



Council

An Extraordinary Meeting of the City of Lismore Council will be held at the Council Chambers on Thursday 21 August 2025 at 10.00am

Members of Council are requested to attend.

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

Eber Butron
General Manager

18 August 2025



ETHICAL DECISION MAKING AND CONFLICTS OF INTEREST

A guiding checklist for councillors, staff and community committees

Ethical decision making

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

Conflict of interest

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

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

The test for conflict of interest

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

Identifying problems

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

Disclosure and participation in meetings

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

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

Non-pecuniary Interests - Must be disclosed in meetings.

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

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

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

Agenda

- 1. Opening of Meeting**
- 2. Acknowledgement of Country**
- 3. Pause for reflection**
- 4. Apologies and Applications for Leave of Absence or Attendance by Audio-Visual Link**
- 5. Disclosures of Interest**
- 6. Mayoral Minute(s) and Condolence Motions**
- 7. Reports of Committees**
- 8. Matters Arising**
- 9. Reports of the General Manager**
- 10. Notices of Motion / Questions with Notice**
 - 10.1 Withdrawing Old Policies.....6
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Notices of Motion / Questions with Notice



Notice of Motion / Question with Notice

Councillors Jasmine Knight-Smith; Virginia Waters; Adam Guise have given notice of their intention to move the following rescission motion:

That Council rescind its decision of item 11.8 from the 12 August 2025 meeting.

Councillor Comment

We intend to move at the 21 August 2025 Extraordinary Council meeting a rescission motion on item 11.8 Withdrawing Old Policies of the 12 August 2025 Council meeting.

RESOLVED that Council:

1. withdraw policies 1.4.2, 1.5.1, 5.2.1, 5.17.5
2. rewrite policy 8.5.1 as a Sport, Tourism, Culture and Art Policy
3. review the Biodiversity Strategy with a report to come to Council by March 2026

(Councillors Rob/Bing) (BP25/545)

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

Voting against: Councillors Jensen, Knight-Smith and Waters

TRIM Record No: BP25/572:EF19/25-7

Notice of Motion / Question with Notice

Councillors Harper Dalton-Earls; Virginia Waters; Jasmine Knight-Smith have given notice of their intention to move the following rescission motion:

That Council rescind its decision of item 11.3 from the 12 August 2025 meeting.

Councillor Comment

We intend to move at the 21 August 2025 Extraordinary Council meeting a rescission motion on item 11.3 Request for Update and Retention Options on Temporary Housing Pods of the 12 August 2025 Council meeting.

MOTION moved that Council:

1. writes to the Member for Lismore, Janelle Saffin MP, requesting an update on any current or planned negotiations between State and Federal Ministers, agencies, and relevant stakeholders regarding the future use of the temporary housing pods located in Lismore
2. requests that these negotiations explore options for retaining some or all pods within the Lismore Local Government Area for purposes including:
 - a. transitional housing for flood-affected residents
 - b. temporary accommodation for individuals and families experiencing homelessness
 - c. crisis accommodation for survivors of domestic and family violence
 - d. other identified community housing needs such as key worker housing
3. acknowledges that the pods form part of a joint Federal–State program initiative and that their continued use could provide significant community benefit.
4. states its position that Council supports the retention of some or all of the pods within the Lismore Local Government Area for ongoing transitional, crisis, and community housing purposes, and affirms this position in writing to the Member for Lismore and Minister for Recovery, Janelle Saffin MP, as well as relevant State and Federal Ministers and agencies as required

(Councillors Dalton-Earls/Waters) (BP25/521)

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

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

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

There are no attachments for this report. **TRIM Record No:** BP25/577:EF19/25-7