

**MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE CITY OF LISMORE HELD IN  
COUNCIL CHAMBERS ON TUESDAY 8 APRIL 2025 AT 10.00AM**

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

## Present

Mayor, Councillor Krieg; Councillors Battista, Bing, Dalton-Earls, Gordon, Guise, Hall, Jensen, Knight-Smith, Rob, Waters together with Mr Gibbons, General Manager; Dr Logan, Chief Operating & Financial Officer; Mr Butron, Chief Corporate & Community Officer; Ms Geraghty, Head Legal Services; Mr Schubert, Technology Support Officer; Mr Kelly, Technology Support Officer; Ms Cotterill, Governance & Risk Manager and Mrs Mitchell, Executive Officer to the General Manager & Mayor and Councillors.

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

Nil

## Confirmation of Minutes

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

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

(Councillors Bing/Waters)

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

**Voting against:** Nil

## Disclosures of Interest

**Clr Gordon declared a Non-Pecuniary, Non-Significant Conflict of Interest for the following item:** 10.1 Site-specific Development Control Plan chapter for the proposed urban release area at 1055 Bruxner Highway, Goonellabah  
**Nature:** I am a real estate agent

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

## Mayoral Minute(s) and Condolence Motions

## Reports of Committees

## Matters Arising

## Reports of the General Manager

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

---

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

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

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

**Voting against:** Councillor Guise

### **10.2 DCP Housekeeping Amendments**

---

That Council:

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

This matter was deferred by officers to a later meeting.

### 10.3 Investments - March 2025

---

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

(Councillors Bing/Hall) (BP25/162)

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

**Voting against:** Councillors Guise and Waters

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

The meeting resumed at 10:19AM

## Notices of Motion / Questions with Notice

### 11.1 Mayoral Attendance Report

---

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

(Councillors Krieg/Bing) (BP25/152)

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

**Voting against:** Councillor Rob

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

---

76/25 **RESOLVED** that Council:

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

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

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

**Voting against:** Nil

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

---

77/25

**RESOLVED** that Council:

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

(Councillors Waters/Rob) (BP25/148)

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

**Voting against:** Nil

### **11.4 Flood Response Planning**

---

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

(Councillors Rob/Jensen)

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

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

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

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

78/25

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

(Councillors Rob/Jensen) (BP25/145)

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

**Voting against:** Nil

### **11.5 Disaster Management Committee**

---

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

(Councillors Rob/Hall)

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

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

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

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

79/25      **RESOLVED** that Council staff action the previous resolution of Council requiring the establishment of a Disaster Management Committee prior to the end of the current financial year.

(Councillors Rob/Hall) (BP25/146)

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

**Voting against:**                Councillor Guise

### **11.6 Local Crime Concerns**

---

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

(Councillors Rob/Bing)

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

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

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

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

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

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

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

80/25

**RESOLVED** that Council:

1. organise an open public consultation session to consider and identify solutions to any local crime concerns, inviting our Federal and State MPs, police, ambulance and hospital representatives, as well as local security firms and relevant stakeholders, to contribute to the discussion and to help resolve any issues
2. write to Janelle Saffin MP, Member for Lismore, to seek funding for the implementation of the Police, Ambulance, Clinical, Early, Response (PACER) program in Lismore

(Councillors Rob/Bing) (BP25/154)

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

**Voting against:** Nil

**Absent:** Councillor Dalton-Earls

**Councillor Dalton-Earls returned to the meeting, the time being 11:31AM**

#### 11.7 Item 71/21

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

#### **General Manager's response:**

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

##### *13.3 Use of Council Seal*

*That:*

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

(Councillors Marks/Bird) (BP21/343)

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

*Voting against:* Councillors Guise and Lloyd

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

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

## Matter of Urgency

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

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

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

(Councillors Waters/Guise)

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

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

### **11.8 CBD Clean Up**

---

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

#### **General Manager's response:**

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

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

Lismore Library  
Lismore Municipal Building - Old Council Chambers  
Lismore City Hall

Laurie Allen Centre  
Visitor Information Centre  
Family Support Network - Old Scout Hall  
Stocks Park (Cedar Log Shed)  
Lismore Old Gallery  
Lismore Memorial Baths  
Lismore Regional Gallery  
CWA Building  
Croquet Club  
Lismore Transit Centre  
The Quad Park  
Urban Road Package 2 - Minor Works Package  
Road furniture CBD - bollards, street lighting, signage  
CBD Drain Cleaning - Drainage (Various)  
Urban pavement, drainage and furniture damages  
Browns Creek Pump Station  
CBD Tractor Pump Station  
Hollingsworth Pump Station  
Gasworks Pump Station  
Snow St and Chain St Pump Stations  
Mechanical Trash Rack - Browns Creek  
Mechanical Trash Racks - Hollingsworth  
Mechanical Trash Racks - Gasworks  
Hollingsworth Flood Gate Refurbishment  
Fibre Connect all Pump Stations  
Widen Browns Creek Culvert Brewster Street

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

---

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

#### **General Manager's response:**

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



### **Nimbin Rainbow Road Walking Track**

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

#### **Design Process:**

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

#### **Consultation:**

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

#### **The Review of Environmental Factors (REF):**

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

#### **Please find attached Council's Equity in Access Policy:**

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

### **Rail Trail**

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

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

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



## POLICY MANUAL

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

### STATEMENT OF INTENT:

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

### DEFINITIONS:

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

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

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



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



## Confidential Matters – Closed Council Meeting

82/25 **RESOLVED** that Council now exclude the press and public and meet in Closed Council to consider the following matters;

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

(Councillors Bing/Dalton-Earls)

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

**Voting against:** Councillor Guise

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

## Resumption of Open Council

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

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

That:

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

(Councillors Bing/Waters) (BP25/163)

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

**Voting against:** Nil

**Absent:** Councillor Rob

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

That:

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

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

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

**Voting against:** Nil

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

That:

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

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

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

**Voting against:** Nil

### **12.4 General Manager appointment**

That:

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

whichever occurs first

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

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

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

**Voting against:** Nil

## Closure

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

CONFIRMED 13 May 2025 at which meeting the signature herein was subscribed.

---

**MAYOR**



## Confidential Report

### Report

Subject	RFQ Q25/11 Urban Rivers and Catchments Program
TRIM Record No	BP25/163:AF25/517
Prepared by	Environmental Strategies Coordinator
Reason	To accept a recommended contractor to supply Project Delivery for the Regenerating for Resilience in Lismore's Urban Endangered Rainforests project
Strategic Theme	Our natural environment
Strategy	Our waterways and catchments are healthy.
Action	Enhance riparian vegetation and manage off-stream impacts to improve water quality.
Grounds for Closure	Section 10A(2) (d i):
Public Interest	Discussion of this matter in an open meeting would on balance be contrary to the public interest because it relates to: commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

#### Executive Summary

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

#### Recommendation

That:

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

#### Background

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

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

Lismore City Council

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

1

## Confidential Report

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

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

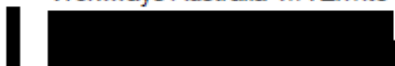
### Request for Quote

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

### Quote Evaluation

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

- Workways Australia T/A Envite Environment



The evaluation panel comprising Council's Environmental Strategies Coordinator, Council's Environmental Strategies Officer (NRM) and an external partner to the project from Rous County Council, undertook the assessment of quotes received. The evaluation was conducted in accordance with Clause 166(a) of the *Local Government (General) Regulation 2021*.

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

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

### Methodology

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

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

## Confidential Report

Quotes were ranked in respect of each criteria as follows:

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

### Quote Price ( )

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

### Capability, Experience and Availability ( )

Provision of a Reverse Brief that addresses

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

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

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

### Local Content ( )

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

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

## Confidential Report

### Evaluation Results

Table 1. Summarised Evaluation Scores

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

### Price Evaluation

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

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

- o Workways Australia T/A Envite Environment 2115 hr

### Non-Price Evaluation

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

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

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



## Confidential Report

### Budget

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

### Conclusion

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

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

### Attachment/s

There are no attachments for this report.

## Confidential Report

### Report

Subject	<b>T2025-08 Supply and Delivery of Ready Mixed Concrete Tender</b>
TRIM Record No	BP25/137:AF25/1216
Prepared by	Manager Roads Engineering
Reason	To inform Council of the submissions received for Tender T2025-08 Supply and Delivery of Ready Mixed Concrete and to provide recommendations for adoption.
Strategic Theme	Our built environment
Strategy	Our city and village services are well managed and maintained.
Action	Provide a road network that is safe and serviceable.
Grounds for Closure	Section 10A(2) (d i):
Public Interest	Discussion of this matter in an open meeting would on balance be contrary to the public interest because it relates to commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

#### Executive Summary

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

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

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

#### Recommendation

That:

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

Lismore City Council

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

1

## Confidential Report

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

### Background

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

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

The following Councils participated in this Tender process:

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

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

### Tender Process

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

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

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

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

### Tender Assessment

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

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

### Comments

#### Finance

No issues or concerns.

## Confidential Report

### Other officer comments

#### Head Roads & Quarry

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

### Public consultation

Not required.

### Conclusion

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

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

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

### Attachment/s

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





**Addendum 1: Evaluation Results:**

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

## Confidential Report

### Report

Subject	T2025-07 Supply or Supply & Installation of Road Safety Barrier Systems
TRIM Record No	BP25/136:AF25/1206
Prepared by	Manager Roads Engineering
Reason	To inform Council of the submissions received for tender T2025-07 Supply or Supply & Installation of Road Safety Barriers Systems and to provide recommendations for adoptions.
Strategic Theme	Our built environment
Strategy	Our city and village services are well managed and maintained.
Action	Provide a road network that is safe and serviceable.
Grounds for Closure	Section 10A(2) (d i):
Public Interest	Discussion of this matter in an open meeting would on balance be contrary to the public interest because it relates to: commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

### Executive Summary

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

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

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

### Recommendation

That:

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

## Confidential Report

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

### Background

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

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

The following Councils participated in this Tender process:

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

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

### Tender Process

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

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

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

No late tenders were received.

## Confidential Report

### Tender Assessment

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

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

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

### Comments

#### Head of Roads & Quarry

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

### Public consultation

Not required.

### Conclusion

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

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

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

### Attachment/s

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



## Addendum 1: Evaluation Results

Tender No.: REGPRO002025									
Cat. 1 Supply & Installation Annexures A, B and C									
Evaluation Criteria Price		Weighting		At Highways		GRI Road Services		Road Safety Barriers	
		%							
31m of Eyegard (or TNSW equivalent) QW ET-SS Terminal (or equivalent) at either end - Soil condition: Non reactive clay - Dia-before-you-dig: complete & no services present - Traffic control: 3 person crew plus relief staff (by Tenderer) - R/O Cert by Council		■■■■							
Lump Sum Rate For Annexure A		\$ ex GST							
38m of Eyegard (or TNSW equivalent) QW ET-SS Terminal (or equivalent) at either end - Radius 60mz overall length 12 mtrs - Soil condition: non reactive clay - Dia-before-you-dig: Complete & no services present - Traffic control: 3 person crew required plus relief staff (by Tenderer) - R/O Cert obtained by Council		■■■■							
Lump Sum Rate For Annexure B		\$ ex GST							
2 x 70 metres of Fender (or TNSW equivalent) from Anchor to Anchor as per drawings (4 Anchors in total) in accordance with Specifications and/or Australian Standards - Concrete Plant within a 5km distance from site - Soil Condition: Non-Reactive Clay with NO ROCK present - Dia-Before-You-Dig: Already Complete and No Services Present - TCP's Require Approval by Principals Representative - Speed Restrictions for Traffic Control and R/O, also obtained by Council		■■■■							
Lump Sum Rate For Annexure C		\$ ex GST							
Total Price		50		33.39		27.43		33.37	
		Rank		8		7		6	
				At Highways		GRI Road Services		Road Safety Barriers	
WHS		■■■■■							
Previous Experience									
Quality Assurance									
Physical Resources									
Ecologically Sustainable Development									
Local Content		50		31		25		50	
Sub Total		Rank		7		8		1	
Total		100		65		53		90	
		Rank		8		7		3	