James, Meyer, Roberts, Stock and Trimble

Voting against: Nil

**Lismore City Council
Minutes of Nimbin Advisory Group Meeting held 15 February 2024**

1

Nimbin Advisory Group Minutes 15 February 2024

5.2 Nimbin Place Plan community engagement

- NAG17/24 **RESOLVED** that the:
1. Group receive and note the report
 2. second community workshop on Wednesday 6 March commence from 7.30am
- (Members Stock/Trimble) (BP24/76)
- Voting for:** Councillors Krieg, Bird, Members Balderstone, Edmonds, James, Meyer, Roberts, Stock and Trimble
- Voting against:** Nil

5.3 9 Sibley Street

- NAG18/24 **RESOLVED** that Council defer this matter, and discuss recommendations as submitted in the Nimbin Place Plan engagement.
- (Members Roberts/Trimble) (BP24/99)
- Voting for:** Councillors Krieg, Bird, Members Balderstone, Edmonds, James, Meyer, Roberts, Stock and Trimble
- Voting against:** Nil

5.4 Library Services for Nimbin

- NAG19/24 **RESOLVED** that Council defer this matter, and discuss recommendations as submitted in the Nimbin Place Plan engagement.
- (Members Roberts/Trimble) (BP24/106)
- Voting for:** Councillors Krieg, Bird, Members Balderstone, Edmonds, James, Meyer, Roberts, Stock and Trimble
- Voting against:** Nil

Nimbin Advisory Group Minutes 15 February 2024

5.5 Nimbin Water Security and Quality

NAG20/24 **RESOLVED** that:

1. Head of Water and Waste, is invited to attend each meeting to provide an update on water security and quality
2. engagement is undertaken with Gungas (and adjoining) Road residents in relation to current projects that may impact them

(Members Edmonds/Meyer) (BP24/91)

Voting for: Councillors Krieg, Bird, Members Balderstone, Edmonds, James, Meyer, Roberts, Stock and Trimble

Voting against: Nil

5.6 Nimbin Village Maintenance Needs

NAG21/24 **RESOLVED** that Council:

1. recognises and passes on thanks from the Group to Ranger Skye Hoyt for action towards recent requests
2. provide ongoing updates at Nimbin Advisory Group meetings relating to maintenance requests

(Members Stock/Meyer) (BP24/97)

Voting for: Councillors Krieg, Bird, Members Balderstone, Edmonds, James, Meyer, Roberts, Stock and Trimble

Voting against: Nil

5.7 Western Carpark Maintenance

NAG22/24 **RESOLVED** that Council:

1. update and paint line markings in the car park and pedestrian crossings
2. consider the speed humps in the Western Carpark to be extended, to replace bollards

(Members Roberts/Trimble) (BP24/96)

Voting for: Councillors Krieg, Bird, Members Balderstone, Edmonds, James, Meyer, Roberts, Stock and Trimble

Voting against: Nil

Nimbin Advisory Group Minutes 15 February 2024

5.8 NAG Representation for the Rainbow Road Walking Track

- NAG23/24 **RESOLVED** that:
1. Council continues to involve Stan Palmer in the Nimbin Rainbow Road Walking Track Steering Committee
 2. the Group accept Stan Palmer as a guest at Nimbin Advisory Group meetings to provide updates on the Nimbin Rainbow Road Walking Track
- (Members Roberts/Balderstone) (BP24/98)
- Voting for:** Councillors Krieg, Bird, Members Balderstone, Edmonds, James, Meyer, Roberts, Stock and Trimble
- Voting against:** Nil

5.9 Nimbin Rainbow Road Walking Track - Project and Maintenance Updates

- NAG24/24 **RESOLVED** that the Nimbin Community Centre establish a 'Friends of the Walking Track' group to be a conduit for project updates, assist in decision making for the project and address changes to the project as identified by the Project Manager.
- (Members Roberts/Meyer) (BP24/107)
- Voting for:** Councillors Krieg, Bird, Members Balderstone, Edmonds, James, Meyer, Roberts, Stock and Trimble
- Voting against:** Nil

5.10 Accessibility Consultation for the Rainbow Road Walking Track and Nimbin Wayfinding Project

- NAG25/24 **RESOLVED** that the Group receive and note the report.
- (Members Trimble/Meyer) (BP24/100)
- Voting for:** Councillors Krieg, Bird, Members Balderstone, Edmonds, James, Meyer, Roberts, Stock and Trimble
- Voting against:** Nil

Nimbin Advisory Group Minutes 15 February 2024

5.11 Safety and Maintenance Concerns - Nimbin Wayfinding Project

- NAG26/24 **RESOLVED** that:
1. the Group note and receive the report
 2. Council will address the urgent safety request as raised at the meeting, and action as soon as possible by installing a non-slip step guard on the newly installed two steps leading to the car park
 3. Council provides ongoing project updates, taking into consideration the concerns raised by community
- (Members Trimble/Meyer) (BP24/105)
- Voting for:** Councillors Krieg, Bird, Members Balderstone, Edmonds, James, Meyer, Roberts, Stock and Trimble
- Voting against:** Nil

5.12 Nimbin Wayfinding Project

- NAG27/24 **RESOLVED** that the Group:
1. receive and note the report
 2. provide recommendations for future projects relating to engagement and communication from Council
- (Members Stock/Roberts) (BP24/103)
- Voting for:** Councillors Krieg, Bird, Members Balderstone, Edmonds, James, Meyer, Roberts, Stock and Trimble
- Voting against:** Nil

5.13 Traffic Calming Devices

- NAG28/24 **RESOLVED** that the Group receive and note the report.
- (Members Meyer/Stock) (BP24/101)
- Voting for:** Councillors Krieg, Bird, Members Balderstone, Edmonds, James, Meyer, Roberts, Stock and Trimble
- Voting against:** Nil

Nimbin Advisory Group Minutes 15 February 2024

5.14 Expanding the collection area of the Nimbin SBRVL

- NAG29/24 **RESOLVED** that Council:
1. review the SBRVL and include commercial entities operating outside of the current designated SBRVL area
 2. discuss this matter with the Nimbin Chamber
- (Members Roberts/Meyer) (BP24/90)
- Voting for:** Councillors Krieg, Bird, Members Balderstone, Edmonds, James, Meyer, Roberts, Stock and Trimble
- Voting against:** Nil

5.15 Peace Park Maintenance and Graffiti Removal

- NAG30/24 **RESOLVED** that:
1. Council provides an update on the cleaning and maintenance schedule at each Nimbin Advisory Group meeting
 2. the Group will acknowledge Neil Morrison in the Nimbin Good Times
- (Members Meyer/Stock) (BP24/92)
- Voting for:** Councillors Krieg, Bird, Members Balderstone, Edmonds, James, Meyer, Roberts, Stock and Trimble
- Voting against:** Nil

Deferral of items

- NAG31/24 **RESOLVED** that the Group will defer the following items to the next meeting:
- Allsopp Park Signage
 - Nimbin Toilet Block
 - Fire Hose for the CBD
 - Pavement for road to caravan park
 - Nimbin DA update
- Voting for:** Councillors Krieg, Bird, Members Balderstone, Edmonds, James, Meyer, Roberts, Stock and Trimble
- Voting against:** Nil

Nimbin Advisory Group Minutes 15 February 2024

Closure

This concluded the business and the meeting closed at 7.02pm.

Report of Committee

Disability and Inclusion Advisory Group - 21 February 2024

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

Attachment/s

1. [↓](#) Minutes 21 February 2024

Recommendations from the meeting of the Disability and Inclusion Advisory Group are reproduced below for the awareness of councillors, as these seek specific Council actions –

5.1 Disability Inclusion Action Plan

That the:

1. Group note the report and provide any relevant feedback in relation to the draft Disability Inclusion Action Plan 2022-2026
2. Disability Inclusion Action Plan 2022-2026 be endorsed by Council pending inclusion of feedback from the group
3. review of the Disability Inclusion Action Plan 2022-2026 be commenced in 2025, well prior to its expiration.

5.3 Nimbin Wayfinding Project Pedestrian Link

That the Group:

1. note the Nimbin Wayfinding Project Pedestrian Link update
2. recommends, the two-new stairs include tactiles, markings and step guards that are compliant with accessibility standards to ensure clear indication and safety of the stairwell.

5.7 Footpath Compliance 53 Dawson Street

That:

1. the Group note and receive the report
2. the footpath is kept clear and accessible, consistent with regulation requirements
3. a potential pedestrian crossing between the roundabouts of Woodlark and Zadoc Street be investigated.

5.8 Request for Accessible Park - Old Municipal Building, Molesworth Street, Lismore

That the Group support the request and Option 1 for modifying the existing parking space at the front of the building in accordance with Accessible Parking Standards.

5.9 Request for Accessible Park, Zadoc Street, Lismore

That the Group support the request.

5.10 Request for Accessible Parking Space - 62 Diadem Street

That the Group support the request.

Disability Inclusion Advisory Group Minutes
21 February 2024

MINUTES OF THE DISABILITY INCLUSION ADVISORY GROUP HELD IN COUNCIL CHAMBERS
ON WEDNESDAY 21 FEBRUARY 2024 AT 2.00PM

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

Present

Councillors Ekins (Chair) and Rob; Members Mr Brad Lancaster, Ms Jenny London, Mr John Zambelli, Mr Dan Trestrail, Mr John Jensen, together with Ms Sullivan, Head of Customer Experience & RTRL Executive Officer; Ms Olivieri, Community Engagement Officer; Mr Soutar, Project Manager - Infrastructure & Open Spaces (item 5.2); Ms Pym, Project Officer - Liveable and Active Communities (item 5.4) and Ms O'Regan, Head, Investment and Growth (item 5.5).

Apologies

Mr Micheal Lynch, Ms Jess Ambridge, Ms Liss Caldwell and Ms Brigid Richardson

Confirmation of Minutes

DIAG23/24	RESOLVED that the minutes of the 13 December 2023 be accepted. (Member London/Councillor Rob) Voting for: Councillors Ekins and Rob and Members Jensen, Lancaster, London, Trestrail and Zambelli Voting against: Nil
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Disclosure of Interest

Nil

Disability Inclusion Advisory Group Minutes 21 February 2024

5.1 Disability Inclusion Action Plan

DIAG24/24 **RESOLVED** that the:

1. Group note the report and provide any relevant feedback in relation to the draft Disability Inclusion Action Plan 2022-2026
2. Disability Inclusion Action Plan 2022-2026 be endorsed by Council pending inclusion of feedback from the group
3. review of the Disability Inclusion Action Plan 2022-2026 be commenced in 2025, well prior to its expiration

(Councillor Rob/Member Lancaster) (BP24/118)

Voting for: Councillors Ekins and Rob and Members Jensen, Lancaster, London, Trestrail and Zambelli

Voting against: Nil

5.2 Nimbin Rainbow Road Walking Track Update

DIAG25/24 **RESOLVED** that the Group note and receive the report.

(Members Allen/Jensen) (BP24/149)

Voting for: Councillors Ekins and Rob and Members Jensen, Lancaster, London, Trestrail and Zambelli

Voting against: Nil

5.3 Nimbin Wayfinding Project Pedestrian Link

DIAG26/24 **RESOLVED** that the Group:

1. note the Nimbin Wayfinding Project Pedestrian Link update
2. recommends, the two-new stairs include tactiles, markings and step guards that are compliant with accessibility standards to ensure clear indication and safety of the stairwell

(Councillor Rob/Member Allen) (BP24/166)

Voting for: Councillors Ekins and Rob and Members Jensen, Lancaster, London, Trestrail and Zambelli

Voting against: Nil

Disability Inclusion Advisory Group Minutes 21 February 2024

5.4 Wade Park Masterplan Update

DIAG27/24 **RESOLVED** that the Group receives and notes the report.

(Councillor Ekins/Member Trestrail) (BP24/152)

Voting for: Councillors Ekins and Rob and Members Jensen, Lancaster, London, Trestrail and Zambelli

Voting against: Nil

5.5 Lismore Vision and Blueprint

DIAG28/24 **RESOLVED** that the:

1. report be noted and accepted
2. Group put forward any suggestions on engaging with the DIAG community to lismorenow@lismore.nsw.gov.au.

(Member London/Councillor Rob) (BP24/124)

Voting for: Councillors Ekins and Rob and Members Jensen, Lancaster, London, Trestrail and Zambelli

Voting against: Nil

5.6 Access and Pedestrian Mobility Audit

DIAG29/24 **RESOLVED** that the Group note and receive the report.

(Members Allen/London) (BP24/159)

Voting for: Councillors Ekins and Rob and Members Jensen, Lancaster, London, Trestrail and Zambelli

Voting against: Nil

Disability Inclusion Advisory Group Minutes 21 February 2024

5.7 Footpath Compliance 53 Dawson Street

DIAG30/24 **RESOLVED** that:

1. the Group note and receive the report
2. the footpath is kept clear and accessible, consistent with regulation requirements
3. a potential pedestrian crossing between the roundabouts of Woodlark and Zadoc Street be investigated

(Members Allen/Lancaster) (BP24/155)

Voting for: Councillors Ekins and Rob and Members Jensen, Lancaster, London, Trestrail and Zambelli

Voting against: Nil

5.8 Request for Accessible Park - Old Municipal Building, Molesworth Street, Lismore

DIAG31/24 **RESOLVED** that the Group support the request and Option 1 for modifying the existing parking space at the front of the building in accordance with Accessible Parking Standards.

(Councillor Rob/Member Zambelli) (BP24/156)

Voting for: Councillors Ekins and Rob and Members Jensen, Lancaster, London, Trestrail and Zambelli

Voting against: Nil

5.9 Request for Accessible Park, Zadoc Street, Lismore

DIAG32/24 **RESOLVED** that the Group support the request.

(Councillor Rob/Member Zambelli) (BP24/157)

Voting for: Councillors Ekins and Rob and Members Jensen, Lancaster, London, Trestrail and Zambelli

Voting against: Nil

Disability Inclusion Advisory Group Minutes 21 February 2024

5.10 Request for Accessible Parking Space - 62 Diadem Street

DIAG33/24 **RESOLVED** that the Group support the request.

(Councillor Rob/Member Zambelli) (BP24/158)

Voting for: Councillors Ekins and Rob and Members Jensen, Lancaster, London, Trestrail and Zambelli

Voting against: Nil

John Zambelli left the meeting at 3.48pm

Deferral of items

DIAG34/24 **RESOLVED** that the Group defer the following items to the next meeting:

- Seen and Unseen Disability Inclusion Day for the greater Lismore community
- International Day of People with Disability
- Autism Awareness Month – Event Update

Voting for: Councillors Ekins and Rob and Members Jensen, Lancaster, London and Trestrail

Voting against: Nil

Closure

This concluded the business and the meeting closed at 3.58pm.

Report of Committee

Aboriginal Advisory Group 21 February 2024

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

Attachment/s

1. [↓](#) Minutes

Recommendations from the meeting of the Aboriginal Advisory Group are reproduced below for the awareness of councillors, as these seek specific Council actions –

5.1 Urban Rivers and Catchments Riparian Restoration Project

That:

1. the Group support the Urban Rivers and Catchments Riparian Restoration Project
2. Council send the invitation to work collaboratively on this project through the Aboriginal Advisory Group, on receipt of approved funding

5.2 Lismore Vision and Blueprint

That:

1. the report be noted and accepted
2. Council attends and supports ongoing community events to discuss the vision for Lismore
3. the Group send any suggestions for engaging with the community on this project to (lismorennow@lismore.nsw.gov.au).

5.4 Proposed Road Name "Banyam Place" in new Goonellabah Development

That:

1. the Group support the name Banyam Place for the mapped subdivision in Goonellabah
2. the Banyam Place sign must point towards North Lismore
3. new developments come through the Aboriginal Advisory Group with/for suggestions on Aboriginal road names

Aboriginal Advisory Group Minutes 21 February 2024

MINUTES OF THE ABORIGINAL ADVISORY GROUP HELD IN COUNCIL CHAMBERS ON WEDNESDAY 21 FEBRUARY 2024 AT 5PM

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

Present

Councillor Ekins (Chair), Councillor Rob, Members Ms Jenny Smith, Ms Ros Sten, Ms Jaklyn Hensley, Mr Bradley Walker, Mr Patrick Anderson, Ms Veronica Harris

LCC Officers: Mr Gibbons, General Manager; Ms Sullivan, Head of Customer Experience; Ms O'Regan, Manager of Investment and Growth; Ms Butcher, Property Services Manager; Mr Wilson, Executive Officer – Customer Strategy; Dr Steel, Environmental Strategies Coordinator; Ms Sproule, Community Engagement Officer

Guest: Mr Aaron Hoffman, NDC

Apologies & Absence

Apologies: Councillors Krieg, Bird, Members Ms Thelma James, Mr Brandan Harrington

Absent: Ms Caroline Atkinson, Ms Marie Delbridge, Ms Edna King, Ms Jessie Mullard, Ms Cindy Roberts and Ms Leearna Williams

Confirmation of Minutes

RESOLVED that the minutes of 6 December 2023 be confirmed.

(Members Anderson/Smith) (BP23/1045)

Voting for: Councillors Ekins, Rob, Members Anderson, Harris, Hensley, Smith, Sten and Walker

Voting against: Nil

Disclosure of Interest

Nil.

Aboriginal Advisory Group Minutes 21 February 2024

5.1 Urban Rivers and Catchments Riparian Restoration Project

- AAG17/24 **RESOLVED** that:
1. the Group support the Urban Rivers and Catchments Riparian Restoration Project
 2. Council send the invitation to work collaboratively on this project through the Aboriginal Advisory Group, on receipt of approved funding
- (Members Sten/Hensley) (BP24/54)
- Voting for:** Councillors Ekins, Rob, Members Anderson, Harris, Hensley, Smith, Sten and Walker
- Voting against:** Nil

5.2 Lismore Vision and Blueprint

- AAG18/24 **RESOLVED** that:
1. the report be noted and accepted
 2. Council attends and supports ongoing community events to discuss the vision for Lismore
 3. the Group send any suggestions for engaging with the community on this project to (lismorenow@lismore.nsw.gov.au).
- (Members Smith/Sten) (BP24/123)
- Voting for:** Councillors Ekins, Rob, Members Anderson, Harris, Hensley, Smith, Sten and Walker
- Voting against:** Nil

5.3 NAIDOC Week Update

- AAG19/24 **RESOLVED** that the Group receive and note this report.
- (Members Walker/Smith) (BP24/132)
- Voting for:** Councillors Ekins, Rob, Members Anderson, Harris, Hensley, Smith, Sten and Walker
- Voting against:** Nil

Aboriginal Advisory Group Minutes 21 February 2024

5.4 Proposed Road Name "Banyam Place" in new Goonellabah Development

- AAG20/24 **RESOLVED** that:
1. the Group support the name Banyam Place for the mapped subdivision in Goonellabah
 2. the Banyam Place sign must point towards North Lismore
 3. new developments come through the Aboriginal Advisory Group with/for suggestions on Aboriginal road names
- (Members Hensley/Sten) (BP24/95)
- Voting for:** Councillors Ekins, Rob, Members Anderson, Harris, Hensley, Smith, Sten and Walker
- Voting against:** Nil

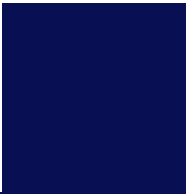
5.5 Reconciliation Action Plan 2024-2026

- AAG21/24 **RESOLVED** that:
1. the Group receives and notes the report
 2. Council attends and supports ongoing community events to discuss development and gain insight for the RAP 2024 - 2026
- (Members Smith/Sten) (BP24/131)
- Voting for:** Councillors Ekins, Rob, Members Anderson, Harris, Hensley, Smith, Sten and Walker
- Voting against:** Nil

Closure

This concluded the business and the meeting closed at 7 pm.

Matters Arising



Matters Arising

Subject	Questions on Notice
TRIM Record No	BP24/170: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 February Ordinary Council meeting. As per clause 9.17 of the Code of Meeting Practice responses are being reported.

Recommendation

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

Background

Item 11.5 Transfer of Crown Road to Council – Part Airforce Road, East Lismore (Clr Guise)

1. What is the development?
2. Is it done by another agency as a Complying Development and Council doesn't have any approval process for it?

Officer response:

The Development Application proposes a multi-dwelling housing development consisting of 22 units with associated driveways, parking, stormwater and landscaping works. The precise proposal description is as follows: *To undertake the erection of a multi-dwelling housing development, comprising 22 dwellings and associated vehicular access, earthworks, civil infrastructure works and landscaping.*

The application is a Development Application submitted to Council and therefore it is not Complying Development.

Lismore City Council is the determining authority for the Development Application and no other agency is involved as far as determining (approving or refusing) the application.

Item 11.6 Sustainable Procurement & Contracts Policy (Clr Guise)

1. Following issues being raised about Council contracting with RPQ, a subsidiary of Downer, why wasn't the issue with Carmichael Mine brought to councillors attention?

Officer response:

RPQ (a contractor used by Council) was purchased by Downer in October 2016. The current Procurement Policy, which includes an exclusion in relation to the Carmichael mine (owned by Adani), was adopted by Council on 12 December 2017, one week before the contract between Adani and Downer to provide services to the Carmichael mine was terminated. However, a new service contract between Adani and Downer was entered into in 2020. Current management are unsure as to why this was not brought to the councillors attention at the time. The onus is on Council however it would be extremely difficult for officers to monitor the numerous contractors Council uses to determine whether or not any contract with the Carmichael mine were to be entered into after being engaged by Council.

Attachment/s

There are no attachments for this report.

Matters Arising

Subject	Changes to VPA associated with 1055 and 1055A Bruxner Highway Planning Proposal
TRIM Record No	BP24/201:CDR23/2116
Prepared by	Strategic Planning Coordinator
Reason	Seeking the endorsement of Council to publicly exhibit a revised document to what was previously endorsed
Strategic Theme	Our built environment
Strategy	Our land-use planning caters for all sectors of the community.
Action	Provide opportunities for community engagement in the preparation of land-use strategies and zone reviews.

Executive Summary

A Draft Voluntary Planning Agreement (VPA) was received and endorsed by Council at the 21 November 2023 Council meeting in relation to a rezoning planning proposal at 1055 and 1055A Bruxner Highway, Goonellabah. A revised draft has been received with changes described within this report. It is recommended that the revised draft be put on public exhibition with other documents associated with the Planning Proposal.

Recommendation

That Council:

1. delegates the General Manager to finalise a revised Draft Voluntary Planning Agreement that is in accordance with the changes outlined in this report
2. places the Draft Voluntary Planning Agreement on public exhibition in line with the requirements of the Gateway Determination

Background

At the Ordinary Council meeting of 21 November 2023, it was resolved that:

1. *Council supports the Planning Proposal to amend the zone and planning controls for 1055 and 1055A Bruxner Highway, Goonellabah (Lot 42, DP 868366 and Lot 1, DP 957677) as detailed in this report.*
2. *Council staff submit the Planning Proposal to the Department of Planning and Environment with a request for a Gateway Determination*
3. *in line with conditions of the Gateway Determination, Council staff place the Planning Proposal on public exhibition and consult with Government agencies.*
4. *following close of the public and government agency exhibition period, staff report back to Council.*

The Gateway Determination was received on 13 December 2023 and it is intended to be put on public exhibition concurrently with a site-specific Development Control Plan (DCP) that is the subject of a separate report to Council.

One of the documents that was submitted, and forms part of the Planning Proposal was a Draft Voluntary Planning Agreement (VPA) from the landowners to provide a range of public benefits at the site. The first two items within the Draft VPA involved the dedication of land to the NSW Reconstruction Authority (RA) for 'post flood house relocation' and also to an unspecified Community Housing Provider for 'affordable housing'. The offer was to provide the land at 'cost price' (the RU1 value of the land plus the cost of servicing the sites).

The NSW Reconstruction Authority (RA) has advised that whilst it are willing to support Council to undertake an infrastructure needs assessment for the site, until such time as this matter is addressed, they can't be a party to the VPA.

Council officers have been in negotiations with the landowners to amend the VPA and the landowners are agreeable to providing a smaller amount of land to be dedicated to Council free of charge to be used for affordable housing purposes.

A second change relates to a clarification about Council receiving land for affordable housing purposes. It was intended Council would ultimately work with a Community Housing Provider (CHP) to provide the housing, but an EOI or tender process would need to be conducted at a later date, rather than nominating a CHP to be a signatory to the VPA at this stage.

The other components of the VPA are to remain fundamentally unchanged.

Details of changes

The proposed changes to the Draft VPA are summarised in the table below:

Table 1: Summary of Draft VPA changes

Element (previous draft)	Revised draft
Dedication of land to NSW RA at cost price in the form of 15 serviced lots for low-density residential use;	Dedication of land to Council at no cost in the form of 10 serviced lots or equivalent land area within the R1 zoned area for affordable housing purposes.
Dedication of land at cost price to a CHP in the form of 3000m ² of serviced land for medium-density residential use;	Dedication of land to Council at no cost in the form of a total of 2000m ² of serviced land for affordable housing purposes.
Dedication of land free of charge along the Tucki Tucki Creek corridor	(No change)
Embellishment of the Tucki Tucki creek corridor in the form of revegetation and construction of a public footpath	(No change)
Dedication of land free of charge within the northern precincts for the purpose of public recreation;	(No change)
Embellishment of land within the northern precincts for the purpose of public recreation; and	(No change)
Construction of a shared path (bridge) that crosses the Tucki Tucki creek and connects the northern and southern precincts.	(No change)

A final draft of the VPA could not be completed in time to meet reporting deadlines for the 12 March Council meeting, however it needs to be included as part of the public exhibition of documents in line with the Department of Planning, Housing and Infrastructure (DPHI)'s Gateway requirements. Therefore, it is recommended that the General Manager be given delegation to finalise the draft VPA in accordance with the changes outlined above prior to it going on public exhibition.

Other officer comments

The proposal that Council receives serviced residential land for the purpose of providing affordable housing has been discussed with Council's Head of Shared Services and also Property Services Manager. They are supportive of the proposal.

Public consultation

Subject to Council endorsement, the Draft VPA will be exhibited as part of the Planning Proposal in accordance with the Gateway requirements.

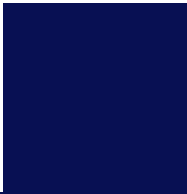
Conclusion

A Draft VPA was previously endorsed as part of the Planning Proposal for land at 1055 and 1055A Bruxner Highway, Goonellabah at the November 2023 Council meeting. The proposed changes and the reasons for them are described in this report. It is recommended that the General Manager be given delegation to finalise a revised Draft VPA and put it on public exhibition as part of the Planning Proposal in accordance with the requirements of the Act and the Gateway Determination.

Attachment/s

There are no attachments for this report.

Reports of the General Manager



Report

Subject	Planning Proposal for an Affordable Housing Contribution Scheme
TRIM Record No	BP24/147:EF22/135
Prepared by	Strategic Planner
Reason	The report recommends lodging a Planning Proposal with the Department of Planning, Housing and Infrastructure for a Gateway Consideration. The intent of the Planning Proposal is to introduce an Affordable Housing Contribution Scheme into the Lismore LEP 2012.
Strategic Theme	An inclusive and healthy community
Strategy	Our community is a desirable place to live, an easy place to work and a welcoming place to visit.
Action	Create liveable communities for all.

Executive Summary

This report outlines the legislative basis and the process taken for the preparation of an Affordable Housing Contributions Scheme (AHCS). Economic modelling has been undertaken that demonstrates an AHCS can feasibly be applied to a number of sites within the Lismore local government area (LGA) (as shown in Map 5) and it is recommended the process of adopting an AHCS be continued.

The report is seeking a resolution for a Planning Proposal to introduce and embed the AHCS into the Lismore Local Environmental Plan (LEP) 2012 be supported and submitted to the Department of Planning, Housing and Infrastructure for a Gateway Determination and then to public exhibition before being reported back to Council for final consideration.

Recommendation

That:

1. Council supports the Planning Proposal to introduce an Affordable Housing Contribution Scheme into the Lismore LEP 2012 and applies it to the various parcels as outlined in this report
2. the General Manager submit the Planning Proposal to the Department of Planning, Housing and Infrastructure with a request for a Gateway Determination
3. in line with conditions of the Gateway Determination, the General Manager place the Planning Proposal and the Affordable Housing Contribution Scheme on public exhibition and consult with Government agencies
4. following the close of the public and agency consultation, the General Manager report back to Council

Background

An Affordable Housing Contribution Scheme (AHCS) is a defined scheme enabled and guided by the NSW Department of Planning, Housing and Infrastructure (DPHI). It can be applied **only when** an uplift in land value occurs due to a change in planning controls and that the future development of the land is determined to be viable with the proposed contribution. The intent is that some of the uplift in the land value is captured

by Council, either in the form of land or the equivalent monetary value and utilised by a Community Housing Provider to provide affordable rental housing in perpetuity.

For Lismore, this means it can be applied only to land identified in the Growth & Realignment Strategy that will go through a land rezoning that awards the landowner with a sufficient increase in land values — for example changing from an agricultural to a residential zone.

The introduction of an AHCS would allow Council to develop an ongoing portfolio of land and/or money to be utilised specifically for the creation of new affordable housing stock.

The proposed amendment to the LEP and associated scheme provides a signal to the market that such a contribution is required so that it can be factored in the costs of future development on the identified sites.

The introduction of an Affordable Housing Contribution Scheme (AHCS) is the result of:

- detailed analysis of Lismore's housing market, including its pressures and opportunities, carried out as part of the recently adopted Lismore Affordable and Diverse Housing Strategy 2023;
- viability testing carried out by Judith Stubbs & Associates on behalf of Lismore City Council; and
- review of the NSW Planning legislation, specifically Division 7.2 of the *Environmental Planning and Assessment Act 1979* (the Act) and the State Environmental Planning Policy (SEPP) (Housing) 2021.

Alignment with NSW Planning Legislation

Section 7.32(1) of the Act outlines the circumstances under which conditions can be imposed on a development consent requiring land or money for affordable housing, these being that the land that the development application relates to must be located in an area identified as having a 'need for affordable housing' in a SEPP. The relevant State Environmental Planning Policy for the purpose of identifying an area as having a 'need' for affordable housing is State Environmental Planning Policy (Housing) 2021 (SEPP Housing), which identifies that there is a need for affordable housing in the Local Government Area of Lismore.

Section 7.32(2) of the Act enables the consent authority to grant consent to a development application subject to a condition requiring the dedication of part of the land, or other land of the applicant, free of cost to be used for the purpose of providing affordable housing (**s7.32(2)(a)**); the payment of a monetary contribution to be used for the purpose of providing affordable housing (**s7.32(2)(b)**); or both.

Section 7.32(3) requires that a condition may be imposed only if that condition is authorised to be imposed by a Local Environmental Plan (LEP) and is in accordance with a contributions scheme set out in or adopted by such a plan. The section also requires a reasonable dedication or contribution having regard to the extent of affordable housing need, the scale of the proposed development, and any other contributions required to be made by the applicant.

Alignment with Lismore City Council and Regional Strategies

The implementation of an AHCS accords with the Imagine Lismore Community Strategic Plan (CSP), which was adopted by Council in accordance with the *Local Government Act 1993*. The plan identifies the main priorities and aspirations for the future of the LGA for a period of 10 years. The implementation of an AHCS contributes to the achievement of D4 'Our Community has a diversity of affordable housing options'.

Furthermore, an AHCS is specifically supported by Council's *Inspire Lismore 2040 Local Strategic Planning Statement* (LSPS), the *Lismore Growth & Realignment Strategy 2022* and the *Lismore Affordable and Diverse Housing Strategy 2023*.

The LSPS was adopted by Council on 14 July 2020 and endorsed by the Department of Planning, Housing, and Infrastructure (formerly known as the Department of Planning and Environment DPE) on

20 August 2020. The introduction of an AHCS specifically aligns with Priority 1 and Priority 2 of the LSPS which seek to enable sufficient residential development, investigate merits of an AHCS and increase the ability for affordable housing to be delivered within the LGA. The LSPS called for updating the Lismore Housing Strategy (then 2012) to investigate the merits of an Affordable Housing Contribution Scheme and associated LEP amendments (Action A1.2).

As a result, in March 2023, Council adopted the *Affordable and Diverse Housing Strategy*. Action 14 of this Strategy is to develop an AHCS. The strategy itself provides the evidence base required to initiate the AHCS process and sets a target that 15% of all new housing will be affordable to households in the very low to moderate income categories by 2033.

The Growth & Realignment Strategy 2022 was adopted by Council on 13 December 2022 and conditionally approved by DPE on 22 June 2023. It identified the land to which viability testing would be applied to for a future AHCS.

Additionally, an AHCS contributes to the achievement of objective two of the North Coast Regional Plan 2041 (NCRP). Objective 2 of the NCRP is to 'Provide for more affordable and low cost housing'. It seeks to improve the affordability of housing in the north coast and notes the challenges of the housing market in the region.

The AHCS aligns also with objective 1 of the Lismore Regional City Action Plan 2036 (LRCAP). Objective 1 of the LRCAP is to 'Support community aspirations for greater housing diversity and choice'. Actions 1.1 and 1.2 within this objective specifically relate to affordable housing:

- 1.1 Encourage housing options that support social inclusion, including crisis accommodation, housing for seniors and persons with a disability, lone-person households and affordable living,
- 1.2 Form partnerships to develop proposals that facilitate an increase in affordable and smaller forms of housing, higher density and community living options.

AHCS Investigation

In accordance with Lismore City Council's strategic direction as outlined above, Council officers have investigated the merits of implementing an AHCS. Through the awarding of a Department of Planning, Housing and Infrastructure grant, Lismore City Council engaged a planning and economic consultancy (Judith Stubbs & Associates) to investigate the feasibility of implementing an AHCS in relation to all land included in the Growth and Realignment Strategy (GRS).

The economic testing found that applying an affordable housing contribution scheme would make development on most of the GRS sites unviable. Specifically, expansion of village areas and greater density provisions within existing urban areas was found not to be viable with the inclusion of an AHCS. Therefore, it is not recommended that the AHCS be applied to all sites identified within the GRS.

However, economic viability testing on new greenfield and urban fringe sites within the GRS would be capable of comfortably making an affordable housing contribution, with development still being viable and developers and landowners still receiving sufficient profit.

The investigations, and preparation of the AHCS, was carried out in accordance with the legislation as stepped out above and the *Guideline for Development an Affordable Housing Contribution Scheme* published by the Department of Planning, Housing, and Infrastructure (DPHI). The DPHI's Manager of Planning for the Northern Region provided support to Lismore City Council and the consultants throughout the process.

Proposed sites and rates for implementing an AHCS

Viability testing was undertaken in relation to precincts where geographies, characteristics and housing market trends were found to be similar across the specific sites within the precinct. This approach was tested with and approved by the DPHI.

Viability testing for all precincts included a range of sensitivities to ensure the calculations were conservative, these include but are not limited to:

- 22% profit margin for the developer
- 30% land premium, enabling the developer to buy the land from the landowner at a higher rate
- most recent construction costs

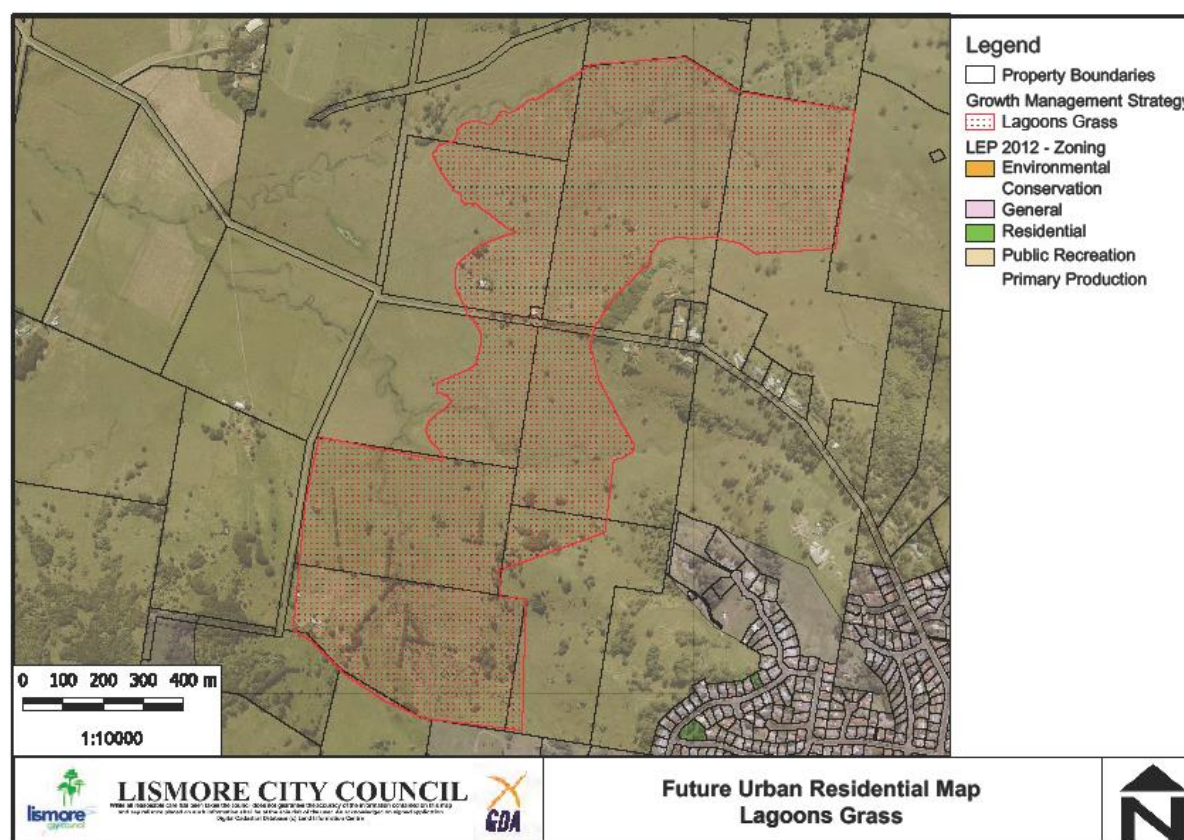
Precinct 1 – Greenfield Land in Goonellabah

This precinct includes sites known locally as Trinity Drive and Lagoon Grass.

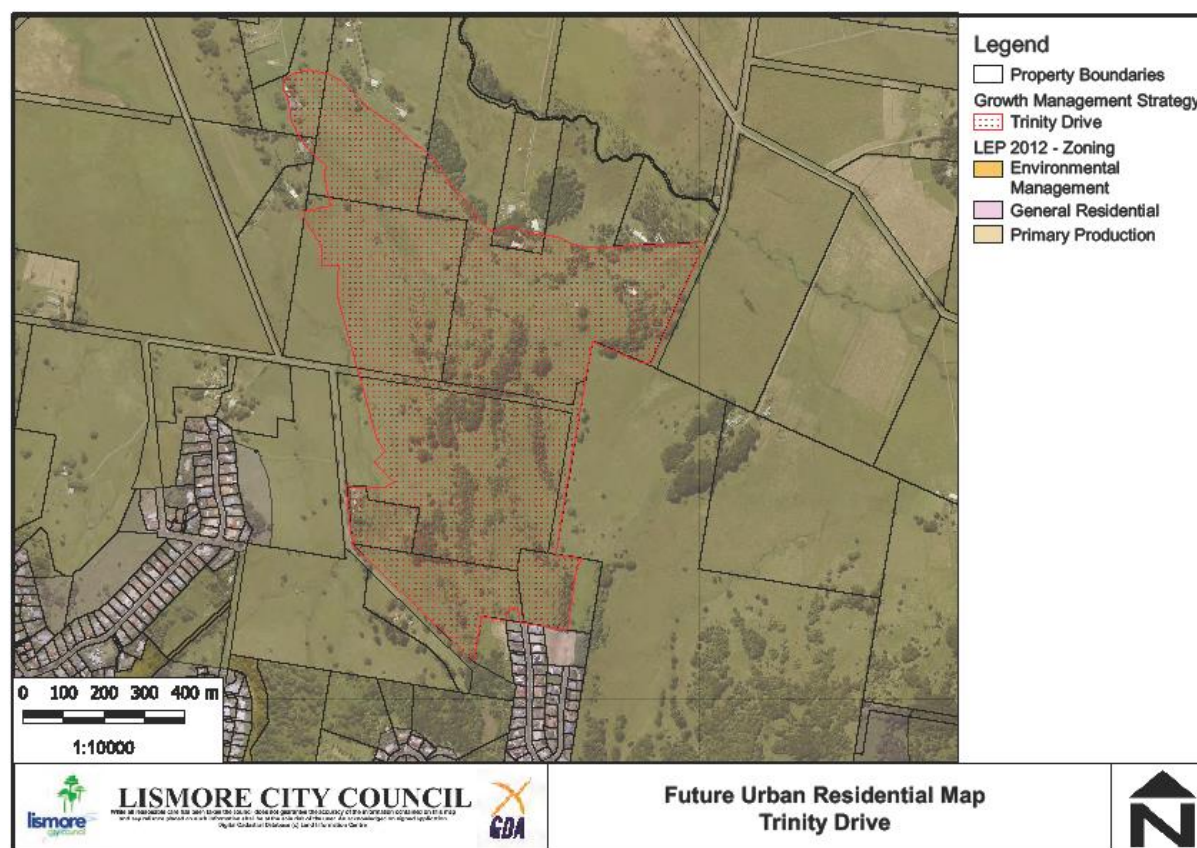
The assessment shows that development of the site for a residential subdivision will be viable with an affordable housing contribution equivalent to 53% of lots. Sensitivity testing assuming a 30% premium for lot purchase showed development would be viable with an affordable housing contribution of 52% of lots.

It is recommended that a 10% contribution rate be set for these two sites.

Map 1 - Lagoon Grass



Map 2 - Trinity Drive



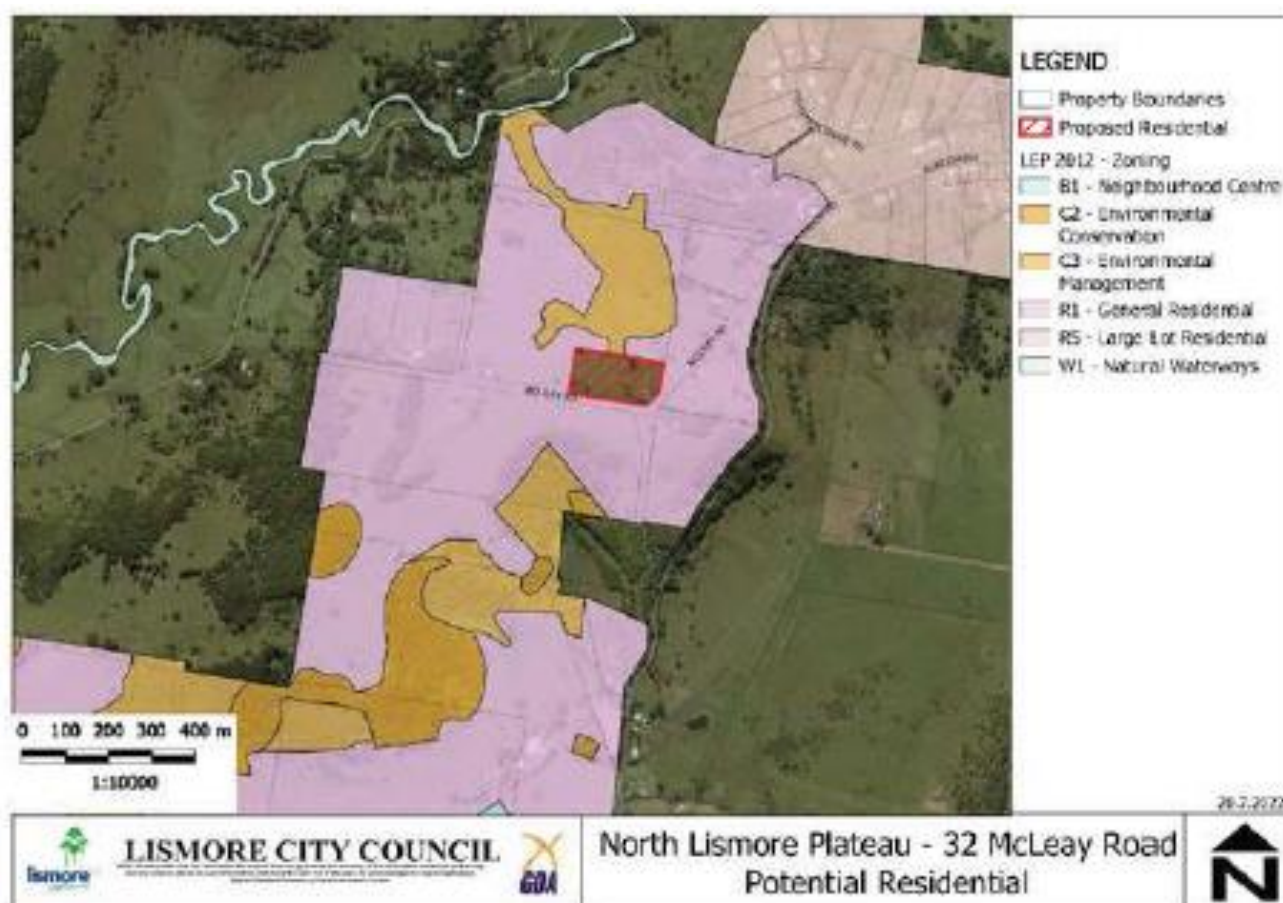
Precinct 2 – 32 McLeary Road, North Lismore Plateau

This precinct includes just the one 2ha site at 32 McLeary Road, North Lismore Plateau. This is one single parcel contained within the existing residentially zoned area known as North Lismore Plateau, that for historical reasons was not rezoned at the same time as the surrounding land.

The assessment shows that development of the site for a residential subdivision will be viable with an affordable housing contribution equivalent to 15% of lots. Sensitivity testing assuming a 30% premium for lot purchase showed development would be viable with an affordable housing contribution of 7% of lots.

It is recommended that a 7% contribution rate be set for this site.

Map 3 - 32 McLeay Road, North Lismore Plateau



Precinct 3 – infill parcels around East Lismore and Goonellabah

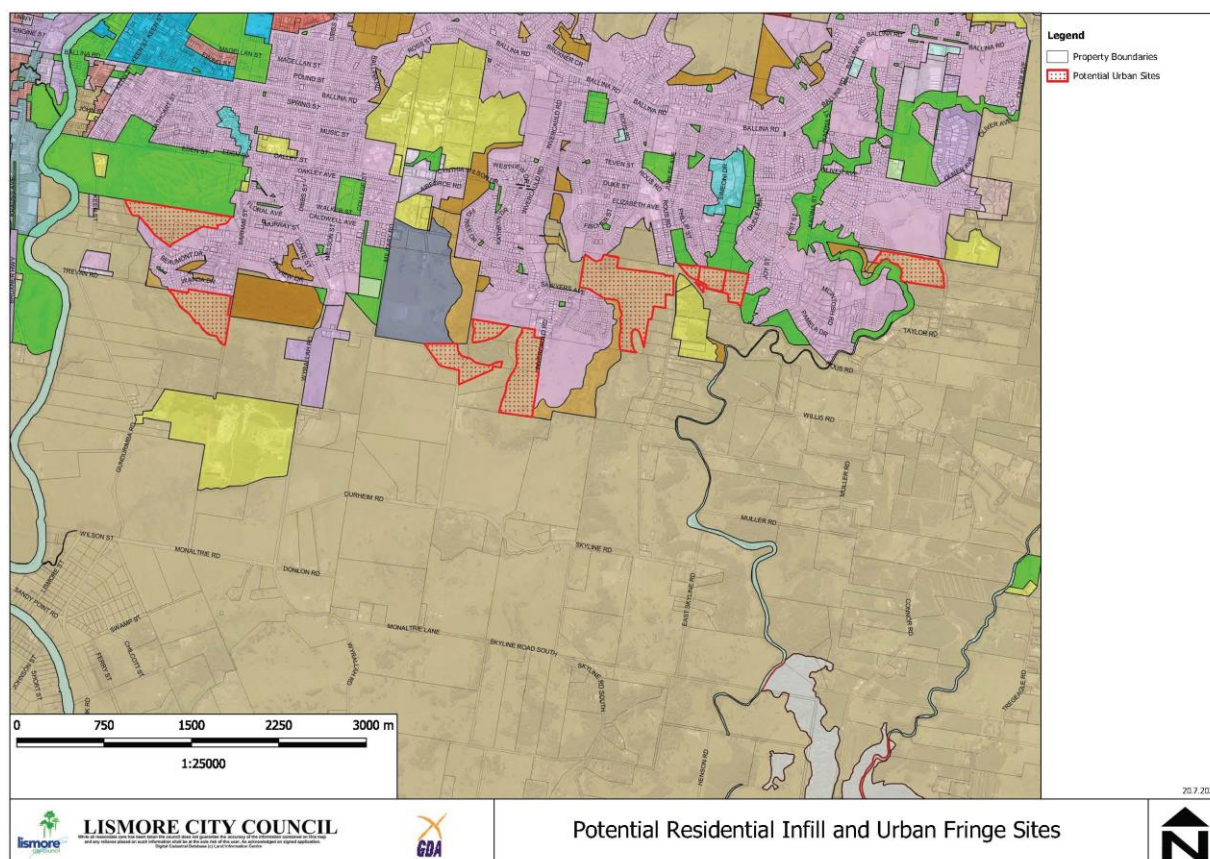
This precinct includes various sites on the existing urban fringe of East Lismore and Goonellabah. Due to the assessment uncovering some slight differences in land prices between the two suburbs, two assessments were carried out – one for the western East Lismore area and one for the eastern Goonellabah area.

For the western end of the precinct (assessment 3a), the assessment shows that development of the site for a residential subdivision will be viable with an affordable housing contribution equivalent to 46% of lots. Sensitivity testing assuming a 30% premium for lot purchase showed development would be viable with an affordable housing contribution of 44% of lots.

For the eastern end of the precinct (assessment 3b), the assessment shows that development of the site for a residential subdivision will be viable with an affordable housing contribution equivalent to 57% of lots. Sensitivity testing assuming a 30% premium for lot purchase showed development would be viable with an affordable housing contribution of 56% of lots.

It is recommended that a 10% contribution rate be set for all sites within this precinct.

Map 4 - Infill parcels in East Lismore and Goonellabah



Note: part of the land identified on this map at 389 Keen St, East Lismore has already been zoned for residential use and therefore will not be subject to the Affordable Housing Contribution Scheme.

Proposed changes to the Lismore Local Environmental Plan 2012

In accordance with Section 7.32 of the *EP&A Act*, an AHCS must be implemented through a Local Environmental Plan (LEP). Amendments to a LEP must be actioned through a Planning Proposal.

Therefore, the attached Planning Proposal seeks to include a new clause within Part 6 Additional Local Provisions of the Lismore LEP 2012. The proposed clause is set out below.

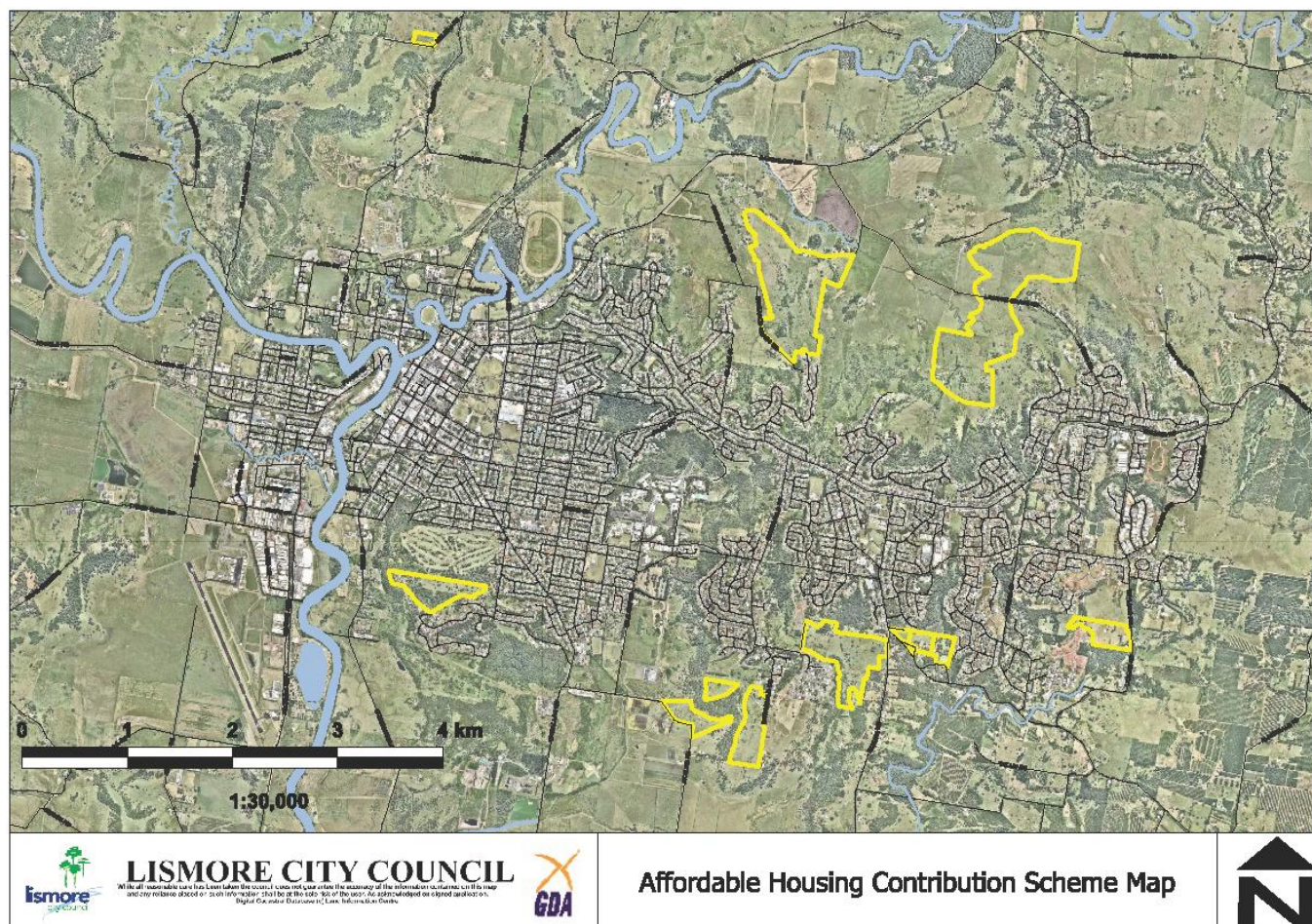
6.12 Affordable housing contributions

- (1) The objectives of this clause are as follows—
 - (a) to capture increases in land value when rezoning of the land enables an increase in housing density,
 - (b) to enable the imposition of conditions relating to the provision of affordable housing,
 - (c) to deliver housing that promotes and retains a socially diverse residential population.
- (2) This clause applies to development for residential purposes on land identified as “affordable housing contribution area” on the Affordable Housing Contribution Scheme Map with the exception of:
 - (a) Public housing as defined in section 3 of the *Housing Act 2001*;
 - (b) Community housing as defined in section 3 of the *Housing Act 2001*; or
 - (c) Development on land zoned as R5 Large Lot Residential.
- (3) The consent authority may, when granting development consent to development to which this clause applies, impose a condition requiring an affordable housing contribution.
- (4) The contribution must be calculated in accordance with the *Lismore Affordable Housing Contributions Scheme* adopted by the Council on [insert date].

- (5) In this clause —
affordable housing contribution area means the Lismore Local Environmental Plan 2012 Affordable Housing Contribution Scheme Map;
Lismore Affordable Housing Contribution Scheme means the Affordable Housing Contribution Scheme adopted by the Council on [insert date].

The Planning Proposal also seeks to introduce a new map to identify the areas where the Affordable Housing Contribution clause will apply. This will be titled Affordable Housing Contribution Scheme Map and will include new map sheets that identify the sites as shown in Map 5.

Map 5 - Land to which the AHCS will apply



Overview of the Planning Proposal

The assessment provided in the previous sections of the report show that a rezoning planning proposal can be supported. Table 1 below provides an overview of the planning proposal structured in accordance with the Department of Planning and Environment guidelines for planning proposals. The detailed Planning Proposal report is provided as attachment 1 to this report.

REQUIREMENT	JUSTIFICATION
Section A – Need for the Planning Proposal	
<i>Is the planning proposal a result of an endorsed LSPS, strategic study or report?</i>	Yes. The AHCS is supported and identified within the LSPS, the Lismore Growth and Realignment Strategy 2022 and the Lismore Affordable and Diverse Housing Strategy 2023.
<i>Is the planning proposal the best means of achieving the objectives</i>	

REQUIREMENT	JUSTIFICATION
<i>or intended outcomes, or is there a better way?</i>	A Planning Proposal is only way to implement an AHCS and therefore is the best means of achieving the objectives of enabling greater affordable housing in Lismore.
Section B – Relationship to Strategic Planning Framework	
<i>Will the planning proposal give effect to the objectives and actions of the applicable regional or district plan or strategy (including any exhibited draft plans or strategies)?</i>	Yes. The plan contributes to the achievement of objective two of the North Coast Regional Plan 2041 (NCRP). Objective 2 of the NCRP is to 'Provide for more affordable and low cost housing'. It seeks to improve the affordability of housing in the north coast and notes the challenges of the housing market in the region.
<i>Is the planning proposal consistent with a council LSPS that has been endorsed by the Planning Secretary or GSC, or another endorsed local strategy or strategic plan?</i>	Yes, the Planning Proposal is consistent with the LSPS and the Community Strategic Plan, specifically Priority 1 and 2 of the LSPS. This Planning Proposal also contributes to the achievement of D4 'Our Community has a diversity of affordable housing options' of Lismore's Community Strategic Plan.
<i>Is the planning proposal consistent with any other applicable State and regional studies or strategies?</i>	Yes, the Proposal is consistent and will positively contribute to the NSW Housing Strategy, Housing 2041. The NSW Housing Strategy sets out a 20 year vision for housing in NSW. It sets out the government's goals and ambitions for future housing that meets the current needs of residents. Its vision is set around four pillars; supply; diversity; affordability; and resilience.
<i>Is the planning proposal consistent with applicable SEPPs?</i>	
<i>Is the Planning Proposal consistent with applicable s9.1 Ministerial Directions?</i>	Yes, the Planning Proposal is consistent with the SEPPS and Ministerial Directions.
Section C – Environment, Social and Economic Impact	
<i>Is there any likelihood that critical habitat of threatened species, populations or ecological communities or their habitats, will be adversely affected because of the proposal?</i>	The proposal is in addition to planning controls and will not affect land use.
<i>Are there any other likely environmental effects of the Planning Proposal and how are they proposed to be managed?</i>	Economic modelling demonstrates that the proposed affordable housing contribution will be viable due to value uplift as a result of changes in planning controls. It will have a positive social impact with regard to increasing the supply of affordable rental housing appropriate to the needs of very low and low income households, the retention of historical populations in danger of being displaced through gentrification, reduce the increasing incidence of homelessness, and contribute to local and regional economic development through accommodating key workers close to their places of employment.
<i>Has the Planning Proposal adequately addressed any social and economic effects?</i>	
Section D – Infrastructure (Local, State and Commonwealth)	
<i>Is there adequate public infrastructure for the Planning Proposal?</i>	The proposal is in addition to planning controls and will not further affect demand for public infrastructure. The sites are within well-located areas in terms of transport and services.
<i>What are the views of State and Commonwealth public authorities consulted in accordance with the Gateway Determination?</i>	DPHI have been involved in the preparation of the AHCS. Consultation with other state agencies will take place in accordance with the conditions of the Gateway Determination.

Comments

Finance

The recommendation is supported as printed.

Public consultation

Preliminary engagement with affected landowners was also undertaken by Council on 26 October 2023.

Formal stakeholder and community consultation, including consultation with public agencies, will be undertaken by Council in accordance with the legislative requirements of the EP&A Act 1979 and any additional conditions as imposed in a Gateway Determination.

A 28 day public exhibition is recommended. The Gateway determination will confirm the public consultation requirements.

Conclusion

Lismore City Council has engaged a planning and economic specialist to investigate the feasibility of introducing an AHCS to the Lismore LEP, applying to a number of land parcels that are proposed and supported for future rezoning. The rezoning of these parcels is expected to enable a sufficient uplift in land values. Economic viability testing has found that these parcels (as shown in Map 5) can viably make a contribution to Lismore City Council for the purposes of delivering new affordable housing. Economic testing has confirmed that for these sites, development will still be viable if the contribution is applied, with existing landowners still benefiting from a significant uplift in their value and developers still making a 22% profit margin. If adopted, the introduction of an AHCS would allow Council to develop an ongoing portfolio of land and/or money to be utilised specifically for the creation of new affordable housing stock.

Attachment/s

1. [↔](#) Planning Proposal to introduce an AHCS (Over 7 pages)
2. [↔](#) DRAFT Affordable Housing Contribution Scheme (Over 7 pages)

Report

Subject	Investments - February 2024
TRIM Record No	BP24/246:EF22/122-2
Prepared by	Manager Finance
Reason	Required by Local Government Act 1993, Local Government (General) Regulations 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*.

This report includes the period to 29 February 2024.

- Investments held as of 29 February 2024 - \$117,757,135

*The face value represents the purchase price of investments.

In addition, Council held \$2.167 million as of 29 February 2024 in various bank accounts; being operational accounts; restricted funds held for grants or held in trust. These are not included in the Investment portfolio.

Council also holds advance flood funding of approximately \$31 million to commence approved restoration works on roads. These funds are held in an overnight money market account so as to maintain liquidity, the account is earning a rate of return of 4.50%. This amount has not been included within the investments held by Council report.

The percentage of the portfolio invested in Socially Responsible Investments (SRI) remains steady at 44% or \$51 million.

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

Investments returns – February 5.01%, this is compared to the Annualised Bank Bill (BB) Index bank rate of 4.43%.

Council's total return for the financial year 2023/24 is 4.78% compared to the Annualised BB Index bank rate of 4.31%.

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
January	\$117,757,135	\$119,829,531	\$121,002,000	\$123,101,851	5.01%	4.43%	44%

*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 February Council incurred normal operational expenses, such as employee costs, creditors, expenditure in relation to capital works program and the flood restoration program.

In addition, Council has approximately \$2.167 million held in various bank accounts; being operational accounts; restricted funds held for grants or held in trust. These are not included in the Investment portfolio.

Council has also received advance flood funding of approximately \$31 million to commence approved restoration works. These funds are held in an overnight money market account so as to maintain liquidity, the account is earning a rate of return of 4.50%.

Ethical Investments*.

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

February 2024 – \$4 million of new Non-Fossil Fuel investments were made. The rates achieved for these investments were in line with Fossil Fuel Investments, there being no opportunity cost to Council.

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 29 February was \$51 million, there was no change from the previous month, the percentage of the portfolio held in SRI is 44%.

* 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.

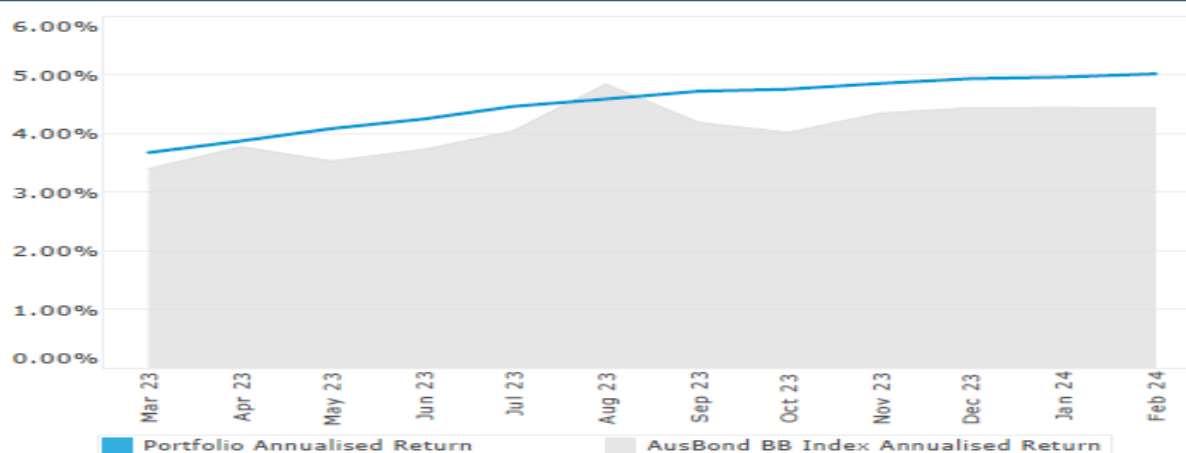
Lismore City Council Executive Summary - February 2024

Investment Holdings

	Face Value (\$)	Current Value (\$)	Current Yield (%)
Cash	19,757,135	19,757,135	4.5000
Term Deposit	98,000,000	100,072,396	5.0930
	117,757,135	119,829,531	4.9935

Investment Performance

Investment Performance

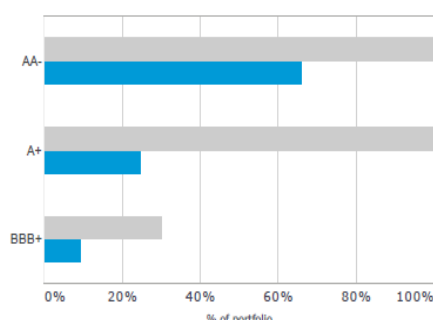


Over the last twelve months Council has consistently achieved a return better than the Annualised BB Index return.

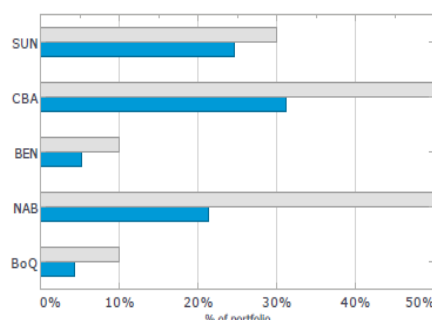
Compliance with Policy Requirements

Investment Policy Compliance

Total Credit Exposure



Individual Institutional Exposures



Term to Maturities

	Face Value (\$)	Policy Max
Between 0 and 1 years	116,757,135	99% 100% ✓
Between 1 and 10 years	1,000,000	1% 80% ✓
	117,757,135	

Specific Sub Limits		
Between 3 and 10 years	0	0% 50% ✓
Between 5 and 10 years	0	0% 25% ✓

(Ethical) Investments

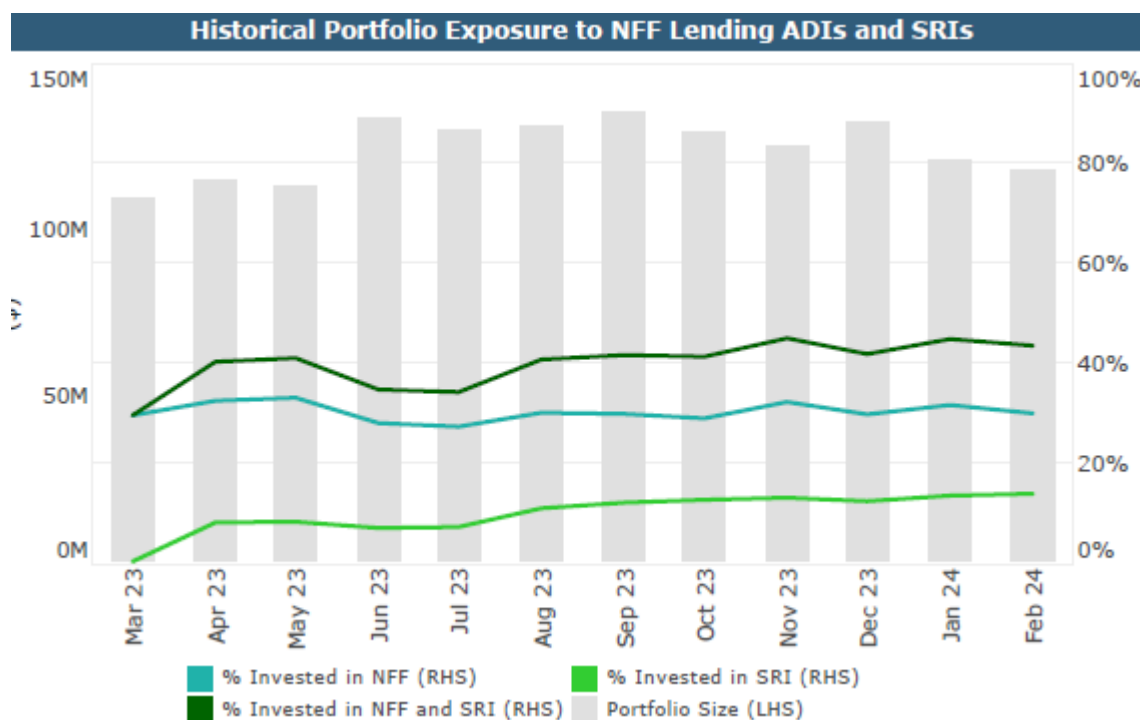
As part of the current policy framework and within the limits of prevailing legislation, Council's investments will be made in consideration of the principles of ethical investment management.

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

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

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

For new SRI investments made in February 2024 the opportunity cost was nil, that is the rate achieved by Council on Non-Fossil Products was either equal to or better than Fossil Fuel Products.



Maintaining adequate liquidity to progress flood restoration works.

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

The following amount has been included in the Investment Portfolio - Commonwealth Bank of Australia \$19,757,135. 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 52.04%.

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 February 2024 is provided.

Attachment/s

1. [🔗](#) Investment Report February 2024 (Over 7 pages)

Report

Subject	Review of Section 7.11 Contributions Plan
TRIM Record No	BP24/25:EF18/422
Prepared by	Strategic Engineer
Reason	Seeking Council's endorsement to put a new draft Contributions Plan on public exhibition.
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

Lismore City Council's current development contributions plan, the Section 94 Contributions Plan, was adopted in 2014 and came into effect on 1 January 2015. It covers all land within the local government area other than the North Lismore Plateau which is covered under its own contributions plan. The 2014 Plan looked at Lismore's forecast population to 2024 and established a program of works for new infrastructure requirements and set applicable rates for new developments to contribute.

The new draft Section 7.11 (formerly Section 94) contributions plan is intended to replace the current 2014 Contributions Plan and includes a new works schedule that is consistent with our strategic documentation and caters for our future growth areas. The planning horizon for the new plan is from 2024 to 2041. The works schedule will include projects in the following categories;

- Community Facilities
- Public Domain Facilities
- Open Space and Recreation
- Walking and Cycling
- Traffic Management
- Stormwater Management

The categories of emergency services, car parking and street trees (now moved into Public Domain Facilities) that were included in the 2014 Plan have not been carried over and any existing funds collected for these categories will be appropriately dispersed in accordance with the requirements of the 2014 Contributions Plan.

As a result of the new works program and the methodology used to develop the revised Section 7.11 Plan the contribution rates for urban residential and retail have increased, whilst the rates for rural north residential and rural south, commercial (Business and Office Premises), and industrial have been reduced.

Recommendation

That:

1. Council place the draft Section 7.11 Contribution Plan 2024 on public exhibition in accordance with the requirements of the *Environmental Planning & Assessment Regulations*
2. a briefing is provided to Council on the results of any submissions
3. a report is brought back to Council with any proposed amendments to the draft plan seeking Council's endorsement

Background

Section 7.11 (formerly Section 94) of the *Environmental Planning and Assessment Act* (EP&A Act) allows Councils in NSW to impose conditions of consent requiring the payment of monetary contributions where a development is “*likely to require the provision of or increase the demand for public amenities and public services within the area*”. The *EP&A Regulations* set out the requirements for the preparation and approval of Contributions Plans.

Lismore City Council's current development contributions plan, the Section 94 Contributions Plan, was adopted in 2014 and came into effect on January 1, 2015. It covers all land within the LGA other than the North Lismore Plateau which is covered under its own contributions plan. The 2014 Plan looked at Lismore's forecast population to 2024 and established a program of works for new infrastructure requirements and set applicable rates for new developments to contribute.

Given the age of the plan, it is in need of being updated. Many of the projects have been completed, population forecasts are in need of updating and Council needs to refresh its infrastructure priorities. The draft Contributions Plan attached to this report sets out a new proposed program of works and sets the applicable rates for different types of development. The draft plan is forecast to cater to new development through to 2041 but should be periodically reviewed. Not all costs for projects within the draft works program will be funded through Section 7.11 Contributions. Rather, contributions must be proportional to the demand generated by new development. Grant funding and other Council capital expenditure will be required to deliver the identified infrastructure projects, as outlined within the draft plan.

This report sets out proposed updates in the draft Contributions Plan and recommends that it be placed on public exhibition in accordance with the requirements of the *EP&A Regulations*. Subject to any changes as a result of community feedback and subsequent adoption by Council, it is intended that the revised Contributions Plan would come into effect from 1 July 2024. Existing funds on hand at that time will be rolled over and used for new projects where an appropriate category is continued in the revised plan. Where a category is discontinued, Council will need to spend funds on hand on the projects identified within the 2014 Plan.

Strategic alignment

Updating the 2014 Section 94 Contributions Plan is identified in the following Council strategic plans:

Local Strategic Planning Statement

A1.6 – *Review the S.7.11 infrastructure contributions plan to ensure it reflects future infrastructure needs and aligns with water and wastewater infrastructure plans, as well as social infrastructure, open space, street trees, walking and cycling paths.*

Delivery Program and Operational Plan

D3.1.01 – *Review the S7.11 Contributions Plan*

Proposed Works Program

The proposed works program is summarised in the table below with more detailed information included within the Section 7.11 Contributions Plan (attached)

Description	Total Facility Cost	Existing 7.11 Funds	Cost to New Development (7.11 Contributions)	Cost to Council (General Revenue, Grants, etc)
Community Facilities				
Goonellabah Sports & Aquatic Centre Expansion and Upgrades	\$2,100,000	\$430,032	\$171,811	\$1,498,157
Goonellabah Sports & Aquatic Centre - Separation of Pools	\$359,344	\$73,585	\$29,400	\$256,359
Public Domain Facilities				
Public domain improvements	\$4,044,600	\$564,600	\$358,033	\$3,121,967
Open Space and Recreation				
Tucki Tucki Creek corridor open space acquisitions and embellishment	\$975,540	\$61,967	\$93,991	\$819,582
CBD Community Infrastructure	\$4,500,000	\$285,845	\$433,565	\$3,780,590
District & Regional Park Upgrades	\$2,038,400	\$129,481	\$196,395	\$1,712,524
Wade Park Masterplan Implementation	\$2,850,000	\$181,035	\$274,591	\$2,394,374
Local Park Upgrades - Urban (5 Parks)	\$925,000	\$58,757	\$89,122	\$777,121
Local Park Upgrades - Rural North (Bexhill, Clunes, Dunoon, Nimbin, Channon)	\$925,000	\$58,757	\$89,122	\$777,121
Local Park Upgrades - Rural South (1 Park)	\$185,000	\$11,751	\$17,824	\$155,425
Community Sports Facility Upgrades	\$5,323,000	\$338,123	\$512,860	\$4,472,017
Rail Trail Supporting Infrastructure	\$620,000	\$39,383	\$59,736	\$520,881
Walking and Cycling				
Walking and Cycling Strategy - Delivering Works Program	\$12,800,000	\$678,600	\$1,247,087	\$10,874,313
Traffic Management				
Simmons Avenue traffic management scheme (Invercauld to Rous)	\$1,900,000	\$173,962	\$776,038	\$950,000
Cynthia Wilson Drive / Invercauld Road Roundabout Upgrade (HRV)	\$1,100,000	\$100,715	\$499,285	\$500,000
Rous Road / Oliver Avenue Roundabout Upgrade	\$900,000	\$82,403	\$317,597	\$500,000
Northern Bypass - Pineapple Rd to Bangalow Rd	\$17,500,000	\$1,602,286	\$10,397,714	\$5,500,000
Northern Bypass - Pineapple Rd to Bangalow Rd - Survey and Design	\$500,000	\$45,780	\$454,220	
Dalley Street LATM (Military Road to Wyrallah Road)	\$2,600,000	\$238,054	\$361,946	\$2,000,000
Rural road upgrades	\$5,000,000	\$961,600	\$472,384	\$3,566,016
Stormwater Management				
Stormwater Quality Management Works	\$2,000,000	\$0	\$1,460,000	\$540,000
Total	\$69,145,884	\$6,116,716	\$18,312,722	\$44,716,446

Community Facilities

This element will provide contributions towards the embellishment of the Goonellabah Sports and Aquatic Centre. These works will include;

- expansion and upgrade of the existing facility to improve capacity and services
- providing public amenities in the skatepark area
- separation of the pool heating and filtration systems

Public Domain Facilities

Public domain improvements within the Lismore CBD area entails upgrades to paving, landscaping, walkways and paths, street furniture, street lighting and street trees to provide for a high-quality urban space to support residents and businesses in their day-to-day activities including convenience shopping, personal services, employment, and general passive recreation.

Open Space and Recreation

This program of works will include the carryover of the Tucki Tucki Creek Corridor embellishment from the previous plan, along with delivering embellishment of sportsgrounds, local parks, recreation facilities and other community infrastructure in accordance with the Open Space Strategy 2023.

Walking and Cycling

The additional resident and worker populations will require new and augmented walking and cycling facilities. This section of the works program will deliver walking and cycling infrastructure as detailed in the Walking, Cycling and Micromobility Strategy 2023.

Traffic Management

Additional traffic from future development will require new and augmented traffic management facilities to assist in providing a safe, efficient and user-friendly transport network. The program of works will include the continuation of the Rural Roads Upgrades along with delivering the intersection upgrades, local traffic management measures and new roads as detailed in the Strategic Road Review 2023.

Stormwater Management

All new development in the Lismore LGA is required to contribute toward trunk stormwater management facilities such as gross pollutant traps/trash racks, pipe capacity upgrades and ancillary works to control pollutants entering waterways and other natural environments. The delivery of these works will be in accordance with the Urban Stormwater Management Plan.

Current Section 94 Plan Being Removed

Community Services and Facilities

Whilst this category remains in the works schedule the proposed plan will focus on Council owned land/assets as opposed to community centers and halls which were included in the previous plan (see Figure below). In this regard the existing reserve funds of \$148,200 (plus interest) will be allocated appropriately in accordance with the current plan.

5.5 Works program

Table 18 Community Services and Facilities Works Program - Villages

Works	Costs	Existing Funds Pooled	Final Works Cost	Timing
Embellishments for the Nimbin community centre; Dunoon community hall; Bexhill hall; Caniaba hall; and Wyrallah hall	\$148,200	\$148,200	\$0*	Short to Medium Term

* zero cost after deductions existing funds means no further contributions are required to complete the embellishments.

Figure: Works item from 2014 Contributions Plan

Emergency Services

The 2014 Contribution Plan currently collects funds for both the SES and RFS. Through internal stakeholder consultation it was decided to not carry emergency services into the new plan for the following reasons;

- The SES is a state organisation and thus should not be funded by local government
- Planning Proposals and Development Applications are referred to the RFS at which time it can provide comment on what facilities/expansion is required for new development.

Council has \$43,100 of current Section 7.11 funds that will be allocated appropriately in accordance with the 2014 contributions plan.

Car Parking

The car parking category within the 2014 Contribution Plan was a rollover from the previous contribution plan where an amount of \$65,200 was collected. It was determined with the 2014 Contribution Plan to not apply a car parking contribution rate as there was no information to suggest there was a shortfall of public parking spaces. This theory has been adopted for the proposed plan and thus this line item will be closed out and the \$62,500 in reserves for carparking will be allocated to an appropriate project.

Street Trees

The street tree category has been removed with the works now being included within the Public Domain Facilities. It must also be noted that changes to Councils Development Control Plans (DCP's) since 2014 now require developments to install street trees along all new roads.

Council has \$52,500 of current Section 7.11 funds that will be allocated appropriately in accordance with the 2014 contributions plan.

Proposed Contribution Rates

Development Type	Base (per)	Catchment		
		Urban	Rural North	Rural South
Dwelling house / residential lot / exhibition home	Dwelling	\$7,052.67	\$6,333.57	\$6,333.57
Secondary Dwelling / Rural worker's dwelling	Dwelling	\$4,040.87	\$3,626.01	\$3,626.01
Residential Accommodation with 1 bedroom / bedsit	Dwelling	\$4,040.87	\$3,626.01	\$3,626.01
Residential Accommodation with 2 bedrooms	Dwelling	\$4,383.48	\$3,968.61	\$3,968.61
Residential Accommodation with 3 or more bedrooms	Dwelling	\$5,440.68	\$4,910.58	\$4,910.58
Seniors housing	Dwelling	\$3,999.75	\$3,630.98	\$3,630.98
Tourist and visitor accommodation, camping grounds, caravan parks, eco-tourist facilities	Bed / Site	\$1,352.49	\$1,374.61	\$1,374.61
Retail premises	100m ² GFA	\$20,101.55	\$24,210.38	\$24,210.38
Business Premises and Office Premises	100m ² GFA	\$4,714.01	\$5,653.17	\$5,653.17
Industry	100m ² GFA	\$2,075.57	\$2,486.45	\$2,486.45

Note: The contributions plan (attached) provides further detail on how to calculate levies for developments which do not fit into the categories above.

Comparison to Current Rates

The table below details how the contributions rates have changed from those within the 2014 Contributions Plan. Most development types have reduced, with urban residential and retail rates increasing. The primary reasons for these changes are;

- The proposed items within the works schedule and the development type for which they apply to. For example, the Simmons Avenue Traffic Management Scheme works item has only been applied to urban residential and not to commercial/industrial.
- The proposed plan uses traffic volumes (trips per day and peak hour trips) as the basis for providing comparisons between development types. It was found that the current plan (2014) did not have this comparison and thus made it difficult to assess DA's that were a combination of commercial/industrial and residential.

Development Type	Current Plan Rate (2023/2024)	Proposed Plan Rate	Change
Dwelling house / residential lot (Urban)	\$6,310.85	\$7,052.67	+\$741.82
Dwelling house / residential lot (Rural North)	\$6,848.97	\$6,333.57	-\$515.4
Dwelling house / residential lot (Rural South)	\$6,848.97	\$6,333.57	-\$515.4
Retail per m ² GFA	\$172.59	\$201.02	+\$28.43
Commercial (Business Premises and Office Premises) per m ² GFA	\$172.59	\$47.14	-\$125.45
Industrial per m ² GFA	\$34.10	\$20.76	-\$13.34

Comparison to Other Local Councils

The table below provides a summary of how the proposed contribution rates will compare to other local Councils within the region.

Development Type	Byron Bay	Ballina	Richmond Valley	Lismore
New Lot	\$7,139 - \$19,754	\$8,700 - \$20,000	Up to 1% of Cost	\$6333 - \$7,052
Retail (per m2)	Up to 1% of Cost	\$15 - \$730 (based on trip generation)	Up to 1% of Cost	\$201.02
Commercial (per m2)	Up to 1% of Cost		Up to 1% of Cost	\$47.14
Industrial (per m2)	Up to 1% of Cost		Up to 1% of Cost	\$20.76

Catchments

The catchment used in the 2014 Contributions Plan have been adopted again for this plan with the LGA being divided into three catchments: Urban, Rural North and Rural South. The catchments then have works item that are specific to each of them and are not charged against the other catchments, a summary of these items is shown below.

Catchment	Works Items
Urban	<ul style="list-style-type: none"> Local Park Upgrades – Urban (5 Parks) Simmons Avenue Traffic Management Scheme (Invercauld to Rous) Cynthia Wilson Drive / Invercauld Road Roundabout Upgrade (HRV) Rous Road / Oliver Avenue Roundabout Upgrade Dalley Street LATM (Military Road to Wyrallah Road)
Rural North	<ul style="list-style-type: none"> Local Park Upgrades – Rural North (Bexhill, Clunes, Dunoon, Nimbin, Channon) Rural Road Upgrades
Rural South	<ul style="list-style-type: none"> Local Park Upgrades – Rural South (1 Park) Rural Road Upgrades

All other works identified in the works schedule will be applied across all three catchments.

Population Projections

Based on the forecasts prepared by .id Consulting, it is estimated that 2,130 additional private dwellings will be constructed from 2024 to 2041 in those parts of the LGA to which this Plan applies. It is estimated that these dwellings will accommodate 5,210 new residents. The table below provides a summary of the estimated existing population and the forecast additional population subject to contributions under this Plan to 2041.

Table 1 Forecast Population 2024-2041 (.id, 2024) ^A			
	Existing	Forecast	Additional
	2024	2041	
Dwellings	20,150	22,280	2,130
Persons	45,430	50,640	5,210
Note: A. Excludes North Lismore Plateau.			

There is always a level of uncertainty with population projections, especially after the flood events Lismore has experienced in the last 5 years. However, it is important to continue to plan for infrastructure to support new growth areas and to ensure that future development contributes towards this using our best available population data and projections.

Comments

Finance

The recommendation as printed is recommended.

Other officer comments

The draft S7.11 Contributions Plan has been written in consultation with key Council officers.

Public consultation

The draft S7.11 Contributions Plan is to be publicly exhibited in accordance with the *EP&A Regulations*.

Conclusion

The 2014 Contributions Plan is at the end of its lifespan and needs to be updated. The proposed contribution plan and works schedule represent works items that are in accordance with other Council Strategic documentation and that will provide infrastructure for future growth areas of Lismore. It is recommended the draft Section 7.11 be out on public exhibition in accordance with the requirements of the *EP&A Regulations* and that community feedback is sought and reported back to Council.

Attachment/s

1. [↗](#) DRAFT Section 7.11 Contributions Plan 2024 (Over 7 pages)

Report

Subject	Destination Management Plan 2024-2028
TRIM Record No	BP24/33:EF23/84
Prepared by	Destination Coordinator
Reason	To report the outcomes of public exhibition and seek adoption of the Destination Management Plan.
Strategic Theme	Leadership and participation
Strategy	We communicate and engage with our community.
Action	Provide effective communication and information delivery, marketing and promotions.

Executive Summary

The draft Destination Management Plan 2024-2028 (DMP) (Attachment 2) was prepared in accordance with Council's Community Strategic Plan, and 2021-2022 Operational Plan and the Economic Development Strategy. The DMP provides a collective focus, strategic direction and actions for sustainably growing and managing the Lismore local government area (LGA) visitor economy to 2028 and beyond.

The DMP has been developed within the strategic framework of regional, state and national strategies, including Austrade Thrive 2030 The Re-imagined Visitor Economy strategy, Destination NSW Visitor Economy Strategy 2030 and North Coast Destination Management Plan 2030.

Recommendation

That Council adopt the Destination Management Plan 2024-2028.

Background

The Destination Management Plan 2024-2028 (DMP) provides a roadmap to maximise the return on investment from Council and Lismore LGA businesses.

The DMP is the result of a thorough and in-depth process that has taken nine months to develop. The appointment of industry experts to manage and draft the strategy, engagement with individual business operators, surveying past and potential visitors (Attachment 3) and industry stakeholders (Attachment 7), face to face industry workshops and interviews have been undertaken. Benchmarking with local government Councils in every state on the east coast (NSW, Queensland, and Victoria) with similar geographical locations, populations, and/or burgeoning tourism and events industry to examine their structure, visitor services (Attachment 4), eco-certification (Attachment 5), industry support, recreational vehicle (RV)/drive market (Attachment 6) and destination marketing. Background reviews were also undertaken on ecotourism, the RV market, and visitor services.

The North Coast of NSW is experiencing significant growth in tourism, a substantial year-on-year growth rate of 33.5%. Every minute of every day, Tourism delivers \$10,423 of domestic visitor spend into the North Coast, a total of \$15 million per day. It is considered the Lismore LGA is not realising the economic benefits other LGA's on the North Coast are.

Comments

Finance

The recommendation is supported as printed. Any funding requests should be considered as part of the development of the 2024-2025 Operational Plan.

Public consultation

The draft Destination Management Plan was placed on public exhibition from 6 November 2023 to 26 February 2024 (134 days) during which time 17 written submissions were received via Lismore City's Council's Your Say page (Attachment 1). Overall, the submissions received from a mix of local business owners, tourism industry professionals, business chambers and members of the community, showed positive support for the plan, congratulating Council on a strong and sound strategic document.

During the exhibition period, the draft DMP was also presented to Business Lismore and Nimbin Chamber of Commerce and Industry, the community via face-to-face engagement, interviews with industry stakeholders, by telephone and face-to-face who were involved in the development of the plan, Council officers, peer reviewed by Destination NSW, Destination North Coast, Southern Cross University Tourism Professor, and the Murdoch University Tourism and Event program.

It was also acknowledged in the feedback from peak tourism body, Destination North Coast, the strategy is an honest and accurate depiction of the industry. It confirmed Lismore LGA is firmly positioned to own the alternative lifestyle and regenerative tourism space as a unique value proposition for the North Coast NSW.

The following items raised in the feedback have been incorporated into the final draft of the DMP:

- the Nimbin Rainbow Walking Track be included as a project aligning to the competitive strengths of the Lismore LGA. (*Game changers, page 39 of DMP*)
- reference the Nimbin Chamber of Commerce survey papers provided as part of the supporting documents for the development of the plan. (*Supporting Documents, page 41 DMP*)
- highlight transportation as a key element to be developed to support visitor infrastructure. (*Strategic Objectives, Facilitate Growth, Page 36 Actions 5.1*).
- the business events market was identified as a domestic market segment suitable to support the growth of the Lismore LGA. This market segment has been included as a key market. (*Visitor Profiles, page 27 of DMP*)
- opportunity for stronger alignment to the growing health/wellbeing/wellness market as a key driver for visitor attraction. Agreed and incorporated throughout DMP. (*Competitive advantages, page 15, DMP Vision, pages 24 and 25, target markets page 26, showcasing our strengths page 34*).
- opportunity for stronger alignment to indigenous culture and connection to country. Agreed and incorporated. (*Strategic objectives, building the brand, page 33*).
- acknowledge collaboration with NSW Health Northern NSW Local Health District. (*Collaboration, page 8*)
- acknowledge collaboration with Create NSW (*Collaboration, page 8*)
- acknowledge strategic alignment to Destination North Coast Destination Management Plan 2023. (*Strategic Alignment, page 8*)
- support for streamlining Council processes and approvals to enable new regenerative tourism businesses and experiences in Lismore LGA to establish themselves. (*Strategic Objectives, Facilitate Growth, page 37, action 5.4*)

Conclusion

An extensive engagement process has been undertaken with key industry stakeholders to support the development of the Destination Management Plan 2024-2028. This has included reviewing the feedback received and amending the DMP.

Adoption of the Destination Management Plan 2024-2028 will ensure Council has a clear roadmap that provides a collective focus, strategic direction, and actions for sustainably growing and managing Lismore's LGA visitor economy now and for the future.

Attachment/s

- | | | |
|----------------------|---|----------------|
| 1. ↗ | Destination Management Plan 2024 - 2028 | (Over 7 pages) |
| 2. ↗ | Draft Destination Management Plan 2024-2028 Feedback Responses Report | (Over 7 pages) |
| 3. ↗ | Draft Destination Management Plan 2024 2028 Visitor Survey Report June 2023 | (Over 7 pages) |
| 4. ↗ | Draft Destination Management Plan 2024 2028 Visitor Information Review | (Over 7 pages) |
| 5. ↗ | Draft Destination Management Plan 2024 2028 ECO Certification Review | (Over 7 pages) |
| 6. ↗ | Draft Destination Management Plan 2024 2028 RV Feasibility Report 2023 | (Over 7 pages) |
| 7. ↗ | Draft Destination Management Plan 2024 2028 Industry Survey Report | (Over 7 pages) |

Report

Subject	Walking, Cycling and Micromobility Strategy 2024-2034
TRIM Record No	BP24/21:EF21/200
Prepared by	Sport & Recreation Lead
Reason	Seeking adoption of the Walking, Cycling and Micromobility Strategy 2024-2034.
Strategic Theme	A prosperous and vibrant city
Strategy	Our community is connected and convenient.
Action	Provide footpaths, cycle ways and pedestrian access that is safe and serviceable.

Executive Summary

The Walking, Cycling and Micromobility Strategy was prepared in accordance with the Community Strategic Plan, the 2021-2022 Operational Plan and the Sport and Recreation Plan.

The Strategy sets the vision and implementation of actions that will guide the management, development and use of walking and cycling infrastructure in Lismore's urban areas.

Following community consultation, the Strategy now focuses on Lismore's urban areas with a commitment to address village/ rural infrastructure at a place-based scale. As village plans are developed and adopted, the action plans will be included. Other minor changes have been made in accordance with the feedback and the Strategy is now ready for adoption.

Recommendation

That the Walking, Cycling and Micromobility Strategy 2024 be adopted.

Scope and preparation

The need for a Walking and Cycling Strategy was identified in the Sport and Recreation Plan to 2024 with Recommendation 2.1 to:

"Prepare a Walking and Cycling Strategy to encourage increased participation in walking and cycling for recreation, commuting and fitness."

It was identified that the Strategy should consider:

- *Links to the existing Cycleway Plan 2011 which focusses on commuter cycling.*
- *Opportunities for recreational walk/ cycle paths, including riverside paths.*
- *Network connectivity to key generators such as shopping centres, schools, major parks, public transport nodes.*
- *Connectivity to new residential areas and linkages to and within villages.*
- *Connectivity to nature-based recreation opportunities such as trail heads, rail trails, mountain bike trails.*
- *Hierarchy of walk/ cycle paths within the network.*

- High level consideration of disability access, safety (CPTED principles), lighting, shade, seating, water bubblers, and signage.
- Mapping of priority new developments and linkages.
- Cost estimates.

The Local Strategic Planning Statement (Inspire Lismore 2040) has a short-term action to:

“Prepare a Walking and Cycling Plan that identifies priorities and funding opportunities for pedestrian and cycling paths in urban and village environments and links key public facilities, open space destinations and employment hubs.”

The development of the Walking, Cycling and Micromobility Strategy (attachment 1) was also identified as an action in the 2021-2022 Operational Plan. Funding was allocated to undertake the project with work commencing in late 2021 with preliminary community consultation. However, the impacts of the February and March 2022 natural disaster and flood event shifted community priorities and required a reprioritisation of officers time, therefore further work on the Strategy was put on hold.

Work resumed in February 2023 with the draft strategy prepared and put on public exhibition for community feedback in August 2023. Feedback from the public exhibition was reviewed and associated amendments made, as covered in this report.

The term ‘micromobility’ was added to reflect the changing nature of personal transport devices. Sometimes referred to as Personal Mobility Devices (PMDs), ‘micromobility’ is a term that has been applied to a diverse range of lightweight vehicles usually (but not always) motor assisted and operated by a single person, with speeds less than 25km/h. It includes mobility scooters and all other e-riders legal within NSW. Within the Strategy, where there are references to cycling, cycleways, or bike riders, then it is implied other forms of micromobility are included as well.

Preliminary community consultation

In the last quarter of 2021 Council officers ran a Your Say survey and mapping tool to gain initial feedback from the community on open space, walking and cycling priorities within Lismore to input and guide the strategy (attachment 2). 238 residents responded to the Your Say survey that set questions around walking and cycling preferences and infrastructure. Results showed:

- residents primarily use the public open space in their neighbourhood for walking/running, walking the dog and bike riding. Other than forms of walking and cycling, playground use was the most popular use.
- when asked what prevents residents participating in walking, 29% stated safety, 26% stated lack of shade or resting facilities. Topography, weather, and lack of personal fitness were all also referenced with only 10% stating a lack of interest.
- when asked what prevents residents participating in cycling, 41% stated safety/lack of off-road bike paths. Topography and lack of ancillary facilities were also common.

Summary of the Strategy

The vision and aim of the Strategy is *‘People of all ages and abilities will access safe, connected and attractive options for walking, cycling and micromobility.’*

The Strategy identifies the benefits of walking and cycling, the barriers and opportunities in Lismore and sets out the following four objectives and associated actions that will be undertaken by Council over the 10-year horizon of the strategy:

- **Safe and Connected Infrastructure:** Plan, deliver and maintain a well-connected network of walking and cycling paths that reach key destinations.

- **Encourage Participation:** Encouraging a positive culture of walking and cycling through promotion and education initiatives as well as ‘on-the-ground’ infrastructure and amenity improvements.
- **Innovation Initiatives:** Pilot projects that support the growth of walking, cycling and micromobility.
- **Value For Money:** Monitor the benefits of walking and cycling from a health, economic and tourism perspective.

At the heart of the Strategy is an action plan for new facilities, divided into key urban precincts within the Lismore Local Government Area. For each precinct a map and associated table show the proposed upgrades and connections.

The Strategy outlines some criteria for identifying how projects should be prioritised for funding bids and delivery.

Community consultation on the draft Strategy

In 2023 from 13 August to 11 September, the Draft Walking, Cycling and Micromobility Strategy was put on public exhibition. The Strategy was accessible via Council’s Your Say page and officers conducted a workshop on the draft with the Access and Inclusion Advisory Group (AIAG).

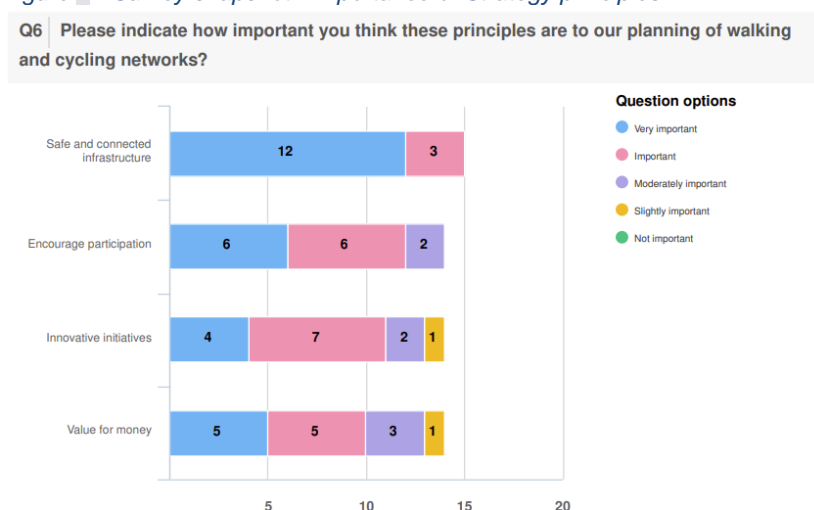
A total of 25 written submissions were made: 22 via the Your Say survey and 3 via email. Additionally, 2 requests from the community regarding walking, cycling and micromobility infrastructure have been received during the period in which officers were revising the Strategy. These have been taken into consideration in finalising the Strategy – one regarding Just Street in Goonellabah and the other regarding the village of the Channon. Please see attachment 2 for further detail.

In reviewing the feedback, officers have provided commentary on key comments received (attachment 3).

Summary of feedback and Strategy amendments

Data gathered from the Your Say Lismore survey has limitations. This is due to the small number of respondents and the ability to skip questions in the survey. Notwithstanding, from the data collected, the community agrees that the strategy principles are important. In line with feedback received in 2021, ‘safe and connected infrastructure’ was the most important to respondents, as shown in figure 1.

Figure 1 - Survey snapshot - importance of Strategy principles



Optional question (15 response(s), 7 skipped)

No changes were made to the principles of the Strategy.

Most of the detailed feedback received from the community was in relation to the action plans.

Feedback regarding the action plans for Lismore's urban areas was generally positive with some additional paths suggested. All suggestions were reviewed by officers and those that have since been included in the final Strategy are shown in table 1. Only one suggested path was not included (Macintosh Road, Goonellabah) as it was not considered to be a priority for this 10-year plan (see attachment 3 for more detail).

Table 1 - Additional paths included in the final Strategy.

LISMORE HEIGHTS AND HEALTH PRECINCT				
No.	Location	Description	Length (m)	Status
23	Oakeshott Street	New footpath along Oakeshott Street to Cooling St to connect with High Street existing path.	350m	U
24	Maluta Place	New footpath from Maluta Place to Kareela Park	500m	U
25	Kareela Park	Investigate safe pathways to connect residents to Kareela Park.	TBC	U
SOUTH LISMORE				
37	Edward Street	New Shared Path along the full length of Edward Street (Formed and unformed road) from Kyogle Street through to Casino St	200m	U
GOONELLABAH				
48	Blue Hills Ave	Connect Blue Hills College to Oliver Avenue Via Taylor Road.	550m	U
51	Just Street / Brettmark Street	Investigate path to connect to Tucki-Tucki Creek Walking Track	TBC	U

Feedback regarding the action plans for Lismore's village areas was mixed. 14 responses requested additional pathways in village or rural areas. Council also received a petition from residents in The Channon opposing a footpath that had been proposed in the draft Strategy.

Upon review, it was clear that infrastructure provision in rural and village areas requires significant further planning and assessment of site capability, feasibility, and viability. The feedback also highlighted the need for Council to take an in-depth review with significant community consultation when considering pathway infrastructure. The Strategies' action plans are 10-year plans and are intended to be realistic and achievable within this time. Paths without sufficient analysis and that are unlikely to qualify for active transport grants, should not be included in this Strategy.

The extent of further planning required to deliver active transport infrastructure to villages has meant that the Strategy action plans are for Lismore's urban areas only. Future action plans will be included for villages upon the finalisation of village masterplans. This has been reflected in the Strategy with the removal of the village action plans, and the inclusion of the following commitment:

"The identification and design of walking, cycling and micromobility infrastructure for village and rural communities will be considered and planned at a place-based scale, for example through the generation of village masterplans. As such, the action plans currently included in the Walking, Cycling and Micromobility Strategy are for Lismore's urban areas. Once village masterplans have been completed the strategy will be updated with the addition of a corresponding action plan for that village" Page 7.

Development of both Nimbin and Clunes Masterplans are committed within the current Operational Plan under action D3.2.03.

Other changes to the Strategy include:

- the refinement of the 'vision'.
- the reflection of completed paths on the maps (and their removal from the table).
- renumbering of actions to reflect changes.
- the removal of action: *McKenzie Street - New footpath from 62-76 McKenzie Street to link existing paths on North Side*; due to environmental constraints.
- removal of the previously attached 'Implementation Plan' as it was a replica of the action plans and not considered necessary.

Comments

Finance

Not applicable. Grant funding and developer contributions will be sought to implement the Strategy.

Conclusion

The Walking, Cycling and Micromobility Strategy has been prepared in accordance with the scope set out in recommendation 2.1 of the Lismore Sport and Recreation Plan to 2024. Public consultation, best practice guidelines, and officers feedback has been used to guide the development of the Strategy.

It is recommended the 10-year Strategy is adopted and implemented, with bi-annual reporting on progress provided via Council's website.

Attachment/s

- | | |
|--|----------------|
| 1. ↗ FINAL Lismore Walking, Cycling and Micromobility Strategy 2024 - 2034 | (Over 7 pages) |
| 2. ↗ Feedback Recieved on Draft Walking, Cycling and Micromobility Strategy | (Over 7 pages) |
| 3. ↗ Officer Responses to Feedback Recieved on the Draft Walking, Cycling and Micromobility Strategy | (Over 7 pages) |

Report

Subject	Wade Park Masterplan
TRIM Record No	BP24/134:EF22/220
Prepared by	Project Officer
Reason	To adopt the final Wade Park Masterplan
Strategic Theme	An inclusive and healthy community
Strategy	Our sporting facilities and recreational spaces encourage active and passive community participation.
Action	Provide high-quality sporting facilities to meet the diverse needs of the Community.

Executive Summary

The Wade Park Masterplan illustrates Lismore City Council's aspiration to bring new life to Wade Park in East Lismore, and ensure it serves the needs of the community into the future. The development of the Masterplan is kindly supported by Parks & Leisure Australia NSW/ACT (PLA NSW/Act) through their 'Lismore Legacy' project. Numerous consultants have provided their services to Council pro-bono to develop this masterplan, in consultation with Council officers and the community.

Following a councillor briefing in September 2023, the Draft Masterplan was put on public exhibition from 19 September to 20 October 2023.

Following the community consultation and officer feedback, some minor changes have been made to the Masterplan and is ready for adoption. This report provides a summary of the submissions, Council's responses to these submissions, and a summary of the changes made to the Masterplan. It is recommended the Wade Park Masterplan be adopted by Council.

Recommendation

That Council adopt the attached Wade Park Masterplan.

Background

Wade Park is an important family park in East Lismore equipped with an extensive footpath network, amenities, play equipment, picnic facilities and grassed open space. It is popular for young families and used for children's birthday parties and community gatherings. It is also well-utilised by walkers and riders using the concrete loop path around the park. Many elements of the park are tired or have reached their end of life. During the 2022 catastrophic flood event, the whole park was inundated. This has caused parts of Wade Park to be left in further disrepair.

The Wade Park Masterplan Report has been developed to support Lismore City Council's aspiration to bring new life to Wade Park and ensure it serves the needs of the community into the future. The development of the Masterplan is kindly supported by Parks & Leisure Australia NSW/ACT (PLA NSW/ACT) through their 'Lismore Legacy' project following the state conference held in Lismore in 2022. Numerous consultants have provided their services to Council pro-bono. It has also been supported by the Australian Institute of Landscape Architects and the University of New South Wales.

CONTEXT Landscape Architecture are an award-winning landscape architecture consultancy who, with support from other consultants, have developed this masterplan in consultation with Council and the local community.

The Masterplan provides the overall vision for the renewal of Wade Park. It is to be considered a medium – long term (10-20 year) plan and will be used for obtaining funding to deliver works in stages. Refer to Attachment 1 for the Wade Park Masterplan Report.

The park will be accessible and inclusive, providing high quality relaxation and recreation experiences for all ages and abilities. It has been designed with flood resilience in mind, minimising the impacts of future floods on the park features. After the Masterplan is implemented, it will be considered a “Regional Park” under Lismore City Council’s new Open Space Strategy guidelines.

Council officers thank PLA NSW/ACT for their support in developing this Masterplan as well as the consultants who have contributed so far, including:

- CONTEXT Landscape Architecture for their extensive knowledge and efforts in developing the Masterplan
- Cred Consulting for providing invaluable community engagement expertise and support.
- Peak Water Consulting and AgEnviro Solutions for their soil assessment and recommendations report
- all other consultants/companies who have expressed an interest in supporting the project moving forward.

Preliminary Community Consultation

Community Consultation on this project was driven by social planning and engagement consultants, Cred Consulting, along with Council’s Community Engagement team. Collaborating with Lismore City Council and other project partners, Cred facilitated online and face-to-face engagement activities and met in person with the East Lismore community to identify participation trends, needs and interests of local stakeholders and community, which are represented in the final masterplan.

Stage 1 of the Community Engagement process included an online survey which was open from December 2022 to February 2023.

- 368 participants visited the Your Say page at least once
- 171 survey responses were received online via Your Say

This feedback indicated that currently the park is mainly used for play, relaxation, picnics, dog walking, and the road safety kid’s bike track.

Facilities that are important to be retained include: bike path/walking track; the park size, openness, and green space; play equipment; and shade. Participants would also like to see the park maintenance improved overall and continue to be sustained with the future rebuild.

Through this survey, the community prioritised the following elements to be included in the masterplan:

- Play equipment (swinging, sliding, climbing) and safety surfaces
- Toilet upgrades
- Water play equipment
- Kid’s bike track facility upgrades (path repair, new features, signage)
- BBQ and picnic shelter facilities, improved seating, tables and water fountains
- Walking and cycling paths
- Facilities for young people like multipurpose courts.

Other future improvement priorities and ideas that were raised included:

- dog friendly improvements, such as dog off leash area, water stations and waste bins
- outdoor gym/fitness equipment
- regeneration of natural wetland environment, including local native plants, garden beds, bush tucker garden, local wildlife friendly habitats
- increasing shade, particularly over the play areas.
- improve drainage and flood proofing play equipment and amenities.

Stage 2 involved two face-to-face events held at Wade Park on 31 March and 1 April 2023.

These events built on feedback from Stage 1 to further inform the Masterplan design, and test elements around play, recreation, community connectedness and sustainability.

Approximately 100 attendees contributed to this feedback, ranging from children, families, young people, older adults, regular park users and members of the disability and inclusion sector.

Popular design elements with those who attended included:

- contemporary amenities with accessible toilets and change facilities, new large shelters for gathering and picnics
- basketball/multipurpose courts.
- high quality play equipment including nature play, water play and adventure play
- fenced dog area, including separation for small and large dogs
- learn to ride / pump track
- stepping stones and elevated boardwalks through low lying/flood prone areas.

People also commented on the need to improve accessibility throughout the park.

Draft Masterplan

Reflecting on the feedback from the Community Consultation, CONTEXT Landscape Architecture developed a detailed Draft Masterplan Report. The Master Plan has been designed to complement existing park features and landscape where possible.

The Draft Masterplan included the following features:

- new carparking at the edge of the carpark including accessible parking, reducing conflict between cars and pedestrians
- improved amenities including accessible toilets in a more central location, picnic shelters / social hubs, drinking fountains, BBQs and seating
- multi-sport court
- fully fenced, inclusive play space, with a transport / bus theme
- upgrades to perimeter footpaths to address water ponding
- new connective footpaths, including connection to East Lismore Community Preschool
- learn to ride area consisting of a bitumen track with signage, line marking to continue the transportation theme
- formalised entries with signage
- new adventure play with climbing equipment for older children.

This Draft Masterplan was presented to Council at a councillor briefing in September 2023, before being put on public exhibition via Your Say for 28 days.

Community Consultation of Draft Wade Park Masterplan

The draft Wade Park Master Plan was on public exhibition from 19 September to 20 October 2023 for feedback by written submission.

40 Responses were received from 38 Contributors through Your Say. Please refer to Attachment 2 for the Your Say Submissions. Council's responses to these submissions can be found in Attachment 3.

During this time the Draft Masterplan was also presented to Council's Disability and Inclusion Advisory Group and the Aboriginal Advisory Group. Members were encouraged to make submissions by Your Say. Some questions are responses recorded at these groups have also been included in Attachment 3.

Summary of written submissions

Please refer to Attachment 3 for the written submissions received by Your Say along with the Council responses to each. For ease of analysis, the 40 Responses have been categorised into the following themes:

Theme	Number of Related Comments
Shade, Trees, Vegetation & Fauna	5
Sports Courts	5
Bike Facilities	4
Dog Park	6
Childrens Play	12
Water Play	7
Seniors / Adults / Mobility	5
Car Parking and Access	9
Amenities (toilets, BBQs, lighting, Signage etc)	9

Please note: some responses addressed multiple themes are counted more than once above.

Key messaging received through the submissions included:

- strong desire for water play or water features to be included
- passion for exciting and quality play equipment
- strong support for the dog off leash areas
- need for shade across the park
- environmental conservation
- need to cater to older generations and people with disabilities.

Other Feedback

Commentary from the Environmental Strategies team included:

- ensuring the learn to ride area and multi-sport court do not impact the large koala trees adjacent
- noting the need for the dog park to avoid koala trees
- consideration should be given to tree sensitive development of the carpark and retain as many native trees as possible. Note that koalas move through this park
- the existing bushland/ forest on the eastern boundary required assisted regeneration and could be extended in the south-east corner of the park. The existing bushland exhibits severe weed invasion. Understory management would add to the aesthetic and ecological value of the site
- add a gravel talking track and/or boardwalk into the forest area as a nature walk
- minimise impacts to existing trees, noting that there has been offset planting completed at Wade Park for other developments
- stabilising creek bank is supported.

The Masterplan was also provided to Council officers and consultants working on the Urban Stormwater Management Plan (USMP) for commentary. Whilst longer-term measures and the final USMP have not yet been finalised, it has been confirmed that the design, delivery, and management of the greater stormwater management system including the open drain on the western side of Wade Park will be considered under the USMP.

Officers Response to Matters Raised in Submissions

Refer to Attachment 3 for responses to the Submissions made, as well as changes outlined below.

Changes from Draft Masterplan to Final Masterplan

Masterplan Reference Number	Amendment	Reason
3	Multi-Sport Court rotated to remain within the footprint of the existing gravel carpark.	Rotating the courts allows to fit better within the existing gravel carpark footprint, thereby reducing the impact to existing mature trees in this area.
8	Dog park area maximised within the constraints of the footpaths and trees. A note has also been added to highlight the need for any koala habitat trees to remain outside fenced area.	Feedback received indicated people wanted more space for their dogs. It is understood that koalas use Wade Park for travel as well as habitat.
8	Staging Plan – fencing for dog park added into Stage 1.	Feedback on this Masterplan, as well as previous petitions and requests, indicates a need for a dog park in east Lismore as a priority.
5	Water pump and swale added to the inclusive play area.	We received many requests for the park to include water play elements. Whilst a full splash park is not currently supported operationally due to operational/maintenance costs, the Masterplan includes a water pump and swale feature to provide some water play.
18b and 19	“Assisted Regeneration” added to the existing forest area on the east of the site (along Military Road), and including the addition of a gravel nature walk through this area.	Feedback provided from Council Environmental Strategies team indicated that regeneration was needed in this area. They also suggested a nature walk would be suitable in this area and Council felt this added value to the park, providing a shaded walk and educational experience.
20	Seniors Exercise Equipment has been added.	Feedback indicated a need for equipment and facilities for our elderly population to assist with mobility, strengthening, balance etc.
12	Outdoor gym equipment added	Added based on feedback received highlighting the need in this area.
21	Addition of pathway to car parking closer to the dog park (near Military Road)	This is to facilitate improved access to the dog park for those who are unable to walk from the main car park.
General	Notes added to the plan to highlight the need to minimise impact to trees and consider koalas	To recognise the importance of existing native trees and koala habitat, and ensure it is factored into further detailed design.

Comments

Finance

Not applicable.

Public consultation

Outlined above.

Conclusion

Following the public exhibition of the Draft Masterplan, and noting the amendments made to the Masterplan, it is recommended that the Wade Park Masterplan be adopted by Council.

Whilst the Masterplan does include an indicative Staging Plan to help prioritise works, it should be noted that works will be undertaken to suit available funding sources as opportunities arise. Further detailed design of individual elements will be required at each stage.

Council officers will continue to seek support from PLA NSW/ACT, its members, and other supporting bodies in the delivery of the Masterplan.

Attachment/s

- | | | |
|----------------------|--|----------------|
| 1. ↗ | Wade Park Masterplan Report | (Over 7 pages) |
| 2. ↗ | Your Say Submissions Wade Park Masterplan (redacted) | (Over 7 pages) |
| 3. ↗ | Officer Responses to Feedback Received on the Draft Wade Park Masterplan | (Over 7 pages) |

Report

Subject	Open Space Strategy 2024-2034
TRIM Record No	BP24/137:EF21/174
Prepared by	Sport & Recreation Lead
Reason	Seeking adoption of the Open Space Strategy
Strategic Theme	An inclusive and healthy community
Strategy	Our sporting facilities and recreational spaces encourage active and passive community participation.
Action	Provide high-quality open spaces, parks and reserves.

Executive Summary

The Open Space Strategy was prepared in accordance with the Community Strategic Plan, the 2021-2022 Operational Plan and the Sport and Recreation Plan to 2024.

The Strategy sets the vision and implementation of actions that will guide the management, development, and use of Lismore's open spaces.

Following community consultation, changes have been made which include the development of a play hierarchy and minor changes to improve clarity. The Strategy is now ready for adoption.

Recommendation

That the Open Space Strategy 2024-2034 be adopted.

Scope and preparation

The need for an Open Space Strategy (attachment 1) was identified in the *Sport and Recreation Plan to 2024* with Recommendation 1.3 to:

“Develop an Open Space Strategy to enhance the provision and maintenance of Lismore’s parks network.”

It was identified that the strategy should:

- guide the quality and quantity of new and existing open space provision within the LGA
- provide strategic direction for the future provision of recreation parks in accordance with State Government planning legislation
- recommend the distribution and standard of open space appropriate to Council's population, projected growth, corporate priorities, and emerging community needs
- review existing Desired Standards of Service (DSS) for the provision of public open space

In late 2021 specialist consultants @Leisure Planners were engaged by Council to conduct an audit of Lismore's open spaces in terms of provision, location/ distribution, and accessibility. The final report produced by @Leisure Planners can be found at attachment 2 (Lismore City Council Open Space Strategy Supporting Resources Document) and has been used by Council to prepare the Open Space Strategy.

The development of the Open Space Strategy has benefited from input from a range of Council teams including Liveable and Active Communities, Assets, Statutory Planning and Public and Open Spaces. These teams will collectively be responsible for delivery of actions identified in the Implementation Plan.

The Strategy will be used by these teams to:

- guide asset maintenance and management
- influence and support masterplanning of open space parcels and of localities
- guide and influence acquisition, reclassification and divestment decision making
- guide the standards of services that open space parcels must be built or upgraded to
- guide and support development application negotiations and decision-making, including the updating of Lismore's Development Control Plan (DCP)

Summary of the Strategy

The Strategy is a 10-year plan providing a strategic framework and direction for planning public open space that best serves the community and the environment. It applies to public open space including natural areas, parks, trails, sport, and recreation facilities that Council has ownership or management responsibilities for. The key sections of the Strategy are:

Table 1 – Open Space Strategy Summary

Key Section	Description
Open space planning framework	The planning framework consists of the ways Lismore City Council will classify open space, the distance thresholds that the spaces serve and applicable supporting infrastructure. The framework guides service provision, including where new or upgraded open spaces are needed.
Vision and Principles	The vision of the Strategy is to develop a network of open space in Lismore that is diverse, equitably distributed, inclusive, enriching, sustainable and fit for purpose. The vision will be achieved through the implementation of individual actions focused around the five guiding principles of the Strategy: <ol style="list-style-type: none"> 1. Equitable Distribution 2. Connectivity, accessibility, and inclusivity 3. Fit for purpose 4. Protect our environment 5. Diverse offerings
Desired Standards of Service (DSS)	The DSS table outlines the delivery expectations when upgrading or providing a new parcel open space. Council officers will use this table to update the DCP to improve the quality and size of new open space parcels Council receives from developers in new residential subdivisions.
Acquisition, Reclassification, and Divestment framework	The acquisition, reclassification and divestment framework set out a step-by-step guide and criteria that staff must follow when considering acquiring new public open space, reclassifying, or divesting open space.
Implementation Plan	The Implementation Plan specifies which principle each action will contribute to, which Council team is responsible for the action as well as its funding status and expected timeframe. The Implementation Plan will be updated and published online every two years.

Community consultation on the draft Strategy

Community Consultation: Preliminary

In the last quarter of 2021 Council officers ran a Your Say survey and mapping tool to gain initial feedback from the community on open space, walking and cycling priorities within Lismore local government area (LGA). A total of 238 residents responded to the Your Say survey across a set of questions around open spaces and walking and cycling preferences and infrastructure. Results showed:

- residents primarily use the public open space in their neighbourhood for walking/running, walking the dog and bike riding. Other than forms of walking and cycling, playground use was the most popular use. A total of 16% of responses indicated they don't use public open space because there isn't any in their immediate neighbourhood
- a total of 65% of responses stated they have physical barriers preventing easy access to the nearest playground, barriers included busy roads, rivers, distance is too far to walk, route is too steep and route lacks paving
- when asked how public open space could be improved, 26% of responses requested a specific use (footpaths, cycle paths, fitness stations, dog parks etc.), 22% referenced accessibility, 10% referenced improved maintenance and 23% referenced better quality. When looking at those that referenced better quality, upgrades such as seats, shading, better play equipment and toilets were common

This feedback was used to form the preparation for the strategy.

Community Consultation: Draft Strategy

Between 13 August to 11 September 2023, the Draft Open Space Strategy was put on public exhibition. The Strategy was accessible via Council's Your Say page.

A total of 16 written submissions were made: 14 via the Your Say survey and 2 via email (attachment 3). Data gathered from the Your Say Lismore survey has limitations. This is due to the small number of respondents, the ability to skip questions in the survey, and the inability to add comments to some questions without first ticking 'no'. Nevertheless, from the data collected, some important feedback has been collected. The survey asked respondents to provide a tick, rating, or comment to key elements of the strategy.

The *Open Space Planning Framework* was supported by all respondents, as were the *Principles*.

Fourteen submissions responded to the *Acquisition and Divestment Framework*. Respondents supported the *Acquisition Framework* except for one who did not support the framework but did not provide a reason. Respondents supported the *Divestment Framework* except for one who did not support divestment of public land for private use.

The *Locality Actions* and *Implementation Plan* were positively received with the following comments made in addition to, or opposed to the actions:

Table 2 – Community feedback regarding Locality Actions

Location	Comment
Lismore LGA-wide	1 comment called for wildlife habitat protection.
South Lismore	1 comment requesting a dog park at Nesbitt Park.
East Lismore	1 comment called for more koala habitat.
Lismore CBD	1 comment called for better connection of the Square and the CBD through the sports fields as well as better maintenance of the CBD's open spaces.
Lismore Heights	3 comments requested that Kareela Park be progressed faster with community consultation.
Nimbin	1 comment stated that Nimbin already has enough. 1 comment requested more green spaces and not hard/paved spaces.

Clunes	10 comments called for improved/new social and family recreation offerings that included footpaths, playground, bike and skatepark provisions. Other requests included a fenced dog off-lead walking facility, toilets, community consultation and faster action.
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Strategy Amendments

Feedback was considered by officers and changes were made to improve the scope of the frameworks, and the clarity of the implementation plan actions.

Within the Open Space Classifications framework, “*Neighbourhood*” was introduced into the Classification 3: Catchment hierarchy. This addition was to bridge the gap between local and district catchments in both distance and quality for the provision of open space. A Neighbourhood classification of an open space provides a higher standard of amenity than a local classification and services a greater distance threshold. This assists Council to deliver suitable amenity to the community where a local or district facility may not be appropriate or feasible due to possible land shortage, site constraints, budgetary or maintenance considerations.

A *Play Hierarchy for Social and Family Recreation* was also introduced. This was in response to community comments and requests for an extensive range of play and recreation offerings; both for this Strategy and other related plans such as the Wade Park Masterplan. These requests indicated that there was ambiguity as to the diversity of play and supporting amenities that should be reasonably expected in a social and family recreation space. The play hierarchy will guide both Council and the community in social and family recreation standards. To complement the hierarchy, two maps have been included that show the distribution of play in the Lismore Local Government Area and the Lismore Urban Area at Appendix 1 of the strategy.

The *Divestment Framework* heading was changed to *Reclassification or Divestment Framework* to highlight to users that reclassification of open space could also be considered when using the same framework. For example, an underutilised open space could be reclassified/converted to an alternative open space function type to adequately service the community.

Previously the *Implementation Plan* sat outside of the Strategy. For conciseness this has been brought into the Strategy. Slight adjustments were made to certain actions to improve clarity and incorporate feedback from the community. The below table outlines amendments made to the implementation plan:

Table 2 – New or removed actions from the Implementation Plan.

Action	Description	Reason/s for new or removed action
LGA WIDE		
New 15	Carry out a review of social and family recreation spaces and the adequacy of play offering per classification.	The consultants review of Lismore’s parks primarily considered accessibility. The new review will be conducted by Council staff and is needed to assess adequacy of play offering in Lismore’s parks against the play hierarchy.
New 16	Ensure that social and family recreation provides diversity of play and accommodates intergenerational experiences.	In response to feedback requesting a variety of ages be catered for in Lismore’s parks.
Moved 3, 18-21 (Draft 55-59)	“Other Rural” was moved into LGA-wide.	The actions were applicable to every location negating the need for a separate section.
NORTH LISMORE		
Removed (Draft 47)	Draft action: Explore opportunities to present a social/family recreation space within one of the existing sport field reserves, such as McKenzie Park,	Action/s removed due to the impacts of the ongoing NSW Reconstruction Authority buyback scheme affecting the population of North Lismore.

	which would provide a central location for the current residential population of the suburb.	
Removed (Draft 48)	Draft action: Investigate the need for a central social/ family recreation space in North Lismore. If a central social/ family recreation space is developed, consider removing the swings from Pritchard Park.	
THE CHANNON		
Removed (Draft 53)	Draft Action: Consider the need for provision for social and family recreation space at Coronation Park.	This park will be subject to the review referenced at 15 and does not require its own action.

Comments

Finance

Open spaces are budgeted for in the capital works program. Where budget has not been allocated, the actions may be met by grant funding and developer contributions to implement the strategy.

Conclusion

The Open Space Strategy has been prepared in accordance with the scope set out in recommendation 1.3 of the Lismore Sport and Recreation Plan to 2024. The consultant's report, best practice guidelines, public consultation and officer advice has been used to guide the development of the Strategy.

It is recommended that the 10-year Strategy is adopted and implemented, with bi-annual reporting on progress provided via Council's website.

Attachment/s

1. ➡ Open Space Strategy 2024-2034 (Over 7 pages)
2. ➡ Lismore City Council Open Space Strategy 2023-2033 Supporting Resources Document (Over 7 pages)
3. ➡ Community Feedback and Officer Responses on the Open Space Strategy (Over 7 pages)

Report

Subject	Development Control Plan Chapter for Urban Release Area at 1055 and 1055A Bruxner Highway
TRIM Record No	BP24/168:CDR23/2114
Prepared by	Strategic Planner
Reason	To place the draft Development Control Plan Chapter for the new Urban Release Area at 1055 and 1055A Bruxner Highway on public exhibition.
Strategic Theme	Our built environment
Strategy	Our land-use planning caters for all sectors of the community.
Action	Ensure a diverse range of land use and development opportunities are available.

Executive Summary

In November 2023, Council supported a Planning Proposal for the rezoning of land at 1055 and 1055A Bruxner Highway to enable residential, mixed use, commercial and industrial development.

A site-specific chapter of Lismore's Development Control Plan (DCP) has now been drafted that will guide future development applications for this site. It is recommended that the draft DCP chapter be placed on public exhibition to seek input and feedback from the community.

Recommendation

That:

1. the draft Development Control Plan Part B, Chapter 11 (DCP) is supported
2. the draft DCP chapter is put on public exhibition alongside the Planning Proposal
3. a report to Council is made following the close of the public exhibition period

Background

In November 2023 Council resolved to support a Planning Proposal for land at 1055 and 1055A Bruxner Highway, herein referred to as 'the site'. The Planning Proposal seeks amendment of the zoning, height of building and minimum lot size controls applicable to the site to enable new residential, mixed use, and industrial land uses. Following this resolution, staff submitted the Planning Proposal to the Department of Planning, Housing and Infrastructure (DPHI) with a request for a Gateway Determination.

In December 2023, the DPHI issued a Gateway Determination, enabling the Planning Proposal to now proceed to public and state agency exhibition.

Officers have developed the attached draft Development Control Plan (DCP) chapter to guide future development across the site. It is recommended that the draft DCP be placed on public exhibition alongside the Planning Proposal to best inform the community about the type of development that would be permissible at the site and to enable constructive and well-informed submissions.

In accordance with a condition of the Gateway Determination, the DCP must be referred to in the Local Environmental Plan 2012 (LEP) as part of a new clause for the Urban Release Area. The DCP needs to be in place prior to any development application (DA) being lodged.

Development Control Plan – planning framework

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

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

In line with other site-specific DCP chapters, the attached chapter includes controls on aspects of development that are or need to be specific to development at the site. In instances where a Part A and a Part B chapter each include controls on a certain aspect of development, the controls in the Part B prevail. Where a control is absent from a Part B chapter, the controls from a Part A chapter will be applied.

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

NSW Apartment Design Guide

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

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

The Low-Rise Housing Diversity Code

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

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

Draft Development Control Plan Chapter - overview

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

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

1. General residential

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

2. Mixed-use residential

This precinct is intended to enable medium-density housing with diverse housing typologies, single detached dwellings will not be in accordance with the DCP. Mixed-use developments are permissible, in accordance with the MU1 Mixed Use land use zoning, however residential-led mixed use developments are encouraged through the DCP controls. Buildings in this precinct must be designed to provide a maximum two storey presentation to the street, with any upper levels setback to minimize the bulk and scale to the street. Residential development is to be integrated in with any commercial or community uses in this precinct.

3. Village centre

This precinct applies to the land shown in blue in the Precinct Plan where commercial and community uses are enabled as well as shop top housing. Single detached dwellings will not be in accordance with the DCP. The precinct controls within the DCP enable a 'High Street' type village centre with a high quality public realm (footpaths, outdoor seating etc). Buildings within the village centre may have up to a four storey presentation to street and are required to have active street frontages. Together with the provision of on-street parking, active street frontage and setback controls will enable the village centre to operate much like a typical 'High Street' that is human-centred. The village centre adjoins a key parcel of public open space that is to be integrated with the Tucki Tucki Creek reserve.

4. Mixed use commercial

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

5. Industrial

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

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

The DCP contains controls on aspects of subdivision (Part 3) and aspects of development design (Part 4) that relate specifically to one or more of the precincts as outlined above.

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

The DCP includes and refers to an indicative Precinct Structure Plan that guides the layout and road network and hierarchy for the future DAs. The Precinct Structure Plan has gone through many iterations as feedback from various internal officers has been received and considered. The proposed Precinct Structure Plan is shown at Appendix 1 of the attached draft DCP.

Development Control Plan Chapter – how it was drafted and next steps

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

The primary purpose of a DCP is to give development guidance that facilitates and helps achieve the objectives and types of permissible development of the Local Environmental Plan (LEP).

The DCP has been drafted by Lismore City Council officers. Lismore City Council then engaged a local architecture firm to review and refine the draft controls and provide the precinct structure plan, the section diagrams and other sketches included in the DCP.

After receiving submission from the public, officers will refine the DCP and report it back to Council for final adoption.

Comments

Finance

Not applicable.

Public consultation

Public consultation will be carried out for a period of 30 working days, exceeding the requirements set for a draft DCP chapter in the *Environmental Planning and Assessment Act* but in line with the Gateway conditions for exhibiting the accompanying Planning Proposal.

The proposed dates for consultation are Monday 18 March 2024 to Friday 26 April 2024 but are subject to change.

Submissions can be made via:

- a survey on the Your Say page
- an open text box on the Your Say page
- via email, letter, telephone or in person at the Corporate Office in Goonellabah.

The consultation period will be advertised via Local Matters and other communication channels.

Conclusion

The attached draft DCP chapter has been drafted in accordance with the *Environmental Planning and Assessment Act 1979* and is recommended to be placed on public exhibition. The draft DCP guides and facilitates the types of developments that are desirable for the site and the communities' needs. Further refinements will be made following the close of public consultation prior to reporting back to Councillors for adoption.

Attachment/s

1. ➡ DRAFT Development Control Plan, Part A, Chapter 11 for public exhibition (Over 7 pages)

Report

Subject	Delivery Program Progress Report - July to December 2023
TRIM Record No	BP24/248:EF22/193
Prepared by	Chief Financial Officer
Reason	
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 attached Progress Report provides a summary of progress against each of the activities in the Delivery Program 2023-2027 and Operational Plan 2023-2024 for the period 1 July to 31 December 2023.

Recommendation

That Council receive and endorse the attached Delivery Program Progress Report for the period July to December 2023.

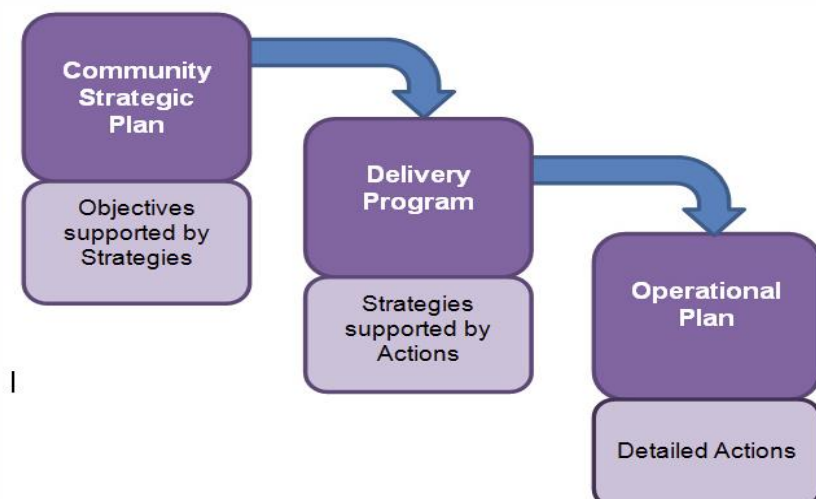
Background

The *Local Government Act 1993* requires the General Manager to provide a report on the progress of the implementation of Council's Delivery Program (DP) at least every six months. The attached report covers the period 1 July – 31 December 2023 and includes a traffic light status update with supporting commentary for the Delivery Program 2023-2027/Operational Plan 2023-2024.

The four-year Delivery Program is Council's plan for achieving the objectives as articulated in the Community Strategic Plan (CSP), while the Operational Plan is a sub-set of the Delivery Program that includes specific activities to be undertaken each financial year as well as the accompanying budget. The five key priority areas of the CSP are:

- An inclusive and healthy community
- A prosperous and vibrant city
- Our natural environment
- Our built environment
- Leadership and governance

The Operational Plan is a one-year plan setting out the detail of the Delivery Program, identifying the individual projects and activities to be undertaken in a specific financial year to achieve the commitments made in the four-year Delivery Program. Each activity is assigned to a Council officer responsible for its delivery with Council releasing progress reports to provide a summary of progress against each of the activities at least every six months.



During the six months to 31 December 2023, progress updates were submitted against the 250 Operational Plan actions. A summary of progress is tabled below:

Status	Number of Actions	% of total Actions	Explanation of status
On Track	199	79.6%	This action is on track and things are progressing as they should
Taking action to address	23	9.2%	This action is not on track and steps are being taken to address this. Responsible Officers need to articulate in their quarterly update comment what they are doing to address issues, in order to get this action 'back to green'
Not due to start yet	18	7.2%	This action is not due to start until later in the financial year
Completed	5	2.0%	The action has been completed for the year and there will be no further resources needed to deliver it
Cancelled or deferred	3	1.2%	It has been formally agreed that this action will not happen at all or will be deferred to later in the Delivery Program
Needs critical attention	2	0.8%	Responsible Officers select this status if they are 'putting their hand up' for assistance. They have done all they can to try and address issues with the action and it has not worked, so they are indicating that they need to escalate the matter
Total	250	100%	

Conclusion

This attached report details progress against the operational activities and projects for the period July to December 2023. Good progress has been made, with 204 of the 250 actions either completed or on track, and responsible staff working towards completion of all actions before 30th June 2024.

Attachment/s

- [1. Delivery Program Progress Report](#) (Over 7 pages)

Report

Subject	2024 Australian Local Government Association National General Assembly
TRIM Record No	BP24/119:EF19/25-6
Prepared by	Executive Officer - General Manager and Mayor & Councillors
Reason	To decide on delegates to attend the Assembly and any motions submitted for consideration
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 2024 Australian Local Government Association (ALGA) National General Assembly will be held in Canberra from 2 to 4 July 2024.

Council is required to determine its voting delegate, attendees and any proposed motions to be submitted to the Assembly.

Recommendation

- That Council's:
- 1. delegates to the 2024 ALGA National General Assembly attend are Councillors Krieg, Hall and
 - 2. voting delegate is Councillor Krieg

Background

The 2024 ALGA National General Assembly will take place in Canberra from 2 to 4 July 2024.

The Conference is a policy making event for the local government sector where issues are debated and motions put forward for consideration by delegates.

Lismore City Council is entitled to one voting delegate. The Councillors Expenses and Facilities Policy 1.2.23 clause 6.30 states the delegates will be the Mayor (or their nominee), Deputy Mayor and up to two councillors.

For up to four councillors attending, this is estimated to cost \$9,000, which includes registration fees, flights and accommodation.

Councillors were asked to submit notices of motion for consideration and nil were received prior to the close of submissions.

Comments

Finance

The budget included in the 2023-2024 Operational Plan is sufficient to cover the estimated \$9,000. The recommendation as printed is therefore supported.

Attachment/s

There are no attachments for this report.

Reports

Subject	Minutes from External Committees and Organisations
TRIM Record No	BP24/249:EF13/463-6
Prepared by	Executive Officer - General Manager and Mayor & Councillors
Reason	To note minutes from external committees and organisations
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

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

Recommendation

That Council notes the draft minutes of Northern Rivers Joint Organisation, Rous County Council and Richmond Tweed Regional Library.

Attachment/s

1. [↓](#) NRJO minutes
2. [↓](#) Rous County Council minutes
3. [↓](#) RTRL minutes



**MINUTES OF NORTHERN RIVERS JOINT ORGANISATION BOARD MEETING HELD
FRIDAY, 16 FEBRUARY 2024 AT RICHMOND VALLEY COUNCIL - 10 GRAHAM PLACE,
CASINO NSW 2470**

The Chair opened the meeting at 10.03 am.

In attendance:

Voting Committee:

- Cr Michael Lyon, Byron Shire Council (Chair)
- Cr Sharon Cadwallader, Ballina Shire Council (Deputy Chair)
- Cr Robert Mustow, Richmond Valley Council
- Cr Chris Cherry, Tweed Shire Council
- Cr Steve Krieg, Lismore City Council
- Cr Peter Johnstone, Northern Rivers Joint Organisation
- Cr Kylie Webster, Kyogle Shire Council

General Managers:

- Mark Arnold, Byron Shire Council
- Troy Green, Tweed Shire Council
- Jon Gibbons, Lismore City Council
- Paul Hickey, Ballina Shire Council
- Laura Black, Clarence Valley Council

Other attendees:

- Phillip Rudd, Executive Officer NRJO
- Anita Gambhir, Office of Local Government
- Amanda Leck, Reconstruction Authority
- Nerida Buckley, Reconstruction Authority
- Alex Platt, Reconstruction Authority
- Phil Courtney, Project Manager NRJO
- Cass Wilson, Regional NSW
- Jillian Fryer, Regional NSW
- Jai Vaze ([online](#))
- Cr Debrah Novak, Clarence Valley Council ([online](#))
- Cr Big Rob, Lismore City Council
- Cr Colby, Lismore City Council

1 OPENING OF THE MEETING

The Chair welcomed everyone to the meeting.

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2 ACKNOWLEDGEMENT OF COUNTRY

NRJO showed its respect and acknowledged the Traditional Custodians of the Land, of Elders past and present, on which this meeting took place.

3 APOLOGIES

Jeff McConnell – Scenic Rim Regional Council
Chris White – General Manager, Kyogle Council

4 DISCLOSURE OF INTEREST

Nil.

5 ADDRESS BY OFFICIAL VISITOR(S)

- 5.1 NSW Reconstruction Authority - Disaster Adaptation Planning
Amanda Leck – Head, Adaptation, Mitigation & Reconstruction
Nerida Buckley and Alex Platt
- 5.2 CSIRO – Regional update
Jai Vaze – Senior Principal Research Scientist
- 5.3 NRJO Disaster and Risk Reduction Project
Phil Courtney – NRJO Project Officer

6 CHAIR AND DEPUTY CHAIR ELECTIONS

RESOLVED (Lyon/Johnstone) that the Northern Rivers Joint Organisation Board:

1. Conduct an election for a chairperson and a deputy chairperson consistent with the election process for chairpersons of a joint organisation contained in the *Local Government Act 1993* and the *Local Government (General) Regulation 2021* and that:

- (i) If there is more than one nomination, the Board resolve the method of election (to be either by preferential ballot, ordinary ballot, or open voting); and
- (ii) The result of the election (including the names of those elected) be declared at the meeting, and
- (iii) Those elected hold office until the ordinary local government elections expected to occur in September 2024.

- Election of chairperson

The Executive Officer, as Returning Officer, advised the meeting that two nominations for Chair was received.

CARRIED that the Executive Officer declare Cr Michael Lyon, Chairperson and will hold office until the ordinary local government elections expected to occur in September 2024.

Northern Rivers Joint Organisation Board Meeting Minutes 16 February 2024

- Election of deputy chairperson

The Executive Officer, as Returning Officer, advised the meeting that two nominations for Deputy Chair was received.

CARRIED that the Executive Officer declare Cr Sharon Cadwallader, Deputy Chairperson and will hold office until the ordinary local government elections expected to occur in September 2024.

Chair and deputy chair elections (Resolution)		
For	Cr Sharon Cadwallader, Cr Chris Cherry, Cr Peter Johnstone, Cr Steve Krieg, Cr Michael Lyon, Cr Robert Mustow and Cr Kylie Webster	7
Against	None	0
Abstain	None	0
Conflict of Interests	None	0
Absent	None	0
Carried		

Meeting was adjourned at 11.31am for a short recess.

Cr Webster left the meeting at 11.32am.

Meeting resumed at 11.55am.

Cr Lyon took the Chair and acknowledged the work of the outgoing Chair (Cr Cadwallader) and thanked the members present for placing their trust in him.

7 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

RESOLVED (Cadwallader/Mustow) that the Minutes of the meeting held 10 November 2023 and business arising be approved with the following amendment: -

Cr Kylie Thomas name be changed to Cr Kylie Webster.

Confirmation of minutes of previous meeting (Resolution)		
For	Cr Sharon Cadwallader, Cr Chris Cherry, Cr Peter Johnstone, Cr Steve Krieg, Cr Michael Lyon, Cr Robert Mustow and Cr Kylie Webster	6
Against	None	0
Abstain	None	0
Conflict of Interests	None	0
Absent	Cr Kylie Webster	1
Carried		

8 URGENT BUSINESS

8.1 Emergency Services Levy (ESL) and Waste Levy

RESOLVED (Lyon/Mustow) that Northern Rivers Joint Organisation accept the below matter as urgent business:

RESOLVED (Cherry/Krieg) that the Northern Rivers Joint Organisation:-

1. Note Member Council's strong objection to the payment of the shifted costs such as the ESL and Waste Levy.
2. Liaise with other NSW joint organisations and advocate for a united decision in conveying the strong objection to the payment of the shifted costs such as the ESL and Waste Levy.
3. NRJO write to the Premier, the NSW Treasurer and the NSW Minister for Local Government seeking that they urgently seek to address these costs through a combination of regulatory reform, budgetary provision and appropriate funding.

ESL and Waste Levy (Resolution)		
For	Cr Sharon Cadwallader, Cr Chris Cherry, Cr Peter Johnstone, Cr Steve Krieg, Cr Michael Lyon, Cr Robert Mustow	6
Against	None	0
Abstain	None	0
Conflict of Interests	None	0
Absent	Cr Kylie Webster	1
Carried		

8.2 Reconstruction Authority Workshop

RESOLVED (Lyon/Mustow) that Northern Rivers Joint Organisation accept the below matter of urgent business:

RESOLVED (Cadwallader/Johnstone) that Northern Rivers Joint Organisation Board:-

1. Participate in a workshop to be coordinated and funded by the Reconstruction Authority to develop a scope and vision for the Disaster Adaptation plan for the Northern Rivers region.
2. Request Reconstruction Authority invite members of the public to participate in the workshop.

Reconstruction Authority Workshop (Resolution)		
For	Cr Sharon Cadwallader, Cr Chris Cherry, Cr Peter Johnstone, Cr Steve Krieg, Cr Michael Lyon, Cr Robert Mustow	6
Against	None	0
Abstain	None	0
Conflict of Interests	None	0
Absent	Cr Kylie Webster	1
Carried		

9 NOTICE OF MOTION

Nil.

10 ITEMS FOR DISCUSSION

10.1 Executive Officer Report

RESOLVED (Cadwallader/Lyon) that the Northern Rivers Joint Organisation Board receive and note the Executive Officer's report as presented.

Executive Officer Report (Resolution)		
For	Cr Sharon Cadwallader, Cr Chris Cherry, Cr Peter Johnstone, Cr Steve Krieg, Cr Michael Lyon, Cr Robert Mustow	6
Against	None	0
Abstain	None	0
Conflict of Interests	None	0
Absent	Cr Kylie Webster	1
Carried		

10.2 Financial Reports ending January 2024

RESOLVED (Cadwallader/Johnstone) that the Northern Rivers Joint Organisation Board receive and note the financial reports for period ending 31 January 2024

Financial Reports ending January 2024 (Resolution)		
For	Cr Sharon Cadwallader, Cr Chris Cherry, Cr Peter Johnstone, Cr Steve Krieg, Cr Michael Lyon, Cr Robert Mustow	6
Against	None	0
Abstain	None	0
Conflict of Interests	None	0
Absent	Cr Kylie Webster	1
Carried		

10.3 Draft Statement of Revenue Policy 2024-2025

RESOLVED (Lyon/Cherry) that:

1. The Northern Rivers Joint Organisation Board endorses the draft the 2024/25 Budget and Statement of Revenue policy attached to this report, for public exhibition.
2. Publish the Draft Budget and Statement of Revenue Policy for 2024/25 on the website for 28 days.
3. If public submissions are made during the public exhibition period, a report be furnished to the NRJO May 2024 meeting, including Executive Officer comments on how the submissions have been considered, for the Board to determine a position on endorsement of the 2024/25 Budget and Statement of Revenue policy.
4. If no public submissions are made during the public exhibition period, the version of the draft the 2024/25 Budget and Statement of Revenue policy placed on public exhibition, is deemed to be adopted by the Board.

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Draft Statement of Revenue Policy 2024-2025 (Resolution)		
For	Cr Sharon Cadwallader, Cr Chris Cherry, Cr Peter Johnstone, Cr Steve Krieg, Cr Michael Lyon, Cr Robert Mustow	6
Against	None	0
Abstain	None	0
Conflict of Interests	None	0
Absent	Cr Kylie Webster	1
Carried		

10.4 Short Term Investment Proposal

RESOLVED (Cadwallader/Cherry) that the Northern Rivers Joint Organisation Board support the Short-Term Investment proposal outlined in the report.

Short Term Investment Proposal (Resolution)		
For	Cr Sharon Cadwallader, Cr Chris Cherry, Cr Peter Johnstone, Cr Steve Krieg, Cr Michael Lyon, Cr Robert Mustow	6
Against	None	0
Abstain	None	0
Conflict of Interests	None	0
Absent	Cr Kylie Webster	1
Carried		

10.5 Electrification of Vehicle Fleets and Infrastructure Event

RESOLVED (Mustow/Cadwallader) that the Northern Rivers Joint Organisation Board note:

1. The event as outlined in the proposal.
2. The extension of the JONZA grant program to June 2024.

Electrification of Vehicle Fleets and Infrastructure Event (Resolution)		
For	Cr Sharon Cadwallader, Cr Chris Cherry, Cr Peter Johnstone, Cr Steve Krieg, Cr Michael Lyon, Cr Robert Mustow	6
Against	None	0
Abstain	None	0
Conflict of Interests	None	0
Absent	Cr Kylie Webster	1
Carried		

10.6 NSW 2022 Food Production and Supply Inquiry report

RESOLVED (Johnstone/Cherry) that the Northern Rivers Joint Organisation Board:-

1. Note and receive the NSW 2022 Food Production and Supply Inquiry Report
2. Call on the NSW Premier and relevant Ministers to provide response to the report.
3. Requests the implementation of recommendation 6 of the Report.

NSW 2022 Food Production and Supply Inquiry report (Resolution)		
For	Cr Sharon Cadwallader, Cr Chris Cherry, Cr Peter Johnstone, Cr Steve Krieg, Cr Michael Lyon, Cr Robert Mustow	6
Against	None	0
Abstain	None	0
Conflict of Interests	None	0
Absent	Cr Kylie Webster	1
Carried		

11 INFORMATION REPORTS

RESOLVED (Mustow/Lyon) that the Northern Rivers Joint Organisation receive and note the following information reports :-

1. Conclusion to Capacity Round 2 Funding and associated projects
2. Associate member – Office of Local Government
3. Associate member – Destination North Coast
4. Associate member – Scenic Rim Regional Council
5. Associate member – Regional NSW - *verbal*
6. Correspondence – Incoming and Outgoing

Information reports (Resolution)		
For	Cr Sharon Cadwallader, Cr Chris Cherry, Cr Peter Johnstone, Cr Steve Krieg, Cr Michael Lyon, Cr Robert Mustow	6
Against	None	0
Abstain	None	0
Conflict of Interests	None	0
Absent	Cr Kylie Webster	1
Carried		

12 CONFIDENTIAL REPORTS

Nil.

13 CLOSE OF BUSINESS

There being no further business the meeting closed at 1.10 pm.

MINUTES OF ROUS COUNTY COUNCIL COUNCIL MEETING HELD WEDNESDAY, 21 FEBRUARY 2024 AT ADMINISTRATION OFFICE, 218-232 MOLESWORTH STREET, LISMORE

1. OPENING OF MEETING

The Chair opened the meeting at 10.14 am.

In attendance:

Voting Committee:

- Cr Robert Mustow, Richmond Valley Council (Chair)
- Cr Sharon Cadwallader, Ballina Shire Council (Deputy Chair)
- Cr Rod Bruem, Ballina Shire Council
- Cr Michael Lyon, Byron Shire Council
- Cr Sarah Ndiaye, Byron Shire Council
- Cr Andrew Gordon, Lismore City Council
- Cr Big Rob, Lismore City Council
- Cr Sandra Humphrys, Richmond Valley Council

Rous County Council:

- Phillip Rudd, General Manager
- Andrew Logan, Group Manager Planning and Delivery
- Geoff Ward, Group Manager Corporate and Commercial
- Jonothan Patino, Finance Manager
- Robyn Waldron, Executive Assistant

2. APOLOGIES

- Helen McNeil, Group Manager People and Performance
- Adam Nesbitt, Group Manager Operations

3 ACKNOWLEDGEMENT OF COUNTRY

Council showed its respect and acknowledged the Traditional Custodians of the Land, of all Elders, on which this meeting took place.

4 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

RESOLVED [01/24] (Cadwallader/Lyon) that the Minutes of the meeting held 13 December 2023 be approved with amendments.

AMENDED 7.1 Proposed Dunoon Dam - acquisition of properties

1. To reconfirm its prior position in relation to acquisition of land in the Proposed Dunoon Dam area as shown in the Attachment 1 and **land of** strategic interest to the Future Water Strategy 2060.

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Confirmation of previous minutes (Resolution)		
For	Cr Rod Bruem, Cr Sharon Cadwallader, Cr Andrew Gordon, Cr Sandra Humphrys, Cr Michael Lyon, Cr Robert Mustow, Cr Sarah Ndiaye and Cr Big Rob	8
Against	None	0
Abstain	None	0
Conflict of Interests	None	0
Absent	None	0
Carried		

5 DISCLOSURE OF INTEREST

Nil.

6 NOTICES OF MOTION / QUESTIONS WITH NOTICE

Nil.

7 GENERAL MANAGER REPORTS

7.1 Election of chairperson and deputy chairperson

RESOLVED [02/24] (Humphrys/Gordon) that Council conduct an election for a chairperson and deputy chairperson consistent with the election process for chairpersons of county councils in the *Local Government Act 1993* and the *Local Government (General) Regulation 2021* and that:

1. If there is more than one nomination, council resolve the method of election (to be either by preferential ballot, ordinary ballot, or open voting); and
2. The result of the election (including the names of those elected) be declared at the meeting, and
3. Those elected hold office until the ordinary local government elections expected to occur in September 2024.

CARRIED that Cr Mustow is elected Chairperson and Cr Cadwallader elected Deputy Chairperson and will hold office until the ordinary local government elections expected to occur in September 2024.

Election of chairperson and deputy chairperson (Resolution)		
For	Cr Rod Bruem, Cr Sharon Cadwallader, Cr Andrew Gordon, Cr Sandra Humphrys, Cr Michael Lyon, Cr Robert Mustow, Cr Sarah Ndiaye and Cr Big Rob	8
Against	None	0
Abstain	None	0
Conflict of Interests	None	0
Absent	None	0
Carried		

8 GROUP MANAGER PEOPLE AND PERFORMANCE

8.1 Audit, Risk and Improvement Committee - Appointment of Councillor Members

RESOLVED [03/24] (Rob/Bruem) that Council:

1. Revoke the [Audit, Risk and Improvement Committee Charter dated 16 December 2020](#) and any other revisions revived as a result,
2. Approve the revised Audit, Risk and Improvement Committee Charter attached to this report, and
3. Invite nominations from amongst the membership of Council's governing body (excluding the Chair) for appointment as a non-voting councillor member, and substitute non-voting councillor member, on the Audit, Risk and Improvement Committee for a 2-year term or until a casual vacancy occurs, whichever is the earlier.

CARRIED that Cr Big Rob be appointed the non-voting councillor member on the Audit, Risk and Improvement Committee for a 2 year term or until a casual vacancy occurs, whichever is the earlier.

Audit, risk and improvement committee - Appointment of councillor members (Resolution)		
For	Cr Rod Bruem, Cr Sharon Cadwallader, Cr Andrew Gordon, Cr Sandra Humphrys, Cr Michael Lyon, Cr Robert Mustow, Cr Sarah Ndiaye and Cr Big Rob	8
Against	None	0
Abstain	None	0
Conflict of Interests	None	0
Absent	None	0
Carried		

8.2 International Women's Day

RESOLVED [04/24] (Cadwallader/Humphrys) that Council approve Cr Ndiaye to be the MC for the International Women's Day event.

International Womens Day (Resolution)		
For	Cr Rod Bruem, Cr Sharon Cadwallader, Cr Andrew Gordon, Cr Sandra Humphrys, Cr Michael Lyon, Cr Robert Mustow, Cr Sarah Ndiaye and Cr Big Rob	8
Against	None	0
Abstain	None	0
Conflict of Interests	None	0
Absent	None	0
Carried		

9 GROUP MANAGER CORPORATE AND COMMERCIAL REPORTS

9.1 Quarterly Budget Review Statement Quarter ending 31 December 2023

RESOLVED [05/24] (Bruem/Rob) that Council note the results presented in the Quarterly Budget Review Statement as at 31 December 2023 and authorise the variations to the amounts from those previously estimated.

Quarterly Budget review Statement Quarter ending 31 December 2023 (Resolution)		
For	Cr Rod Bruem, Cr Sharon Cadwallader, Cr Andrew Gordon, Cr Sandra Humphrys, Cr Michael Lyon, Cr Robert Mustow, Cr Sarah Ndiaye and Cr Big Rob	8
Against	None	0
Abstain	None	0
Conflict of Interests	None	0
Absent	None	0
Carried		

9.2 Retail Water Debt Write-off

RESOLVED [06/24] (Gordon/Cadwallader) that Council, in accordance with its 'Debt Management and Financial Hardship' policy, approve the write-off of one (1) retail water billing customer's account (10451-10000-1) of \$5,759.01 for Mr MJ Hammer.

Retail Water Debt Write-off (Resolution)		
For	Cr Rod Bruem, Cr Sharon Cadwallader, Cr Andrew Gordon, Cr Sandra Humphrys, Cr Michael Lyon, Cr Robert Mustow, Cr Sarah Ndiaye and Cr Big Rob	8
Against	None	0
Abstain	None	0
Conflict of Interests	None	0
Absent	None	0
Carried		

10 INFORMATION REPORTS (COVER REPORT)

RESOLVED [07/24] (Cadwallader/Humphrys) that the following information reports be received and noted:

1. Sustainable Water Partner Program Pilot
2. Retail Water Customer Account Assistance Information Report
3. Investments – January 2024
4. Water production and consumption – January 2024
5. Integrated Planning and Reporting Framework
6. Reports/Actions pending.

Information reports (Resolution)		
For	Cr Rod Bruem, Cr Sharon Cadwallader, Cr Andrew Gordon, Cr Sandra Humphrys, Cr Michael Lyon, Cr Robert Mustow, Cr Sarah Ndiaye and Cr Big Rob	8
Against	None	0
Abstain	None	0
Conflict of Interests	None	0
Absent	None	0
Carried		

11 CLOSE OF BUSINESS

There being no further business the meeting closed at 11.12 am.

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28 February 2024

DRAFT MINUTES OF THE RICHMOND TWEED REGIONAL LIBRARY HELD IN LISMORE CITY COUNCIL CHAMBERS, AND ONLINE ON WEDNESDAY 28 FEBRUARY 2024 AT 12:36PM

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

Richmond Tweed Regional Library acknowledges the people of the Bundjalung nation, traditional custodians of the land on which we work.

Welcome

Chairperson Councillor Darlene Cook welcomed delegates and attendees to the meeting and made an acknowledgement of country.

Chairperson Councillor Darlene Cook also welcomed Mr Gibbons, General Manager Lismore City Council, attending as an observer to the meeting and Mr Hartley, Finance Manager Lismore City Council.

Present

Chairperson, Councillor Darlene Cook (Lismore), Deputy Chair Councillor Simon Chate (Ballina), Councillors: Peter Colby (Lismore), Eva Ramsey (Ballina), Asren Pugh (Byron – Audio Visual Link), Meredith Dennis (Tweed – Audio Visual Link), and Rhiannon Brinsmead (Tweed – Audio Visual Link)

In Attendance

Ms Sullivan (Executive Officer RTRL, Lismore), Ms Gradwell (Business Manager RTRL), Ms Klose (Director of Corporate and Community Ballina – Audio Visual Link), Ms Black (Acting Manager Communications and Customer Service Ballina – Audio Visual Link), Ms Davis (Director Corporate and Community Services – Audio Visual Link), Ms Carruth (Manager Inclusive & Creative Communities – Audio Visual Link), Ms Birch (Acting Area Librarian Ballina – Audio Visual Link), Ms Shepherd (Area Librarian Byron), Mr Dardengo (Mobile Library Officer), Ms Brown (Systems Manager), Ms Kelly (Collections Manager), Ms Misdale (Administration Officer, Minute Taker), Mr Hartley (Finance Manager Lismore), Mr Gibbons (General Manager Lismore)

Richmond Tweed Regional Library Draft Minutes 28 February 2024

Apologies

RTRL27
369/24 **RESOLVED** that the apology be received from Councillor Mark Swivel.

(Councillors Chate/Colby)

Voting for: Councillors Brinsmead, Chate, Colby, Cook, Dennis, Pugh and Ramsey

Voting against: Nil

Attendance by Audio-Visual Link

The attendance by Audio-Visual Link be received from:

- Councillor Asren Pugh with reason: at place of work,
- Councillor Meredith Dennis with reason: attending meeting before and after the RTRL Committee meeting,
- Councillor Rhiannon Brinsmead: at place of work.

Confirmation of Minutes

RTRL27
370/24 **RESOLVED** that the minutes of the Richmond Tweed Regional Library held on 22 November 2023 be confirmed, noting a typing error be remedied for the meeting closure from PM to AM.

(Councillors Ramsey/Dennis)

Voting for: Councillors Brinsmead, Chate, Colby, Cook, Dennis, Pugh and Ramsey

Voting against: Nil

Disclosures of Interest

Nil

Richmond Tweed Regional Library Draft Minutes

28 February 2024

Public Forum

Nil

Reports/Recommendations

7.1 Business Managers Report

RTRL27371/24 **RESOLVED** that the Committee receive and note the report.

(Councillors Colby/Chate) (BP24/72)

Voting for: Councillors Brinsmead, Chate, Colby, Cook, Dennis, Pugh and Ramsey

Voting against: Nil

Confidential Matters – Closed Committee Meeting

RTRL27372/24 **RESOLVED** that the Committee exclude the public and meet in Closed Session at 12:45pm to consider the following matters;

Items 7.1 Section 5 – Business Managers Contextual presentation for RTRL Budget 2024/25 and 7.2 Draft 2024/2025 Budget and Fees and Charges

Grounds for Closure Section 10A(2) (a):

Public Interest Discussion of these matters in an open meeting would on balance be contrary to the public interest because it relates to: personnel matters concerning particular individuals (other than councillors).

(Councillors Ramsey/Chate)

Voting for: Councillors Brinsmead, Chate, Colby, Cook, Dennis, Pugh and Ramsey

Voting against: Nil

Ms Birch (Audio Visual Link), Ms Shepherd, Mr Dardengo, Ms Brown and Ms Kelly, left the meeting at 12.46PM.

Lismore City Council

Draft Minutes of Richmond Tweed Regional Library Meeting held 28 February 2024

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At this time the Business Manager gave a confidential presentation, providing context for the Draft 2024/2025 Budget and Fees and Charges report.

Committee of the Whole

RTRL27373/24 **RESOLVED** that the session go into Committee of the Whole at 1:25pm to discuss the confidential presentation.

(Councillors Chate/Ramsey)

Voting for: Councillors Brinsmead, Chate, Colby, Cook, Dennis, Pugh and Ramsey

Voting against: Nil

General Manager Mr Gibbons left the meeting, the time being 1.58PM.

Resumption of Committee Meeting

RTRL27374/24 **RESOLVED** that the Committee leave Committee of the Whole and return to the meeting at 2.22pm.

(Councillors Ramsey/Chate)

Voting for: Councillors Brinsmead, Chate, Colby, Cook, Dennis, Pugh and Ramsey

Voting against: Nil

7.2 Draft 2024/2025 Budget and Fees and Charges

MOTION moved that:

1. the item Draft 2024/2025 Budget and Fees & Charges and related recommendations is deferred to an extraordinary meeting, to be held in one month's time.
2. the Committee encourages the collaboration between the General Managers respectively, and Finance Managers respectively, of the Executive and Member Councils, to convene and review the Draft 2024/2025 Budget and Fees & Charges, with input to be provided at the extraordinary meeting.
3. Management is to provide a revised report and Draft 2024/2025 Budget and Fees & Charges, to the Committee at the extraordinary meeting.

Lismore City Council

**Draft Minutes of Richmond Tweed Regional Library Meeting held 28
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4. As part of the revised report, Management is to indicate if any costs could be acceptable to be spread across multiple years in order to reduce the initial impact of an increased Member Council contribution for FY 2024/25.

(Councillors Chate/Ramsey)

RTRL27375/24 **RESOLVED** that:

1. the item Draft 2024/2025 Budget and Fees & Charges and related recommendations is deferred to an extraordinary meeting, to be held in one month's time.
2. the Committee encourages the collaboration between the General Managers respectively, and Finance Managers respectively, of the Executive and Member Councils, to convene and review the Draft 2024/2025 Budget and Fees & Charges, with input to be provided at the extraordinary meeting.
3. Management is to provide a revised report and Draft 2024/2025 Budget and Fees & Charges, to the Committee at the extraordinary meeting.
4. As part of the revised report, Management is to indicate if any costs could be acceptable to be spread across multiple years in order to reduce the initial impact of an increased Member Council contribution for FY 2024/25.

(Councillors Chate/Ramsey) (BP24/230)

Voting for: Councillors Brinsmead, Chate, Colby, Cook, Dennis, Pugh and Ramsey

Voting against: Nil

Resumption of Committee Meeting

RTRL27376/24 **RESOLVED** that the Committee leave Confidential Session and return to the meeting at 2.28pm.

(Councillors Chate/Ramsey)

Voting for: Councillors Brinsmead, Chate, Colby, Cook, Dennis, Pugh and Ramsey

Voting against: Nil

Councillor Peter Colby left the meeting, the time being 2.30PM

Councillor Peter Colby returned to the meeting, the time being 2:30PM

**Lismore City Council
Draft Minutes of Richmond Tweed Regional Library Meeting held 28
February 2024**

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Richmond Tweed Regional Library Draft Minutes 28 February 2024

7.3 Photocopy charges and fee relief for Pension and Centrelink patrons

RTRL27377/24 **RESOLVED** that:

1. Photocopy charges are maintained at the current endorsed rate, noting the year-on-year budget approval process.
2. Management continues to promote and support free access to core library services, through promotion of free services including the Home Library Service.

(Councillors Ramsey/Chate) (BP24/138)

Voting for: Councillors Brinsmead, Chate, Colby, Cook, Dennis, Pugh and Ramsey

Voting against: Nil

7.4 Sale of vacant land: report on how the net proceeds of the sale can be applied

RTRL27378/24 **RESOLVED** that the Committee resolve to conduct an extraordinary workshop to investigate and discuss each of the options in more detail to inform the final decision.

(Councillors Pugh/Brinsmead) (BP24/139)

Voting for: Councillors Brinsmead, Chate, Colby, Cook, Dennis, Pugh and Ramsey

Voting against: Nil

7.5 Finance Related Matters

RTRL27379/24 **RESOLVED** that the Committee endorse the budget changes reported in the 2023/2024 Budget Review.

(Councillors Colby/Chate) (BP24/196)

Voting for: Councillors Brinsmead, Chate, Colby, Cook, Dennis, Pugh and Ramsey

Voting against: Nil

Richmond Tweed Regional Library Draft Minutes

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7.6 Senior Leadership Group Meeting Minutes

RTRL27380/24	<p>RESOLVED that the Committee receive and note the attached October 2023 confirmed Senior Leadership Group (SLG) meeting minutes.</p> <p>(Councillors Chate/Ramsey) (BP24/135)</p> <table><tr><td>Voting for:</td><td>Councillors Brinsmead, Chate, Colby, Cook, Dennis, Pugh and Ramsey</td></tr><tr><td>Voting against:</td><td>Nil</td></tr></table>	Voting for:	Councillors Brinsmead, Chate, Colby, Cook, Dennis, Pugh and Ramsey	Voting against:	Nil
Voting for:	Councillors Brinsmead, Chate, Colby, Cook, Dennis, Pugh and Ramsey				
Voting against:	Nil				

Closure

This concluded the business and the meeting terminated at 2.38PM.

Report

Subject	Councillors Expenses and Facilities Policy - July 2023 to December 2023 Reporting
TRIM Record No	BP24/2:EF19/668-6
Prepared by	Executive Officer - General Manager and Mayor & Councillors
Reason	To satisfy the six monthly reporting requirement of the Councillors Expenses and Facilities Policy
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 Councillors Expenses and Facilities Policy was reviewed and readopted by Council in June 2023.

The policy requires a six-monthly report to Council on the provision of expenses and facilities to councillors including a summary of expenses for each councillor.

The period covered by this report is from 1 July to 31 December 2023.

The adopted report will be published on the Council's website.

Recommendation

That Council receive and note the report.

Background

Policy 1.2.23 – Councillors Expenses and Facilities was reviewed and readopted by Council in June 2023 with minor changes. The policy sets requirements for reporting back to Council on a six-monthly basis. In particular, Clause 15 Reporting states:

15.1. Council will report on the provision of expenses and facilities to Councillors as required in the Act and Regulations.

15.2. Detailed reports on the provision of expenses and facilities to Councillors will be publicly tabled at a Council meeting every six months and published in full on Council's website. These reports will include expenditure summarised for each councillor.

Attachment/s

1. [councillor expenses worksheet Jan-June 2023 reporting](#)

	Office Equipment/Internet/M obile rental	Telephone/ Mobile calls	Conferences & Seminars	Training and Professional Development	Interstate Visits	Overseas Visits	Expenses for spouse	Child care	Vehicle mileage	Total
Bird	-	-	-	-	-	-	-	-	-	\$ -
Bing	-	-	-	-	-	-	-	-	-	\$ -
Cook	-	-	-	-	-	-	-	-	1,336.92	\$ 1,336.92
Ekins	180.00	75.00	-	-	-	-	-	-	206.70	\$ 461.70
Guise	-	200.00	-	-	-	-	-	-	155.22	\$ 355.22
Gordon	-	-	-	-	-	-	-	-	-	\$ -
Colby	-	-	-	-	-	-	-	-	-	\$ -
Krieg	-	-	936.89	-	-	-	-	-	-	\$ 936.89
Jensen	-	-	-	-	-	-	-	-	-	\$ -
Hall	-	-	869.39	-	-	-	-	-	-	\$ 869.39
Rob	-	-	1,039.99	462.00	-	-	-	-	-	\$ 1,501.99
Non-specific	-	-	-	-	-	-	-	-	-	\$ -
Total	\$ 180.00	\$ 275.00	\$ 2,846.27	\$ 462.00	\$ -	\$ -	\$ -	\$ -	\$ 1,698.84	

Notices of Motion / Questions with Notice



Notices of Motion / Questions with Notice

Councillor Andrew Gordon has given notice of intention to move:

That fees and charges for admission to the Lismore Memorial Baths be waived for the balance of the 2023/2024 swimming season.

Councillor Comment

Outcome Sought

By encouraging greater usage of the Lismore Memorial Baths (LMB) Council will foster healthier lifestyles and to develop a customer base. This pool is arguably our jewel in the crown of assets. We have the opportunity to encourage the residents of Lismore to become familiar with its operation and hopefully establish a pattern of health and training.

Cost of Implementing

\$56,400 if the LMB close from March 12 to April 28.

Funding Source

Funding options to satisfy the notice of motion include:

- current “cash” surplus of \$569k
- additional interest from investments. It is forecast that Council will receive additional interest revenue above the original budget forecast. This is to be recognised in the March Quarterly Budget Review Statement and will be adequate to cover the anticipated cost to Council.

Officer Consulted

General Manager

Officer Comment

Head Customer Experience

Waiving LMB fees to 28 April 2024 (the current scheduled closure date) will cost \$56,400 in projected revenue.

Income is sourced through general entry fees, pool memberships, kiosk operations, school carnivals and Swim Club. School Carnivals commenced on Friday 2 February 2024.

Neighbouring council's charge similar fees for entry to their swimming pools of around \$5.50 to \$6.00. A removal of charges may also attract swimmers from GSAC and have compounding impact on projected losses in revenue.

Attachment/s

There are no attachments for this report.

TRIM Record No: BP24/141:EF19/25-6

Confidential Business



Confidential Matters – Closed Council Meeting

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

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

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

Clause 34 of Council Code of Meeting Practice

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

Recommendation

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

Item	13.1 Tender TP23/215 Blakebrook Quarry Drill and Blast Services
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	13.2 Tender VP389172 - Esmonde Street Reservoir Wall Remediation Works
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.

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE CITY OF LISMORE HELD IN COUNCIL CHAMBERS ON TUESDAY 13 FEBRUARY 2024 AT 6.00PM

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

Present

Mayor, Councillor Krieg; Councillors Bing, Bird, Colby, Cook, Ekins, Gordon, Guise, Hall, Jensen, Rob, together with Mr Gibbons, General Manager; Mr Enevoldson, Chief Financial Officer; Dr Logan, Chief Operating Officer; Mr Butron, Chief Community Officer; Mr Wilson, Executive Officer – Customer Strategy; Ms O'Regan, Head Investment & Growth; 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

That a leave of absence be received from:

- Councillor Guise for 12 March 2024 to visit family
- Councillor Jensen from 5 July to 15 July 2024

(Councillors Bing/Cook)

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

Voting against: Nil

Confirmation of Minutes

3/24 **RESOLVED** that the minutes of the following meetings be confirmed:

- Extra Ordinary Council Meeting 23 January 2024
- Extra Ordinary Council Meeting 28 December 2023
- Ordinary Council meeting 12 December 2023
- Confidential Council meeting 12 December 2023

(Councillors Rob/Gordon)

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

Disclosures of Interest

Clr Gordon declared a Non-Pecuniary, Non-Significant Conflict of Interest for the following item: 12.5 Nimbin Water Supply
Nature: I am on Rous County Council

Clr Guise declared a Non-Pecuniary, Non-Significant Conflict of Interest for the following item: 11.4 Revised Flood Prone Lands DCP – post-exhibition report
Nature: my home is on the floodplain but I am of general class of persons so I will remain in the Chamber

Clr Rob declared a Non-Pecuniary, Non-Significant Conflict of Interest for the following item: 12.5 Nimbin Water Supply
Nature: I am on Rous County Council

Clr Rob declared a Non-Pecuniary, Non-Significant Conflict of Interest for the following item: 12.16 Nimbin Advisory Group
Nature: I am on the Nimbin Advisory Group

Public Forum

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

Reports of the General Manager

11.3 Vision and Blueprint

FOR	Judith Forsyth, Lismore A Way Forward
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Notices of Motion

12.1 Recognition for Prominent Lismore Residents

FOR	John Bancroft
	Bill O'Sullivan

At this point in time the following disclosures of interest were made.

Clr Krieg declared a Non-Pecuniary, Non-Significant Conflict of Interest for the following item: 13.1 Santin Quarry Appeal
Nature: I know Mr Santin

Clr Gordon declared a Non-Pecuniary, Non-Significant Conflict of Interest for the following item: 13.1 Santin Quarry Appeal
Nature: I know Mr Santin

Clr Hall declared a Non-Pecuniary, Non-Significant Conflict of Interest for the following item: 13.1 Santin Quarry Appeal
Nature: I have met Mr Santin on a few occasions

Clr Jensen declared a Non-Pecuniary, Non-Significant Conflict of Interest for the following item: 13.1 Santin Quarry Appeal
Nature: I have met Mr Santin

Clr Bing declared a Non-Pecuniary, Non-Significant Conflict of Interest for the following item: 13.1 Santin Quarry Appeal
Nature: I know Mr Santin

Clr Rob declared a Non-Pecuniary, Non-Significant Conflict of Interest for the following item: 13.1 Santin Quarry Appeal
Nature: I know Mr Santin

Mayoral Minute(s) and Condolence Motions

8.1 Mayoral Attendance Report

4/24 **RESOLVED** that Council receives the Mayoral Attendance Report for December 2023 and January 2024.

(Councillors Bing/Hall) (BP24/1)

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

Voting against: Councillors Ekins and Guise

8.2 Condolence Motion - Mervyn King

5/24 **RESOLVED** that Council:

1. receive and note the Condolence motion
2. forward a letter of condolence to the family from the Mayor

(Councillors Gordon/Bing) (BP24/22)

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

Mervyn Herbert King was born in Murwillumbah on 24 September 1932 and spent his early years on the Tweed. The family moved to Tregeagle in the early 1940's. Bernice & Merv married in 1954 and had four children, Geoffrey, Gordon, Warren and Dianne.

They purchased their own dairy farm and operated it for 30 years. During this time, they also became involved with the CSIRO who were developing a tick & heat tolerant cattle breed called the Australian Milking Zebu. Many overseas visitors visited the farm to inspect the cattle and this breed of cattle were eventually exported to Malaysia, Philippines, Trinidad, and the Seychelles.

During Merv's time at Tregeagle, he was involved in the Tregeagle P&C Association, Hall Committee, Tennis Club, Hall Trust, Public Schools Sports Association, Agricultural Bureau and the NSW Farmers and he always believed it was everyone's responsibility to be involved in the communities where you lived. This unwittingly at the time stood him in good stead for his future role as a councillor as he usually held executive positions.

In the mid-eighties Merv joined the Lismore and District Ratepayers Association and for four years wrote a fortnightly column on Council and Ratepayers affairs for The Northern Star newspaper and served as Secretary for a number of years. He regularly attended Council meetings.

Merv was elected to Council in 1995 and so began a 13 year involvement which culminated with him serving the last six years as Mayor which he always regarded as a great honour and privilege. He retired from Council in 2008.

Merv always believed politics should not come into local government and councillors are elected to serve all the people in the Council area. Merv and the councillors who supported him always worked for the progress, development and employment for Lismore and the area in general. He was a quiet achiever and always listened and talked to the citizens, ratepayers, and stakeholders for their views before making a decision.

Two of his other passionate interests centred around the Lismore Showground with the Show Society and Lismore Speedway. He was involved with the Show Society for 40 years and served on the Management Committee for 20 of those years, along with several years as Vice President and Woodchop Chief Steward. He was later made a Life Member. He was an enthusiastic speedway follower hardly missing a meeting at Lismore over a 40 year period. Merv and Bernice also attended speedway meetings from Cairns to Adelaide and many tracks in between.

Merv lived a full and long life and will be sadly missed by his wife Bernice, children, grandchildren, brother and many friends.

Please join me in a moments silence for Merv King.

8.3 Cost Shifting onto Local Government

6/24

RESOLVED that Council:

1. receive and note the findings of the LGNSW Cost Shifting report for the 2021/2022 financial year
2. write to the Premier, the NSW Treasurer and NSW Minister for Local Government requesting they urgently seek to address these costs through a combination of regulatory reform, budgetary provision and appropriate funding

(Councillors Krieg/Bing) (BP24/74)

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

Voting against: Nil

Matter of Urgency

7/24

RESOLVED that the following issue be considered.

That Council:

1. formally requests that Transport for NSW urgently remove the railway bridge in Terania Street North Lismore
2. formally requests permission to urgently remove the railway bridge in Terania Street North Lismore if Transport for NSW refuse to do so, subject to a funding source being identified
3. urgently seeks legal advice regarding the fastest way to remove the railway bridge in Terania Street North Lismore if Transport for NSW refuse to do so, refuse to give council permission to do so, and a response to points 1 and 2 has not been received within 7 days

(Councillors Rob/Bing)

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

Voting against: Nil

The Mayor ruled the matter as urgent.

8/24

RESOLVED that Council:

1. formally requests that Transport for NSW urgently remove the railway bridge in Terania Street North Lismore

2. formally requests permission to urgently remove the railway bridge in Terania Street North Lismore if Transport for NSW refuse to do so, subject to a funding source being identified
3. urgently seeks legal advice regarding the fastest way to remove the railway bridge in Terania Street North Lismore if Transport for NSW refuse to do so, refuse to give council permission to do so, and a response to points 1 and 2 has not been received within 7 days

(Councillors Rob/Bing)

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

Voting against: Nil

Reports of Committees

9.1 Aboriginal Advisory Group Minutes - 6 December 2023

9/24 **RESOLVED** that the minutes be received and adopted and that the recommendations contained therein be adopted.

(Councillors Bird/Ekins) (BP23/1046)

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

Voting against: Nil

9.2 Disability and Inclusion Advisory Group - 13 December 2023

10/24 **RESOLVED** that the minutes be received and adopted and the recommendations contained therein be adopted.

(Councillors Rob/Ekins) (BP24/47)

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

Voting against: Nil

9.3 Capacity Capability & Recovery Roadmap Project Control Committee - 13 December 2023

- 11/24 **RESOLVED** that the minutes be received and the recommendations contained therein be adopted.
- (Councillors Colby/Cook) (BP24/4)
- Voting for:** Councillors Bing, Bird, Colby, Cook, Ekins, Gordon, Hall, Jensen, Krieg and Rob
- Voting against:** Councillor Guise

9.4 Local Traffic Committee - 13 December 2023

- 12/24 **RESOLVED** that the minutes be received and the recommendations contained therein be adopted.
- (Councillors Hall/Jensen) (BP24/35)
- Voting for:** Councillors Bing, Bird, Colby, Cook, Ekins, Gordon, Guise, Hall, Jensen, Krieg and Rob
- Voting against:** Nil

9.5 Australia Day Awards Committee Minutes - 28 December 2023

- 13/24 **RESOLVED** that the minutes be received and noted.
- (Councillors Rob/Cook) (BP24/3)
- Voting for:** Councillors Bing, Bird, Colby, Cook, Ekins, Gordon, Hall, Jensen, Krieg and Rob
- Voting against:** Councillor Guise

Matters Arising

Reports of the General Manager

11.1 December 2023 Quarterly Budget Review Statement

14/24 **RESOLVED** that Council adopts the attached December 2023 Quarterly Budget Review Statement and approve the recommended variations.

(Councillors Bing/Gordon) (BP24/89)

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

Voting against: Councillor Guise

11.2 Investments - December 2023 and January 2024

15/24 **RESOLVED** that the report be received and noted.

(Councillors Gordon/Bing) (BP24/77)

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

Voting against: Councillors Guise and Rob

11.3 Vision and Blueprint

MOTION moved that Council:

1. rename the Lismore Vision and Blueprint to 'Reimagine Lismore'
2. establish a 'Reimagine Lismore Advisory Panel'
3. prepare Terms of Reference to guide the 'Reimagine Lismore Advisory Panel', for consideration and endorsement by resolution of Council on or before the April Ordinary Council meeting
4. holds a workshop to review the 'Reimagine Lismore' community engagement program, for endorsement by resolution of Council on or before the April Ordinary Council meeting
5. continue with any scheduled community engagement options until the 'Reimagine Lismore' community engagement program is endorsed
6. schedule monthly public briefings to be updated and discuss the progress of 'Reimagine Lismore'

(Councillors Rob/Jensen)

FORESHADOWED MOTION moved that Council:

1. endorses the inclusion of a deliberative panel ('People's Panel') in the Vision and Blueprint program
2. endorses the inclusion of 'Reimagine Lismore' in reference to the Lismore Vision and Blueprint
3. endorses the remit, scope and promise as outlined in this report
4. requests regular workshops to be updated and discuss the progress of the Vision and Blueprint
5. endorses the correction to the Lismore Community Engagement Strategy 2019

(Councillor Ekins)

RESOLVED that the motion be put.

(Councillor Rob)

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

Voting against: Councillors Bird, Cook, Ekins and Guise

Councillor Bird left the meeting, the time being 7:34PM

16/24

RESOLVED that Council:

1. rename the Lismore Vision and Blueprint to 'Reimagine Lismore'
2. establish a 'Reimagine Lismore Advisory Panel'
3. prepare Terms of Reference to guide the 'Reimagine Lismore Advisory Panel', for consideration and endorsement by resolution of Council on or before the April Ordinary Council meeting
4. holds a workshop to review the 'Reimagine Lismore' community engagement program, for endorsement by resolution of Council on or before the April Ordinary Council meeting
5. continue with any scheduled community engagement options until the 'Reimagine Lismore' community engagement program is endorsed
6. schedule monthly public briefings to be updated and discuss the progress of 'Reimagine Lismore'

(Councillors Rob/Jensen) (BP24/20)

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

Voting against: Councillors Cook, Ekins and Guise

Absent: Councillor Bird

Councillor Bird returned to the meeting, the time being 7:36PM

11.4 Revised Flood Prone Lands DCP - post-exhibition report

MOTION moved that Council:

1. adopts a flood planning level of the 0.2% AEP design flood event (1 in 500 probability) + 500mm freeboard
2. adopts the revised Flood Prone Lands Development Control Plan (DCP) with the changes as proposed in this report (Attachment 3)
3. notes the Engeny Interim Report was used in preparing the Flood Prone Lands DCP

(Councillors Ekins/Cook)

Councillor Cook left the meeting, the time being 7:38PM

Councillor Cook returned to the meeting, the time being 7:39 PM

Councillor Jensen left the meeting, the time being 7:41PM

Councillor Hall left the meeting, the time being 7:41 PM

Councillor Jensen returned to the meeting, the time being 7:42PM

Councillor Hall returned to the meeting, the time being 7:42 PM

RESOLVED that the motion be put.

(Councillor Hall)

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

Voting against: Councillors Bird, Cook, Ekins and Guise

17/24

DEFEATED that Council:

1. adopts a flood planning level of the 0.2% AEP design flood event (1 in 500 probability) + 500mm freeboard
2. adopts the revised Flood Prone Lands Development Control Plan (DCP) with the changes as proposed in this report (Attachment 3)
3. notes the Engeny Interim Report was used in preparing the Flood Prone Lands DCP

(Councillors Ekins/Cook) (BP24/19)

Voting for: Councillors Bird, Colby, Cook, Ekins and Guise

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

Councillor Bird left the meeting, the time being 7:56PM

11.5 Transfer of Crown Road to Council - Part Airforce Road, East Lismore

18/24

RESOLVED that:

1. Council submit an application to NSW Department of Planning, Housing and Infrastructure requesting part of the Crown road of Airforce Road, East Lismore, as described in this report, be transferred to Lismore City Council
2. to meet the criteria of NSW Department of Planning, Housing and Infrastructure, the General Manager submit a letter with the application giving consent to the transfer of Crown road as described in this report
3. Council officers coordinate the timing of the Crown road transfer with the development application process

(Councillors Gordon/Rob) (BP23/1079)

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

Voting against: Councillor Guise

Absent: Councillor Bird

Councillor Bird returned to the meeting, the time being 8:00PM

11.6 Sustainable Procurement & Contracts Policy

MOTION moved that Council make no change from the current policy.

(Councillors Guise/Ekins)

FORESHADOWED MOTION moved that:

1. Council endorse the draft Sustainable Procurement & Contracts Policy, subject to (2) below, for the purpose of placing the document on public exhibition
2. Council select option 3 outlined in Table 1 in relation to the Carmichael Mine disclosure
3. the amended Policy be placed on public exhibition for 28 days with any submissions received reported back to Council for consideration
4. in the event no submissions are received, the draft Policy be adopted at the conclusion of the exhibition period

(Councillor Gordon)

19/24 **DEFEATED** that Council make no change from the current policy.

(Councillors Guise/Ekins) (BP24/80)

Voting for: Councillors Ekins and Guise

Voting against: Councillors Bing, Bird, Colby, Cook, Gordon, Hall, Jensen, Krieg and Rob

20/24 On submission to the meeting the foreshadowed motion became the motion and was **RESOLVED** that:

1. Council endorse the draft Sustainable Procurement & Contracts Policy, subject to (2) below, for the purpose of placing the document on public exhibition
2. Council select option 3 outlined in Table 1 in relation to the Carmichael Mine disclosure
3. the amended Policy be placed on public exhibition for 28 days with any submissions received reported back to Council for consideration
4. in the event no submissions are received, the draft Policy be adopted at the conclusion of the exhibition period

(Councillors Gordon/Bing) (BP24/80)

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

Voting against: Councillors Ekins and Guise

11.7 Minutes from External Committees and Organisations

21/24 MOTION moved that Council notes the draft minutes of Rous County Council, Arts Northern Rivers, Richmond Tweed Regional Library and Northern Rivers Joint Organisation.

(Councillors Rob/Colby) (BP24/5)

FORESHADOWED MOTION moved that:

1. the draft minutes of Arts Northern Rivers, Richmond Tweed Regional Library and Northern Rivers Joint Organisation be noted
2. clarification be sought from Rous County Council on item 8.1

(Councillors Cook/Bird)

22/24 **RESOLVED** that Council notes the draft minutes of Rous County Council, Arts Northern Rivers, Richmond Tweed Regional Library and Northern Rivers Joint Organisation.

(Councillors Rob/Colby) (BP24/5)

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

Notices of Motion / Questions with Notice

12.1 Recognition for Prominent Lismore Residents

MOTION moved that Council:

1. name the new building at Oakes Oval/Crozier Field the “Adam Gilchrist AM Pavilion”
2. name the Lismore Regional Airport terminal the “James Strong AO Terminal”
3. name the Gordon Pavilion grandstand the “John McMahon OAM Grandstand”
4. name an Oakes Oval grandstand the “Lyn Larsen AM Grandstand”
5. erect appropriate signage at the above venues, as funding permits
6. investigate internal and external funding opportunities to construct a Walk of Honour, in the vicinity of Uralba Street between Dawson and Brewster Streets, of well-known Australians associated with the Lismore local government area

(Councillors Krieg/Bing)

AMENDMENT moved that Council:

1. name the new building at Oakes Oval/Crozier Field the “Adam Gilchrist AM Pavilion”
2. name the Lismore Regional Airport terminal the “Habie Habib Terminal”
3. name the Gordon Pavilion grandstand the “John McMahon OAM Grandstand”
4. name an Oakes Oval grandstand the “Lyn Larsen AM Grandstand”
5. erect appropriate signage at the above venues, as funding permits
6. investigate internal and external funding opportunities to construct a Walk of Honour, in the vicinity of Uralba Street between Dawson and Brewster Streets, of well-known Australians associated with the Lismore local government area

(Councillor Ekins)

Lapsed due to lack of a seconder.

23/24

RESOLVED that Council:

1. name the new building at Oakes Oval/Crozier Field the “Adam Gilchrist AM Pavilion”
2. name the Lismore Regional Airport terminal the “James Strong AO Terminal”

3. name the Gordon Pavilion grandstand the “John McMahon OAM Grandstand”
4. name an Oakes Oval grandstand the “Lyn Larsen AM Grandstand”
5. erect appropriate signage at the above venues, as funding permits
6. investigate internal and external funding opportunities to construct a Walk of Honour, in the vicinity of Uralba Street between Dawson and Brewster Streets, of well-known Australians associated with the Lismore local government area

(Councillor Krieg) (BP24/75)

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

Voting against: Councillor Guise

12.2 A free pool for Lismore

- 24/24 MOTION moved that fees and charges for admission to the Lismore Memorial Baths be waived for the balance of the 2023/2024 swimming season.

(Councillors Gordon/Bing) (BP24/55)

Councillor Colby left the meeting, the time being 8:59PM

Councillor Colby returned to the meeting, the time being 9:00PM

- 25/24 At this point in time the Mayor deferred this matter to the March Council meeting, as per clause 10.9 of the Code of Meeting Practice.

12.3 Rate Peg Deferral

MOTION moved that Council does not apply the rate peg of 4.7% for 2024/2025.

(Councillors Rob/Colby)

AMENDMENT moved and **RESOLVED** that Council hold a workshop to consider options relating to the rate peg of 4.7% for 2024/2025, to be brought back to Council for consideration and resolution at or before the April Ordinary Council meeting.

(Councillors Rob/Hall)

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

Voting against: Councillors Guise and Krieg

- 26/24 On submission to the meeting the amendment became the motion and was **RESOLVED** that Council hold a workshop to consider options relating to the rate peg of 4.7% for 2024/2025, to be brought back to Council for consideration and resolution at or before the April Ordinary Council meeting.

(Councillors Rob/Hall) (BP24/34)

Voting for: Councillors Bing, Colby, Cook, Gordon, Hall, Jensen and Rob

Voting against: Councillors Bird, Ekins, Guise and Krieg

12.4 Minimum lot size in RU1 and RU2 zones

MOTION moved that a workshop be held to discuss a review of the planning controls that regulate rural subdivision regarding minimum lot sizes and dwelling entitlements provisions.

(Councillors Gordon/Hall)

- 27/24 AMENDMENT moved and **DEFEATED** that a briefing be held to discuss a review of the planning controls that regulate rural subdivision regarding minimum lot sizes and dwelling entitlements provisions.

(Councillors Bird/Cook) (BP24/61)

Voting for: Councillors Bird, Cook, Ekins, Guise and Krieg

Voting against: Councillors Bing, Colby, Gordon, Hall, Jensen and Rob

- 28/24 On submission to the meeting the motion was **RESOLVED** that a workshop be held to discuss a review of the planning controls that regulate rural subdivision regarding minimum lot sizes and dwelling entitlements provisions.

(Councillors Gordon/Hall) (BP24/61)

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

Voting against: Councillors Bird and Guise

At this point the meeting adjourned for a short recess, the time being 9:49PM

The meeting resumed at 9:57PM

12.5 Nimbin Water Supply

29/24

MOTION moved that Council:

1. meet with Rous County Council in February 2024 to work towards progressing any opportunities to determine the feasibility of connecting Nimbin to the Rous network, including consideration of the financial impacts on both council and Rous County Council
2. consider all internal and external opportunities to fund any investigation to determine the feasibility, including preparing and submitting an application to the next round of the National Water Grid Fund
3. include a zero budget line item relating to the connection of Nimbin to the Rous network in council's integrated planning and reporting framework until such time as a funding opportunity presents itself

(Councillors Rob/Gordon) (BP24/51)

FORESHADOWED MOTION moved that:

1. Council meet with Rous County Council in February 2024 to work towards progressing any opportunities to determine the feasibility of connecting Nimbin to the Rous network, including consideration of the financial impacts on both council and Rous County Council
2. a briefing be held on the Rous County Council report

(Councillors Ekins/Bird)

30/24

RESOLVED that Council:

1. meet with Rous County Council in February 2024 to work towards progressing any opportunities to determine the feasibility of connecting Nimbin to the Rous network, including consideration of the financial impacts on both council and Rous County Council
2. consider all internal and external opportunities to fund any investigation to determine the feasibility, including preparing and submitting an application to the next round of the National Water Grid Fund
3. include a zero budget line item relating to the connection of Nimbin to the Rous network in council's integrated planning and reporting framework until such time as a funding opportunity presents itself

(Councillors Rob/Gordon) (BP24/51)

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

Voting against: Councillors Bird, Cook, Ekins and Guise

Continuation of Meeting

- 31/24 MOTION moved that the time being 10.20pm the:
- order of business be altered to debate the following matters:
 - 13.1 Santin Quarry Appeal
 - 12.16 Nimbin Advisory Group
 - 12.6 9 Sibley Street, Nimbin
 - meeting continue to 11.00pm
 - Council now exclude the press and public and meet in Closed Council

(Councillors Rob/Gordon)

Motion withdrawn.

- 32/24 **RESOLVED** that the time being 10.22pm the meeting continue to 11.00pm.

(Councillors Bird/Rob)

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

Voting against: Councillor Krieg

Altering Order of Business

- 33/24 MOTION moved that:
- the order of business be altered to debate the following matters:
 - 13.1 Santin Quarry Appeal
 - 12.16 Nimbin Advisory Group
 - Council now exclude the press and public and meet in Closed Council

(Councillors Rob/Hall)

FORESHADOWED MOTION moved that order of business be altered to debate item 13.1 Santin Quarry Appeal.

(Councillors Bird/Guise)

- 34/24 **RESOLVED** that:
- the order of business be altered to debate the following matters:
 - 13.1 Santin Quarry Appeal
 - 12.16 Nimbin Advisory Group

- Council now exclude the press and public and meet in Closed Council

(Councillors Rob/Hall)

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

Voting against: Councillors Bird, Cook, Ekins and Guise

Matter of Urgency

35/24 **DEFEATED** that the following issue be considered.

That Council defer all remaining matters to the March Ordinary Council meeting.

(Councillors Ekins/Bird)

Voting for: Councillors Bird, Cook, Ekins and Guise

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

The time being 11.00pm the meeting was adjourned to Tuesday 20 February at 6.00pm.

Present

Mayor, Councillor Krieg; Councillors Bing, Bird, Colby, Cook, Ekins, Gordon together with Mr Gibbons, General Manager; Mr Enevoldson, Chief Financial Officer; Dr Logan, Chief Operating Officer; Mr Butron, Chief Community Officer; Mr Wilson, Executive Officer – Customer Strategy; Ms O'Regan, Head Investment & Growth; Mr Schubert, Technology Support Officer; Ms Cotterill, Governance & Risk Manager and Mrs Mitchell, Executive Officer to the General Manager & Mayor and Councillors.

12.16 Nimbin Advisory Group

Considering the following points:

- over 27,500 people reside in our urban area
- almost 16,500 people reside outside our urban area
- the Nimbin and District area's population comprises less than 2,500 of those residing outside our urban area
- in the district profiles for the Lismore local government area, Nimbin and district ranks 8 out of 13 by population, 3 out of 13 by land area, and 11 out of 13 by population density
- while most Council Committee and Advisory Group meetings are held at Council Chambers where staff work and resources are readily available, Nimbin Advisory Group meetings are held at a location requiring considerable staff travel with limited resources

Can the General Manager please explain why Nimbin is the only district with such representation and influence over Council, and why Lismore does not instead have a Lismore Villages Advisory Group and/or a Lismore Rural Advisory Group and/or a Lismore Urban Advisory Group, providing for equal representation from each district, who regularly meet at Council Chambers?

General Manager's response:

In March 2009 Nimbin Chamber of Commerce and Nimbin Community Centre hosted a forum on Nimbin Community engagement with Council.

Twenty six recommendations were forwarded to council for consideration.

Council's ordinary meeting of 11 May 2010 resolved that:

1. *Council work with the Nimbin Chamber of Commerce and the Nimbin Community Centre Inc. and the Nimbin community to establish a community/Council reference and consultation structure. The models to be considered should include, but not be restricted to a community reference panel of elected, appointed or randomly selected members*
2. *Council's activities in the Nimbin area are communicated through local media including:*

- a. *newsletter in the Nimbin Good Times; and*
 - b. *notice board and information distribution point*
- 3. *Council's welcome and information for new residents include information specifically related to Nimbin*

As a result of point 1 of this resolution the Nimbin Advisory Group was formed and has been operating ever since.

I am not aware of any other districts or villages undertaking the same activity.

12.6 9 Sibley Street, Nimbin

That Council include community consultation and a feasibility study to consider the viability of establishing a permanent library, art gallery, information centre, and/or additional water storage at 9 Sibley Street, Nimbin in the 2024/2025 Operational Plan and other relevant IP&R documentation going forward.

Motion lapsed due to want of a mover.

12.7 Back Alley Gallery

Can the General Manager please explain the structure of the 'Back Alley Gallery' 'voluntary organisation', which reportedly curates and manages street art throughout the Lismore Laneways precinct, which includes creating new artwork and dealing with graffiti, how the organisation is registered as an entity, details relating to its elected representatives, how they were authorised to receive and spend ratepayer funds, and provide any plans and/or acquittals relating to the expenditure of ratepayer funds provided since the Lismore Laneways project commenced?

General Manager's response:

The Back Alley Gallery is independent to Lismore City Council, accordingly Council does not record its organisational details. It has been run by volunteers since 2011, currently including local artists Holly Ahern and Erica Gully. The Back Alley Gallery is led by experienced artists in Lismore's visual and street art community and facilitates commissioning of new artwork and maintaining current works, liaison with property owners, and community engagement around the projects. Featuring murals and street art by significant local and international talent, the Back Alley Gallery is recognised as a significant tourism attraction and activation space in the Lismore CBD, as evidenced and supported by the Lismore Laneways Project in 2021.

The Back Alley Gallery's involvement in the Lismore Laneways Project was funded through a NSW Government grant.

Recovering from the 2022 disaster, the Back Alley Gallery received \$10,000 funding from SRV funds in the second half of 2023 to revitalise the Lismore Laneways - to clean walls and repair damaged murals, commission artists, develop community partnerships with

local businesses and organisations, and activate the site. This was a special funding initiative due to disaster impacts on the Lismore Laneways, based on a proposal which was assessed by the Destination and Economy team according to criteria which have been used in 2021-2023 Business Activation Plan funding.

- Clarity of vision, merit and benefit for the local community
- Capacity to attract people to Lismore city to shop, do business, visit and play
- Promoting Lismore in a positive manner, in alignment with the Business Activation Plan
- Viability and value for money
- Sound project planning and management.

To date, while some graffiti mitigation has been done by Back Alley Gallery along with creative planning, there have been project delays and the acquittal will be received after completion.

12.8 Renewable Energy Master Plan

Can the General Manager please update council regarding progress on implementing all aspects of the Renewable Energy Master Plan, which was adopted in 2014 after an 18 month community consultation, whether we reached our goal to generate all our electricity from renewable sources by 2023, if not, how close are we to achieving that goal, how much ratepayer money has been spent trying to achieve it to date, how much more ratepayer money staff expect to allocate to trying to achieve the goal, and how much ratepayers have saved in real terms trying to implement the Plan?

General Manager's response:

Council has not met the target goal of generating all its electricity from renewable sources as set within the Renewable Energy Masterplan (REMP), within a period of 10 years, concluding 2023.

Specifically, Council's adopted 2017-2021 Delivery Program contained the most recent references to "meeting renewable targets" although no funding was provided in applicable budgets in this period. In fact in the 2017-2021 Delivery Program progress report for Quarter Three actions C3.1.3, D1.2.1 and D1.3.2 required funding opportunities to be explored in order to meet the renewable energy targets. In all cases due to Council budget decisions and lack of suitable funding opportunities the actions were not able to be progressed.

Tracking of the contribution from solar power on Council locations has lapsed, but a project is underway to assess any repairs or maintenance requirements for Council's solar assets and to re-establish the monitoring and tracking software.

The last reporting on the matter is from FY 2018/2019 which identified 11.7% of Council's energy consumption was generated from solar electricity. Total energy costs were reduced by 28% from \$2 million in 2012 to \$1.4 million at the end of FY2020/2021. As well, annual Green House Gas emissions from Council had fallen 40% in the same period.

The position tasked with the REMP was removed from the organisation structure in September 2020 and this function has not been tasked to another areas to deliver on the actionable items in the plan.

However, Lismore City Council entered a Power Purchase Agreement (PPA) through Iberdrola in 2022 for Council's large sites to source wind-generated electricity from the Collector Wind Farm. The purchase of 100% renewable electricity through this PPA begins 1 January 2025.

Council's team are also in the process of re-establishing a system to calculate current energy use and greenhouse gas emissions and to track Council's renewable energy contribution to reducing emissions into the future. This assessment will measure current and future progress on achieving the of the intentions REMP. It will also enable tracking the savings generated through on-site solar generation, and support a mechanism, such as a Revolving Energy Fund, to re-invest the savings into developing future energy and cost saving initiatives.

Council is going through the process of reviewing and rationalising all outstanding strategies with the goal closing out work that will not be completed. It is expected to report this back to Council in the coming months.

12.9 Expenditure of Funds by Unelected Community Members

Can the General Manager please direct councillors to the specific legislative provision(s) allowing Council to delegate decision making functions regarding the expenditure of ratepayer funds to unelected members of the community?

General Manager's response:

The elected body sets the budget each year and approves any budget adjustments made during the year through the Quarterly Budget Review process. Section 377 (1) (g) of the *Local Government Act 1993* is shown below:

377 General power of the council to delegate

(1) A council may, by resolution, delegate to the general manager or any other person or body (not including another employee of the council) any of the functions of the council under this or any other Act, other than the following—

(g) the voting of money for expenditure on its works, services or operations

Section 355 of the *Local Government Act 1993* is shown below:

355 How a council may exercise functions

A function of a council may, subject to this Chapter, be exercised—

- (a) by the council by means of the councillors or employees, by its agents or contractors, by financial provision, by the provision of goods, equipment, services, amenities or facilities or by any other means, or*
- (b) by a committee of the council, or*

- (c) partly or jointly by the council and another person or persons, or*
- (d) jointly by the council and another council or councils (including by means of a joint organisation or a Voluntary Regional Organisation of Councils of which the councils concerned are members), or*
- (e) by a delegate of the council (which may, for example, be a joint organisation or a Voluntary Regional Organisation of Councils of which the council is a member).*

An example of delegating expenditure to unelected members of the community would be the case where a council sets up a Section 355 Management Committee to manage a council hall or community centre on behalf of the council. Typically, the committee is given a sum of money by the council, and is then responsible for cleaning, maintenance, managing bookings etc.

Section 356 of the *Local Government Act 1993* sets out the requirements when councils provide financial assistance to others for the purposes of exercising the council's functions (including charitable, community and sporting organisations and private individuals). This is shown below:

356 Can a council financially assist others?

- (1) A council may, in accordance with a resolution of the council, contribute money or otherwise grant financial assistance to persons for the purpose of exercising its functions.*
- (2) A proposed recipient who acts for private gain is not ineligible to be granted financial assistance but must not receive any benefit under this section until at least 28 days' public notice of the council's proposal to pass the necessary resolution has been given.*
- (3) However, public notice is not required if—*
 - (a) the financial assistance is part of a specific program, and*
 - (b) the program's details have been included in the council's draft operational plan for the year in which the financial assistance is proposed to be given, and*
 - (c) the program's proposed budget for that year does not exceed 5 per cent of the council's proposed income from the ordinary rates levied for that year, and*
 - (d) the program applies uniformly to all persons within the council's area or to a significant group of persons within the area.*
- (4) Public notice is also not required if the financial assistance is part of a program of graffiti removal work.*

It is a decision for Council as to whether the group or individual is required to provide an acquittal back to the Council in relation to the expenditure of those funds.

12.10 Recurring Energy Fund

Considering the ever increasing cost of energy, can the General Manager please provide an update on where staff are up to in relation to establishing a Recurring Energy Fund (REF), if a REF has not yet been established, how long before we expect to see a REF established, and whether there are any active submissions in the pipeline seeking out any grant funding opportunities, such as an application to the Community Energy Upgrades Fund (\$25,000 to \$2.5 million) to help deliver energy upgrades and bill savings for community facilities?

General Manager's response:

Council officers are currently investigating the concept and merits of introducing a Revolving Energy Fund (REF) with support from the Northern Rivers Joint Organisation. It is intended that, if found to be suitable, the REF will be established with the next relevant energy saving project that could provide the first savings contribution to the Fund.

Officers are preparing a list of potential projects that could be funded under the Australian Government's Community Energy Fund Program. This list will be reported to Executive Leadership Team in the coming weeks and may result in a number of projects being combined into one grant application. Round 1 submissions close 30 April 2024 and applicants must contribute at least 50% of the agreed eligible project costs. The savings resulting from a successful Lismore City Council application could provide the initial funding for the REF.

12.11 Public Art

Can the General Manager please explain:

1. why a very outdated Public Art Policy has never been updated since it was created in 2005;
2. why the very complicated Public Art Procedure has not been reviewed since 2012;
3. if we still operate a Public Art Reference Group that is seemingly allowed to deal with the relevant 'Section 94' (section 7.11) contributions made to the Public Art Fund, and also make decisions without a council resolution regarding how those funds are spent; and
4. how a Policy designed to capture contributions for commercial and public developments over \$2 million in value over a decade ago has been extended to use funds from the 'Safer Cities: Her Way Project', which would better and more appropriately be used installing more lights and CCTV cameras around the CBD?

General Manager's response:

Council resolved on 12 April 2016:

Council hold a workshop to review its policy on public art contributions. As part of that review Council investigates the plausibility of altering the existing arrangement for developer contributions for Public Art with a view to directing them to community infrastructure renewals.

Records show there was a briefing provided to the then councillors regarding the Public Art Policy on 24 May 2016. An email from a councillor was received advising they would move a NOM at the July meeting regarding the Public Art Policy however there is no record that this was forthcoming.

Due to competing priorities this policy has not been reviewed since this time.

The Public Arts Reference Group (PARG) was discontinued by Council resolution on 11 January 2022.

As the Public Arts Procedure was applicable to the PARG it effectively became null and void at that time.

The Policy has not been extended it has simply been referenced in the *Safer Cities: Her Way Project* to demonstrate its alignment to the objectives of the Policy, ie “*to facilitate the acquisition and management of high quality public artworks that enrich and vitalise the public domain, enhance local identity, and reflect Lismore’s unique environment, history and culturally diverse society.*” The inclusion of art in the project was following extensive community consultation. Additional lights and CCTV cameras are also part of the scope.

12.12 North Lismore Plateau Land Giveaway

Can the General Manager please explain what progress has been made in relation to North Lismore Plateau Land Giveaway, exactly where we are up to, and well with this matter be finalised?

General Manager’s response:

The Property Services team have developed recommendations to progress what is a complex matter. The next steps are to seek independent advice on the assessment from subject matter experts into these recommendations before returning to Council for resolution.

12.13 Disaster Management Committee

Pursuant to Council resolution 49/23 on 14 March 2023, can the General Manager advise when a Disaster Management Committee will be established?

General Manager’s response:

Council is currently recruiting for an Emergency Management Coordinator (full-time temporary role until June 2026). A key responsibility of this role will be to review and refine the Lismore City Council’s emergency management framework, including emergency response, and as necessary provide support to the Disaster Management Committee.

12.14 Keen Street Bollards

Can the General Manager please confirm how much each stainless steel bollard being installed in Keen Street, Lismore cost, how many Council purchased, and whether we bought the bollards locally?

General Manager’s response:

In November 2022, an order was placed with Area Safe Products Pty Ltd, listed head office address of Glendenning, NSW. 210 units were purchased at a unit rate of \$450 (ex GST) each, plus delivery cost of \$2,759 (ex GST).

In August 2023, a final order was placed with the same supplier. 25 units were purchased at a unit rate of \$699 (ex GST) each, plus delivery cost of \$499 (ex GST).

Council's procurement guidelines were followed, with staff obtaining a minimum of three quotes and subsequent evaluation process of the quotes received.

Bollard style is in accordance with the Lismore City Council Lismore CBD Style Guide.

12.15 Nimbin Works

Can the General Manager please provide details (confidentially to councillors if required) relating to ownership of all privately owned land along the full lengths of where work is to be done and has been done in relation to the walking track and car park access on either side of Cullen Street Nimbin, where council is spending considerable ratepayer funds to establish public facilities and to maintain these facilities going forward, and confirm whether all necessary rights of walkway and access have been secured to facilitate permanent public access to these facilities?

General Manager's response:

As councillors have previously been advised via a councillor request, privacy issues do not allow details of property owners to be shared.

The locations accessing to the Nimbin Rainbow Road Walking Track were changed late in 2023, when it was confirmed that one landowner had public liability issues and withdrew their support for the project over their land. This detail was provided in City Notes dated 23 October 2023. Stage 1 construction works are due to begin within the coming few months. Stage 2 works, where the land-owner matter is occurring will remain postponed until a future agreement can be reached.

12.17 Koala Advisory Group

Can the General Manager please advise where Council is up to in relation to actioning point 2 of resolution 152/23 on 8 August 2023?

General Manager's response:

Point 2 of the resolution was:

2. *any decision about the future of the Koala Implementation Group (KIG) be deferred until after a briefing about the activities of the KIG and the requirements of the Comprehensive Koala Plan of Management for a 10*

year review. That members of the KIG be invited to attend and participate in that briefing

A briefing was provided to Councillors on 29 August 2023. That briefing sought to provide Councillors with an understanding of the background to the Koala Implementation Group, its formation, operational functions and achievements since 2013 as well as challenges encountered in providing non-regulatory, science-based information to Councils management activities in the defined CKPoM area.

Officers have prepared a further briefing presentation for councillors although delivery of the briefing has been delayed due to operational resourcing issues.

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

Officers are seeking to include funds in the 2024/25 Council budget for an internal review of the CKPoM. A formal 10-year review according to NSW Government determined guidelines cannot proceed as these guidelines are yet to be published.

A new date for the briefing will be sought in the coming months.

12.18 Considered and Well Informed Decision Making

Can the General Manager please provide an opinion on whether it is possible for a governing body to make considered and well informed decisions in the best interests of residents, ratepayers and the local community in relation to the integrated planning and reporting framework based on such outdated documents as the Community Strategic Plan last fully updated in 2012, Asset Management Plans dating back to 2012 which don't even list several assets at all, 2011 Cycleway and Pedestrian Access and Mobility Plans, a 2012 Housing Strategy, a 2014 Section 94 Contributions Plan, a 2013 Strategic Road Review, a 2014 Renewable Energy Master Plan, and 2016 Urban Stormwater Management Plans, none of which have been updated since the major and catastrophic flood events in 2017 and 2022, and please explain the importance of updating our full set of integrated planning and reporting framework documents as a priority by June 2025 to ensure compliance and to provide for better decision making going forward?

General Manager's response:

In accordance with Section 406 of the *Local Government Act 1993* current Community Strategic Planning documents must be adopted in accordance with the Integrated Planning and Reporting guidelines, which includes community consultation and engagement.

Officers will work with the documents adopted by Council.

Confidential Matters – Closed Council Meeting

36/24	RESOLVED that Council now exclude the press and public and meet in Closed Council to consider the following matters;
Item	13.2 General Manager's Performance Review Committee - 23 November 2023
Grounds for Closure	Section 10A(2) (a):
Public Interest	Discussion of this matter in an open meeting would on balance be contrary to the public interest because it relates to: personnel matters concerning particular individuals (other than councillors).
(Councillors Gordon/Bing)	
Voting for:	Councillors Bing, Bird, Colby, Cook, Ekins, Gordon and Krieg
Voting against:	Nil

Resumption of Open Council

When the Council had resumed its former sitting, the Mayor reported that Council, meeting in Closed Session, had **RESOLVED** at the 13 February 2024 meeting:

13.1 Santin Quarry Appeal

That Council defend the Class 4 Appeal.

(Councillors Rob/Gordon) (BP24/52)

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

Voting against: Councillors Bird, Ekins and Guise

RESOLVED at the adjourned meeting on 20 February 2024:

13.2 General Manager's Performance Review Committee - 23 November 2023

That:

1. Council receive and note the report that the General Manager is performing his duties in line with Councils' expectations and that of his performance agreement
2. at the next stage of the General Manager's performance review the General Manager present to the Council in a confidential session and councillors have the opportunity to present feedback to the committee prior to the completion of the review

(Councillors Colby/Gordon) (BP24/116)

Voting for: Councillors Bing, Bird, Colby, Cook, Ekins, Gordon and Krieg
Voting against: Nil

Closure

This concluded the business and the meeting terminated at 6.43pm.

CONFIRMED this > > 2024 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 FEBRUARY 2024 AT 6.00PM**

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

Present

Mayor, Councillor Krieg; Councillors Bing, Bird, Colby, Cook, Ekins, Gordon, Guise, Hall, Jensen, Rob, together with Mr Gibbons, General Manager; Mr Enevoldson, Chief Financial Officer; Dr Logan, Chief Operating Officer; Mr Butron, Chief Community Officer; Ms Cotterill, Governance & Risk Manager and Mrs Mitchell, Executive Officer to the General Manager & Mayor and Councillors.

13.1 Santin Quarry Appeal

MOTION moved that Council defend the Class 4 Appeal.

(Councillors Rob/Gordon)

RESOLVED that the motion be put.

(Councillor Rob)

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

Voting against: Councillors Bird, Ekins and Guise

3/24 **RESOLVED** that Council defend the Class 4 Appeal.

(Councillors Rob/Gordon) (BP24/52)

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

Voting against: Councillors Bird, Ekins and Guise

Resumption of Open Council

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

(Councillors Bing/Hall)

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

Meeting resumed Tuesday 20 February 2024.

Present

Mayor, Councillor Krieg; Councillors Bing, Bird, Colby, Cook, Ekins, Gordon together with Mrs Mitchell, Executive Officer to the General Manager & Mayor and Councillors.

13.2 General Manager's Performance Review Committee - 23 November 2023

4/24

RESOLVED that:

1. Council receive and note the report that the General Manager is performing his duties in line with Councils' expectations and that of his performance agreement
2. at the next stage of the General Manager's performance review the General Manager present to the Council in a confidential session and councillors have the opportunity to present feedback to the committee prior to the completion of the review

(Councillors Colby/Gordon) (BP24/116)

Voting for: Councillors Bing, Bird, Colby, Cook, Ekins, Gordon and Krieg
Voting against: Nil

Resumption of Open Council

5/24

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

(Councillors Cook/Bird)

Voting for: Councillors Bing, Bird, Colby, Cook, Ekins, Gordon and Krieg
Voting against: Nil

Closure

This concluded the business and the meeting terminated at 6.41pm.

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

MAYOR