



## Council

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An Ordinary Meeting of Lismore City Council will be held at the Council Chambers on Tuesday, 11 November 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**

4 November 2025



## **ETHICAL DECISION MAKING AND CONFLICTS OF INTEREST**

### **A guiding checklist for councillors, staff and community committees**

#### **Ethical decision making**

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

#### **Conflict of interest**

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

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

#### **The test for conflict of interest**

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

#### **Identifying problems**

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

#### **Disclosure and participation in meetings**

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

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

**Non-pecuniary Interests** - Must be disclosed in meetings.

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

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

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

# Agenda

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## 1. Opening of Meeting

## 2. Acknowledgement of Country

## 3. Pause for reflection

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

## 5. Confirmation of Minutes

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## 6. Disclosures of Interest

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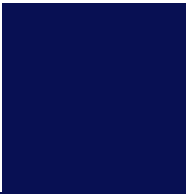
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# Matters Arising

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## Matters Arising

<b>Subject</b>	Questions on Notice
<b>TRIM Record No</b>	BP25/754:EF23/173
<b>Prepared by</b>	Executive Officer
<b>Reason</b>	To provide a response to councillors for questions taken on notice at the previous Council meeting
<b>Strategic Theme</b>	Leadership and participation
<b>Strategy</b>	Our decisions and actions are open, transparent, effective and in the interests of all.
<b>Action</b>	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 October Ordinary Council meeting. As per Clause 9.17 of the Code of Meeting Practice the response is being reported.

### Recommendation

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

### Background

#### 10.4 Proposed Sale to Dunoon & District Sports & Recreation Club Ltd - Part 1 Cowley Road, Dunoon

##### Clr Waters

1. Can examples of the costs incurred with similar types of land transfers be provided?

##### Officer response:

In the past, when Council has resolved to gift land for \$1, the recipient has been responsible for all associated costs, including Council's legal costs.

Each transaction varies depending on factors such as whether a subdivision or development application is required, and the level of legal representation involved. The Gun Club transaction involved multiple landowners, not just Council and the Gun Club, so the costs are not considered a true representation of standard transaction costs.

A standard transaction where the entire parcel is transferred to a third party would typically involve legal costs for both parties to enact the contract of sale—estimated at \$2,000–\$2,500 each (approximately \$4,000–\$5,000 in total). This may be reduced if both parties agree to use the same solicitor or conveyancer.

The purchaser may also be liable for stamp duty based on the property's market value. A stamp duty valuation may cost around \$1,000–\$2,000, in addition to the duty itself (for example, stamp duty on a \$200,000 property in NSW is approximately \$5,490).

**Estimated total: \$5,000–\$7,000 + the stamp duty.**

A transaction that involves subdividing land prior to transfer would incur additional costs. The rates below are based on recent Council transactions which are traditionally inflated (noting that it is common for community groups to receive reduced rates as an act of goodwill or where the professionals are members of the group/club):

- **Survey fees** (including lodgement with Council and plan registration with LRS): approximately **\$9,000**
- If subdivision cannot be completed under a SEPP, a DA may be required, with indicative costs as follows:
  - Planning consultant: **\$2,000**
  - Council DA fees: **\$1,100**
  - Bushfire report (if required): **\$2,200**
  - Ecology report (if required): **\$4,500**

### 11.9 Sharps bin at the Lismore Transit Centre

#### Clr Dalton-Earls

1. Were alternative sites considered by staff for the location of the sharps bin?

#### Clr Waters

2. Was it considered to be located on the opposite the current location?

#### Officer response:

1. Council staff were instructed to liaise with the Harm Reduction Officer from the Lismore Needle & Syringe Program, who identified the preferred locations based on usage patterns and syringe complaint data. Following this advice, two sites were selected — the Transit Centre and the area opposite Lismore Square Shopping Centre
2. The area opposite the current location was not identified by the Harm Reduction Officer as a high-use syringe area, nor was it recommended as a preferred site for a community sharps collection point.

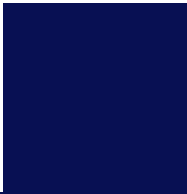
### Attachment/s

There are no attachments for this report.



# Reports of the General Manager

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# Report

<b>Subject</b>	<b>Transfer of Council's Interest in Goonellabah Community Housing Property</b>
<b>TRIM Record No</b>	BP25/755:P20709-02
<b>Prepared by</b>	Property Officer
<b>Reason</b>	To enable Council to consider initiating the disposal process for its interest in the community housing property at 15 Eggins Place, Goonellabah, held jointly with Homes NSW, in accordance with clause 2(c) of the 1990 Deed of Agreement.
<b>Strategic Theme</b>	Leadership
<b>Strategy</b>	Ensure effective governance, advocacy, engagement and partnerships with a focus on long-term financial sustainability
<b>Action</b>	Provide responsible, transparent and accountable leadership with sustainable management of Council finances, assets, risks and human resources

## Executive Summary

Council holds a 14.13% ownership share in the property at 15 Eggins Place, Goonellabah (Lot 514 DP 774504) under a 1990 Deed between the then NSW Land and Housing Corporation (now Homes NSW), Lismore City Council, and the North Coast Community Housing Company Ltd (NCCH).

The property forms part of the former Local Government and Community Housing Program and has been continuously managed by NCCH as community housing. Council's minor ownership share provides no financial benefit and imposes ongoing administrative responsibilities.

In accordance with clause 2(c) of the Deed, any disposal must first be offered to Homes NSW, and if declined, to NCCH.

This report recommends that Council commence this process by offering the property to Homes NSW and, if declined, to NCCH. If both decline, a further report will be brought back to Council to consider its options.

## Recommendation

That Council:

1. authorise the issue of formal written notice to Homes NSW (formerly NSW Land and Housing Corporation) in accordance with clause 2(c)(i) of the 1990 Deed, offering Homes NSW the first option to purchase Council's share in 15 Eggins Place, Goonellabah (Lot 514 DP 774504) at market value as determined by the Valuer General or another valuer agreed between the parties
2. authorise, if Homes NSW declines the offer or fails to respond within the three-month period specified under the Deed, the issue of a subsequent offer at market value to the North Coast Community Housing Company Ltd in accordance with clause 2(c)(ii)
3. delegates authority to the General Manager to:
  - a. negotiate and enter into a contract for the sale of the land, should an offer by either party be accepted
  - b. execute all documents and take all necessary steps to give effect to the above actions

**Lismore City Council**

**Meeting held 11 November 2025 - 10.1 - Transfer of Council's Interest in Goonellabah Community Housing Property**

## Background

In 1990, the then NSW Land and Housing Corporation, Lismore City Council, and North Coast Community Housing Company Ltd entered into a Deed under the Local Government and Community Housing Program for the construction of seven dwellings at Goonellabah.

Title to the property at 15 Eggins Place, Goonellabah (Lot 514 DP 774504) was vested in the Department and the Council as tenants in common, with ownership shares determined by the "Grant Ratio" formula in clause 2(b). Following completion, the Department held 8587/10000 (85.87%), and Council held 1413/10000 (14.13%).

The Deed requires that the property be used for community housing purposes and sets out the procedure for disposal or transfer of the property under clause 2(c).

## Disposal Provisions and Key Reasons for Disposal

Clause 2(c) of the 1990 Deed provides that:

1. **First Offer to Homes NSW (formerly the Department)**
  - Council must first notify Homes NSW in writing of its intention to sell, transfer, or otherwise dispose of the property.
  - Homes NSW has the first option to purchase the property at market value as determined by the Valuer General or another valuer agreed between the parties.
  - The offer remains open for three (3) months or until formally declined, whichever occurs first.
2. **Second Offer to the Tenant (NCCH)**
  - If Homes NSW declines the offer, the property must then be offered to the Tenant (NCCH) on the same market value terms.
  - The Tenant has two (2) months to accept the offer.

The property at 15 Eggins Place will continue to be managed by NCCH for community housing purposes. However, Council's ownership interest in the property is no longer required to ensure its ongoing use for this purpose. It is therefore proposed that Council commence the disposal process by providing the required notice to Homes NSW, and subsequently to NCCH if necessary.

Reasons for disposal:

- **No financial return:** Council presently receives no income or financial benefit from its ownership share. All rental income is retained by NCCH to support housing management and maintenance.
- **Administrative inefficiency:** Retaining Council's name on title creates ongoing administrative and legal responsibilities without providing any operational influence or advantage.
- **Outdated program arrangement:** The former 1990 Local Government and Community Housing Program has been superseded, and Council's continued ownership is no longer necessary to maintain community housing outcomes.
- **Strategic asset management:** Disposing of this interest supports Council's objective to ensure all properties are used for their highest and best purpose, enabling more effective allocation of resources across the property portfolio.

## Comments

### Finance

Financial sustainability is an important business priority. Any disposals of Councils assets should be undertaken with a clear lens of ensuring value is realized, in the interest of all ratepayers.

## Public consultation

Public consultation is not required.

## Conclusion

Council's ownership share in 15 Eggins Place, Goonellabah no longer delivers any financial or operational benefit and is not required to support the property's ongoing use as community housing. The proposed disposal process aligns with both the requirements of the 1990 Deed and Council's strategic objective to ensure its property assets are used for their highest and best purpose.

## Attachment/s

1. 1990 Community Housing Deed between Council, Homes NSW & NCCH - *This matter is considered to be confidential under Section 10A(2) (d i) (d ii) of the Local Government Act, as it deals with commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it; AND commercial information of a confidential nature that would, if disclosed confer a commercial advantage on a competitor of the Council*

## Report

<b>Subject</b>	September 2025 Quarterly Budget Review Statement
<b>TRIM Record No</b>	BP25/757:CDR25/1545
<b>Prepared by</b>	Corporate Accountant
<b>Reason</b>	In accordance with Clause 203, Local Government (General) Regulation 2021, Council approval is required to amend the 2025/2026 Budget to reflect the actual or anticipated result
<b>Strategic Theme</b>	Leadership and participation
<b>Strategy</b>	We provide effective management and responsible governance.
<b>Action</b>	Ensure the efficient and effective operation of Council.

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## Executive Summary

This report presents the Quarterly Budget Review Statement (QBRs) for the quarter ended 30 September 2025, as required by the Local Government (General) Regulation 2021. The QBRs outlines the recommended changes to the budget for the first quarter, including carry forward works from the previous financial year, as summarised below:

Budget Item	Original Budget \$'000	Carry Forwards \$'000	Q1 Proposed Changes \$'000	Revised Budget \$'000
Operating Result from Continuing Operations	209,488	707	(1,247)	208,948
Operating Result from Continuing Operations before Capital Grants & Contributions – (Deficit)	(11,071)	(962)	(839)	(12,872)
Unrestricted Cash Position – Surplus	612	0	0	612
Capital Works Budget	244,140	7,400	4,626	256,166

Carry forward works have unfavourably impacted the operating result before capital grants and contributions by \$0.962m. This is mainly due to some of the revenue for these works having been recognised in the previous year, however the matching expenses are now being incurred in the current financial year. In addition, some of the funding for these works is being transferred from reserves held at 30 June 2025. Carry forward works have also increased the capital works budget by \$7.4m and are either funded from additional grant revenue, unexpended grants from prior years and internal or external reserve funds.

The recommended changes for the first quarter, have adversely impacted the operating result before capital grants and contributions by \$0.839m. Similarly, this is mainly due to some revenue for these works having been received in a prior financial year, with the expenses being incurred in the current year as well as funding being drawn from reserves. First quarter changes have also increased the capital works budget by \$4.626m to a revised total of \$256.166m. This is primarily due to new footpath capital grants of \$3.551m.

Importantly, Council's unrestricted cash result has remained at a projected surplus of \$612,000, with all proposed changes to the budget having funding sources.

Council held \$270.273m in cash, cash equivalents and investments at 30 September 2025. This includes \$251.004m in externally restricted funds and \$19.269m in internally restricted funds. Of concern, is that internal restrictions had to be temporarily drawn down at 30 September 2025 by \$10.967m. This was primarily due to cashflow issues with the buildings flood recovery portfolio, where Council was owed \$11.9m in funding. The Flood Recovery team are urgently pursuing options for the payment of these funds, including the option to draw down on advance funding already held for other areas of the portfolio. Unfortunately, this situation also persisted at 30 June 2025 (albeit slightly improving by 30 September 2025) and may result in Council being noted on the "least liquid" list in the Auditor General's report to the NSW Parliament.

### Updated QBRs Guidelines

The Office of Local Government (OLG) issued updated QBRs Guidelines in August 2025, which must be complied with from the first quarter of the 2025/2026 financial year. This includes standardised templates that must be used and changes to reporting requirements. The main changes include reporting the income and expenses statement by fund, the addition of a developer contributions schedule and removing the schedule on contracts and other expenses as well as removing the key performance indicators. These changes are further detailed in the report.

## Ongoing Flood Recovery

Council's original budget for 2025/2026 included a significant level of natural disaster restoration works of \$212.23m. Budgets for these works have not been adjusted as part of the September QBRs and remain on track at this stage, with major landslip works due to commence. These budgets will continue to be monitored and may be subject to change if Council encounters any further delays in funding approvals, encounters issues with the availability of contractors and materials or other impacts such as weather events. The delivery of the capital works program and associated expenditure is being monitored and reported to the Council through the Monthly Financial Performance Report.

Council's projected financial position at year end remains satisfactory.

## Recommendation

That Council adopts the attached September 2025 Quarterly Budget Review Statement and approve the recommended changes to the 2025/2026 budget.

## Background

Clause 203 of the Local Government (General) Regulation 2021 requires a Quarterly Budget Review Statement (QBRs) to be presented to Council within two months of the end of each quarter. The QBRs details Council's financial performance for each quarter, projected position at year end as well as presenting the recommended changes to the current year budget. The content is mandated by the OLG.

The September 2025 Quarterly Budget Review Statement (QBRs) includes the recommended changes to the budget for the quarter ended 30 September 2025. In line with end of financial year reporting requirements, the QBRs has been prepared on a consolidated basis with internal transactions eliminated.

## Revised Quarterly Budget Review Statement (QBRs) Guidelines

In August 2025, the OLG issued new QBRs Guidelines that all NSW councils are required to comply with from the first quarter of the 2025/2026 financial year. This includes the use of standardised templates to be presented to Councillors, the community and to the OLG. The main changes in the updated guidelines include:

- The introduction of a QBRs overview report showing summary financial results, along with information on borrowings, liquidity and capital expenditure and funding.
- The introduction of reporting Council's income and expenses by fund (general, water and sewer funds).
- The inclusion of a report on Council's cash and investments, including actual balances for externally and internally restricted cash and investments.
- The inclusion of a report on Council's developer contributions, including actual income received, amounts expended, interest earned and balances held at each quarter.
- The removal of the report on contracts and other expenses (including consultancy and legal costs).
- The removal of the report on Key Performance Indicators. It should be noted that the OLG also removed these from the Code of Accounting Practice and Financial Reporting for financial statement reporting purposes at 30 June 2025 as they are currently under review.
- A new requirement for Council to provide the OLG with a full copy of QBRs documents and an electronic QBRs data return throughout the financial year.

The OLG held a webinar for finance professionals 26 September 2025 to address questions on the new guidelines. There was consensus that these guidelines may change due to the feedback from finance professionals and any changes will be reflected in future QBRs reporting as required. It was discussed that Council could still provide additional information to Councillors from the standardised templates. The additional information provided in the September QBRs includes:

- Separate disclosure of carry forward budgets in the Income and Expenses and Capital Expenditure Statements.

- Additional breakdown in reporting on Cash and Investments, including external and internal restrictions (reserves).

When reporting to the OLG, the standardised templates are to be used.

## September 2025 QBRs – Consolidated Summary

The following table summarises the movements in the 2025/2026 consolidated budget (all funds) from the original budget adopted in June 2025, including the addition of carry forward works from the previous financial year and recommended changes for the first quarter, to the revised budget position at 30 September 2025. Results by fund are detailed in the QBRs document.

Consolidated Result	Original Budget \$'000	Carry Forwards \$'000	Q1 Proposed Changes \$'000	Revised Budget \$'000
<b>Income from Continuing Operations</b>	367,220	1,669	4,222	373,111
<b>Expenses from Continuing Operations</b>	157,731	962	5,469	164,162
<b>Operating Result from Continuing Operations</b>	209,488	707	(1,247)	208,948
<b>Operating Result from Continuing Operations before Capital Grants &amp; Contributions – (Deficit)</b>	(11,071)	(962)	(839)	(12,872)
<b>Unrestricted Cash Position – Surplus</b>	612	0	0	612
<b>Capital Works Budget</b>	244,140	7,400	4,626	256,166

The net operating result for the year before capital grants and contributions has declined to a projected loss of \$12.872m. The results for September Quarter have been unfavourably impacted by the addition of carry forward works and unexpended grants in relation to works that had commenced in the 2024/2025 financial year but are being completed in the 2025/2025 financial year. This is due to revenues recognised in the previous financial year, with matching expenses being incurred in the current financial year, as well as funding being utilised from internal and external reserves (ie no matching income in the income statement). Carry forward works include \$0.962m in operating expenditure and \$7.4m in capital works.

It is important to note that the unrestricted cash surplus has not been impacted by carry forward works. Carry forward budgets are required so funds can be spent in accordance with grant conditions and/or to complete budgeted works that commenced prior to 30 June 2025 but were still in progress. Further details are provided in this report.

The recommended changes for the first quarter, requiring Council resolution, have adversely impacted the operating result before capital grants and contributions by \$0.839m. This is mainly due to the inclusion of grant funded works of \$0.992m for the Urban Rivers and Catchments program, with funding of \$0.486m having been received in the previous financial year and transferred from unexpended grants reserves, meaning revenue and expenses budgets do not match, but this has no impact on cash funding. In addition, \$120,000 is proposed to be drawn from internal reserves to fund the replacement of software at the GSAC and Lismore Memorial Baths. Further details are provided in this report.

Ongoing losses before capital grants and contributions are not financially sustainable in the long term. Council is taking steps to address this as part of the Finance Transformation Program, including revisions to financial targets and budgeting processes, and further development of its long term financial plan.

There are recommended changes to Council's capital works program of \$4.626m for the first quarter, with details provided in this report. The revised capital works program now totals \$256.166m.

The unrestricted cash surplus remains at \$612,000.



## Cash and Investments

Council held \$270.273m in cash and investments at 30 September 2025. This includes \$251.004m in external restrictions and \$19.269 in internal restrictions. It should be noted that internal reserves had to be temporarily drawn down by \$10.967m due to cashflow issues with the buildings flood recovery portfolio. The position of the buildings portfolio at 30 September 2025 was that Council was owed \$11.9m in funding. The Flood Recovery team are urgently pursuing options for the payment of these funds, including the option to draw down on advance funding already held for other areas of the portfolio.

Operationally, all invoices are paid from Council's bank account and reimbursed from flood funding held in advance bank accounts or when grants are paid. Any delays in reimbursement can cause liquidity concerns for Council's reserves. At present, this is isolated to the buildings flood recovery portfolio.

This issue also existed at 30 June 2025, where internal reserves had to be drawn down by \$15.223m. This was mainly due to funds of approximately \$9m being owed for building restoration works and \$2.8m for costs associated with the Cyclone Alfred event. Approval has been received post 30 June 2025 to fund the costs associated with the Cyclone Alfred event from advance funding already held for the transport portfolio.

A full breakdown of external and internal restrictions is detailed in the QBRs document.

## Carry Forward Budgets

Carried forward budgets include works where a budget was previously approved by Council and works had either commenced, or had a contract in place in the previous financial year and had funding sources of either further grant income, unexpended grants or internal or external reserves held at 30 June 2025. In accordance with clause 211 (3) of the Local Government (General) Regulation 2021, these do not require Council approval as budgets were approved in a previous year and works are committed.

Carry forward works include \$0.962m in operating expenditure and \$7.4m in capital works. The main changes in carried forward budgets are detailed below:

### **Income from continuing operations**

The increase in capital grants and contributions of \$1.669m is due to remaining grant funding for a number of projects. The main grants are detailed below:

Capital Grants and Contributions Carried Forward	Amount
Nimbin Road (Booerie Creek) Blackspot funding	\$841,638
Cook Street pavement rehabilitation LRCI funding	\$275,425
Kyogle Road pavement rehabilitation LRCI funding	\$200,648
Urban Sports Precinct (Skatepark) grant funding	\$100,000
Wyrallah Road Intersection upgrade Blackspot funding	\$98,167
Standing Street Footpath The Channon Get Active NSW funding	\$80,536
Fredericks Road Caniaba pavement rehabilitation LRCI funding	\$38,714

### **Expenses from continuing operations**

- The increase in employee benefits and oncosts of \$20,000 is due to the carry forward of unexpended Strong Start Graduate grant funding.
- There is an increase in materials and services budgets of \$0.942m from carry forward works. The main projects are detailed below:

Materials and Services Budgets Carried Forward	Amount
Affordable Housing Scheme	\$500,000
Art Gallery ongoing grant projects	\$216,317

<b>Biodiversity Management Strategy ongoing projects</b>	\$128,208
<b>Waste Disposal compliance works</b>	\$93,992

Operational carry forwards of \$0.962m are funded from unexpended grants of \$0.237m and internal reserves of \$0.725m.

## Capital Works

The increase in capital works budgets of \$7.4m is mainly due to various roads and bridges projects of \$3.926m, various sewerage capital works of \$1.2m, water capital works of \$0.67m, Wyrallah Road Works Depot upgrades of \$0.647m, Urban Sports Precinct (skatepark) of \$0.294m, various waste disposal capital works of \$0.253m and finalisation of the Quad Toilets project of \$0.207m.

The major roads and bridges carry forward works are detailed below:

<b>Roads and Bridges Capital Carry Forward Works</b>	<b>Amount</b>
<b>Nimbin Road (Booerie Creek) pavement rehabilitation</b>	\$1,761,324
<b>Lismore Employment Lands</b>	\$873,321
<b>Ridgewood Bridge construction</b>	\$387,043
<b>Cook Street pavement rehabilitation</b>	\$275,475
<b>Kyogle Road pavement rehabilitation</b>	\$242,212
<b>Wyrallah Road intersection upgrade</b>	\$101,983
<b>Rous Road Roundabout</b>	\$96,594

The major sewerage fund carry forward works are detailed below:

<b>Sewerage Fund Capital Carry Forward Works</b>	<b>Amount</b>
<b>Pineapple Road Sewerage Pump Station</b>	\$603,920
<b>Sewer Manhole Remote Monitoring System</b>	\$295,754
<b>Sewerage Treatment Plant upgrade works</b>	\$166,916
<b>Sewerage Pump Station 8 &amp; 17 renewals</b>	\$61,149

The major water fund carry forward works are detailed below:

<b>Water Fund Capital Carry Forward Works</b>	<b>Amount</b>
<b>Water Reservoirs – renewals to be allocated</b>	\$174,856
<b>Esmonde Street Water Reservoir</b>	\$167,852
<b>North Lismore Plateau Water Supply</b>	\$150,000
<b>Pressure Reducing Valve installation</b>	\$142,150

Capital carry forward budgets of \$7.4m have been funded by capital grants and contributions of \$1.669m, unexpended grants of \$1.324m, external reserves of \$3.046m and internal reserves of \$1.361m.

Delays in determining the position of carry forward budgets were mainly due to delays in finalising Council's unexpended grants position at 30 June 2025 as part of the 2024/2025 financial statement preparation. The position of unexpended grants is required to determine Council's cash position for internal reserves to see what carry forwards can be funded.

The impact of including capital carry forward works of \$7.4m is increasing the significant capital works budget of \$244.1 million that was adopted by Council in June 2025. Council will undertake a comprehensive review of its capital works program in preparation of the December QBRS, with the focus on the capacity to deliver these works by 30 June 2026.

## Recommended Changes for September Quarter

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

	Recommended Changes \$'000
<b>Income from continuing operations</b>	
<b>Grants and contributions – operating</b>	\$4,630
<b>Grants and contributions – capital</b>	(\$409)
<b>Total income from continuing operations (increase)</b>	<b>\$4,222</b>

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

- Operating grants and contributions have increased by \$4.63m. This is mainly due to the transfer of \$4.0m from capital grants to operating grants for the portfolio management costs of the flood restoration works that are not being capitalised. This is an accounting correction of the original budget between operating and capital income and expenses and has no overall impact on Council's budget position. The other main change includes \$0.506m in grant funding for the Urban Rivers and Catchments program.
- Capital grants and contributions show a net decrease of \$409,000. The main decrease is the transfer of \$4.0m to operating grants as detailed above. This has been offset by increases of \$3.951m which includes \$3.551m for various Get Active NSW Footpath grants and \$40,000 in Country Passenger Transport Infrastructure Grants Scheme (CPTIGS) funding for bus shelters.

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

	Recommended Changes \$'000
<b>Expenses from continuing operations</b>	
<b>Employee benefits and oncosts</b>	(\$117)
<b>Materials and services</b>	\$5,586
<b>Total expenses from continuing operations (increase)</b>	<b>\$5,469</b>

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

- Employee benefits and oncosts budgets have decreased by \$117,000. The decrease is due to a reduction of \$65,000 in Destination and Economy salaries, redirected to contractor costs as well as \$52,000 in Information Technology salaries transferred to contract staff due to staff vacancies
- Materials and services budgets have increased by \$5.586m. The main increase relates to the transfer of \$4.0m from capital to operating expenses. This relates to the flood recovery portfolio management costs that are not being capitalised. This is purely an accounting adjustment and subsequent funding has also been transferred from capital to operating grants and this has no impact on the overall budget result. Other changes include \$992,000 for the grant funded Urban Rivers and Catchments program, \$208,000 for the grant funded Northern Rivers Watershed initiative and \$120,000 for the replacement of software at the GSAC and Lismore Memorial Baths.

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

<b>Capital Works Budget</b>	<b>Recommended Changes \$'000</b>
<b>New Assets</b>	<b>\$4,547</b>
<b>Asset Renewal</b>	<b>\$78</b>
<b>Total Capital Works increase</b>	<b>\$4,626</b>

The main increases in new assets of \$4.547m are detailed in the table below:

<b>New Assets</b>	<b>Recommended Changes</b>
<b>Lismore Boulevard – Get Active NSW Footpath</b>	<b>2,483,030</b>
<b>North Lismore Connections – Get Active NSW Footpath</b>	<b>857,180</b>
<b>Dibbs Street – Get Active NSW Footpath</b>	<b>411,037</b>
<b>Fauna Fence Bruxner Highway – Koala Vehicle Strike funding</b>	<b>300,000</b>
<b>Bouldering Wall and Seating Pod at the Skatepark – S7.11 funding</b>	<b>236,119</b>
<b>Blakebrook Quarry boundary fence – funded from reduction in renewals</b>	<b>160,000</b>

The main changes in capital renewals of \$78,000 are detailed in the table below:

<b>New Assets</b>	<b>Recommended Changes</b>
<b>Waste Collection vehicles – 8 trucks funded from State Govt grant</b>	<b>5,000,000</b>
<b>Flood Recovery Transport – transfer of portfolio management budget from capital to operating (not capitalised)</b>	<b>(4,000,000)</b>
<b>Winterton Parade road rehabilitation – reduction due to now being funded from natural disaster grants covered in existing flood recovery budgets</b>	<b>(700,000)</b>
<b>Rosehill Road road rehabilitation – reduction due to now being funded from natural disaster grants covered in existing flood recovery budgets</b>	<b>(513,198)</b>

Further details of recommended changes in capital works budgets are included in the budget variation notes in the QBRS document.

## Ongoing Flood Recovery

Council's original budget for 2025/2026 included a significant level of natural disaster restoration works of \$212.23m. This includes \$11.97m to complete the restoration of Council's building assets, along with \$171.74m for further restoration works on roads and bridges, \$5.72m for the waste facility and \$22.8m for water and sewer restoration (managed by Public Works). Budgets for these works have not been adjusted as part of the September QBRS and remain on track at this stage, with major landslip works due to commence. These budgets will continue to be monitored and may be subject to significant change each quarter if Council encounters any further delays in funding approvals, has issues with the availability of contractors and materials or encounters other impacts such as weather events.

## Conclusion

The September QBRS has seen the projected operating result before capital grants decline to a projected loss of \$12.872m. The capital works budget has increased by \$12.026m, due to carry forward works of \$7.4m and recommended changes for the first quarter of \$4.626m. Council's unrestricted cash result has remained at a projected surplus of \$612,000.

Restoring internally restricted reserve balances and the \$11.9m cash shortfall is a priority. This issue needs to be appropriately resolved for all future periods. Both the LCC Finance Team and the FRP team are proactively engaged in finding an appropriate solution.

## Attachment/s

1. Quarterly Budget Review Statement 30 September 2025 (Over 7 pages)

# Report

<b>Subject</b>	<b>Monthly Finance Report</b>
<b>TRIM Record No</b>	BP25/764:EF22/158-3
<b>Prepared by</b>	Senior Corporate & Strategic Finance Accountant
<b>Reason</b>	
<b>Strategic Theme</b>	Leadership
<b>Strategy</b>	Ensure effective governance, advocacy, engagement and partnerships with a focus on long-term financial sustainability
<b>Action</b>	Provide responsible, transparent and accountable leadership with sustainable management of Council finances, assets, risks and human resources

## Executive Summary

Staff have prepared a Monthly Financial Performance Report to improve transparency and provide clarity over Council's financial affairs, to be presented each month at the Council Meeting.

## Recommendation

That Council note the report.

## Background

Following a Council briefing in October, attached is the first formal Lismore City Council Monthly Financial Performance Report. It details Council's financial results and position for the period up to 30 September 2025.

As previously discussed with the Council, this report is a new finance initiative designed to improve transparency over financial matters. Any feedback on the report and its content is welcome.

Please also note that the Investment Report (which Council currently receives separately on a monthly basis) will be included in the Monthly Financial Performance Report - so as to provide a comprehensive view of finances. However, given the timing of the receipt of the Investment Report (which is prepared by Council's external investment advisor), there can be a 1 month lag on reporting investment performance.

In the attached report we have included an extract of the prior month Investment Performance report to visually depict how the investment portfolio content would be displayed.

## Attachment/s

1. Monthly Financial Performance Report (Over 7 pages)

## Report

<b>Subject</b>	Amendment to Lismore LEP 2012 to allow additional permitted use at Lot 12, DP1156149 - 98 Terania Street, North Lismore
<b>TRIM Record No</b>	BP25/794:AF25/5642
<b>Prepared by</b>	Development Assessment Officer
<b>Reason</b>	Planning Proposal
<b>Strategic Theme</b>	Prosperity
<b>Strategy</b>	Support the growth of prosperous and vibrant communities
<b>Action</b>	Stimulate economic growth, diversification and investment in established and emerging industries

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## Executive Summary

The proposal is essentially to permit a *timber yard* as a use that is permissible with development consent at 98 Terania Street.

The subject proposal is considered as being of medium risk for the following reasons:

1. Buoyant materials can become hazardous debris in a flood event.
2. Master/Precinct planning of the area is set to occur early 2026 where the future uses of the area are essentially in transition.
3. The subsequent Development Application (DA) may face challenges to satisfy the requirements of being compatible with the flood function and behavior of the land where the employment of management and engineered methods is likely required to attempt to address the attributes of the land (flood).

The body of this report provides a review of the issues identified above and provides suitable analysis and justification.

In summary the proposal is recommended for support based on the following.

- Low flood velocities are evident at the subject location.
- The use not being seen as overly restrictive to adjoining sites future potential uses.
- The use is already permitted within close proximity on sites with similar characteristics.
- The Reconstruction Authorities buyback program has resulted in the majority of dwellings being removed/uninhabited within the subject area.
- The subject industry is foundational to Lismore's existence/heritage.
- Potential hazards to be identified as required to be appropriately managed

The proposal is recommended for support.

A detailed Planning Proposal has been prepared also available at **Appendix 1** for Council's review and consideration.

## Recommendation

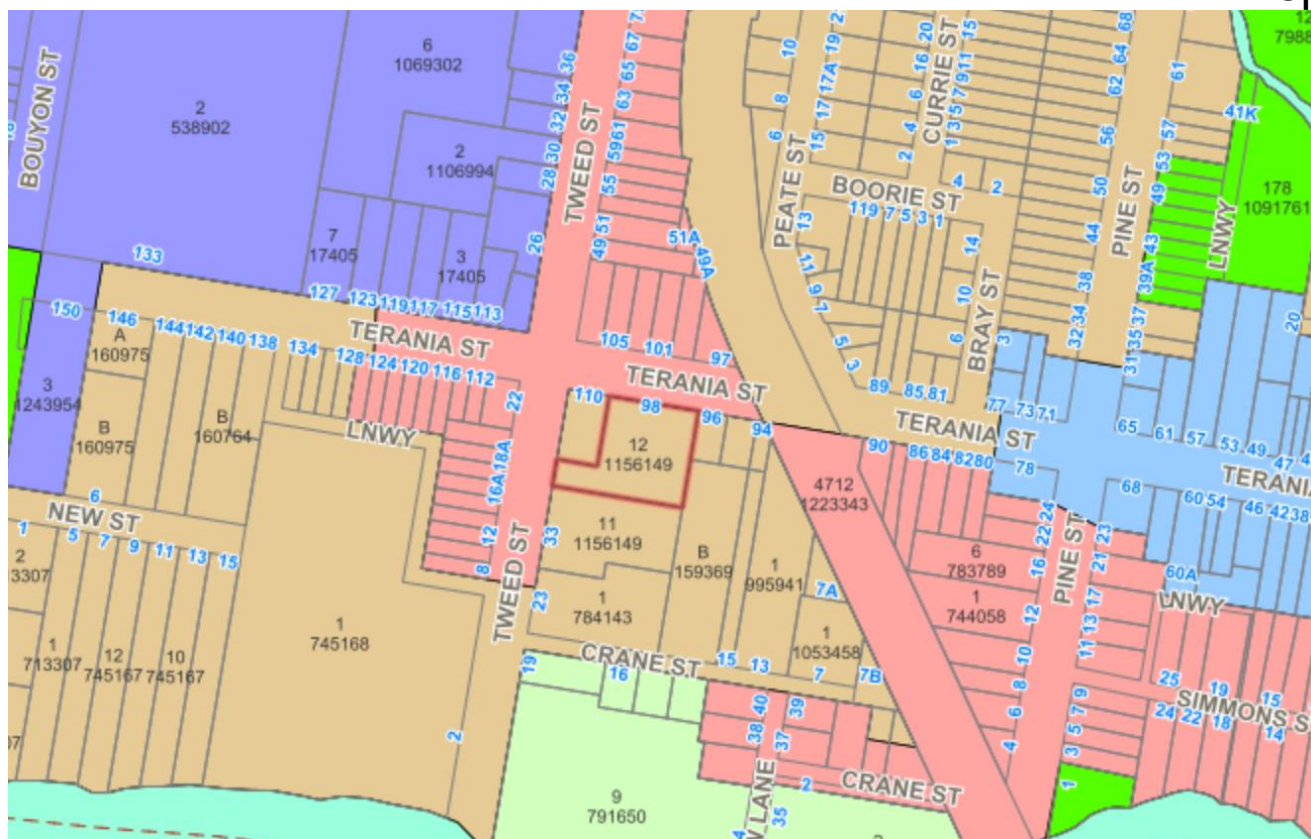
That Council:

1. supports the Planning Proposal to amend the Lismore LEP 2012 to allow a *timber yard* as an additional permitted use subject to flood considerations on Lot 12 DP1156149, 98 Terania Street, North Lismore
2. forwards the planning proposal for Lot 12 DP1156149, 98 Terania Street, North Lismore to the Department of Planning, Housing and Infrastructure (DPHI) seeking a Gateway Determination and proceeds to public exhibition in accordance with any Gateway requirements
3. confirms should any objections be made during the public exhibition stage that the planning proposal be reported back to Council. If no objections are received, the planning proposal be finalised and made, as per the delegation of the Gateway Determination

## Background

The applicant seeks to add a clause to Schedule 1 of the Lismore LEP 2012 to permit a *timber yard* with consent as an Additional Permitted Use. Timber yards are currently not permitted within the RU2 zone.





*Figure 1- Land Subject to this Planning Proposal.*

### Characteristics of the Subject Site

The subject site is zoned RU2 Rural Landscape where its overall site area is 3745m<sup>2</sup>. Existing Access crossovers exist on both Terania Street and Tweed Street.



*Figure 2 – Aerial Image of the subject site.*

The land is relatively level and possesses existing structures as above.

It is identified a significant amount of the surrounding dwellings have been purchased by the Reconstruction Authority to be decommissioned/demolished and/or relocated (sites shown red below are those that have settled).



**Figure 3 – Reconstruction Authority Buyback Properties** (developed by Lismore City Council).

The subject land is flood prone and a significant discussion in relation to the flood function and behavior of the subject lands is provided later within this report.

## Strategic Need/Context

### Local Strategic Planning Statement

The proposal is considered compatible with Priority Principles 1, 6 and 8 of the Local Strategic Planning Statement (LSPS).

In addition, it is considered the timber industry is integral to Lismore's historic development and character.

The subject land is located less than 1 kilometre from Lismore CBD. Furthermore, lands zoned E1 Local Centre and E4 General Industrial are located within 190 metres and 65 metres respectively on which timber yards are permitted under the Lismore LEP 2012.

Planning priority number one has connection with the subject proposal given the growth and population will require access to materials and services. The proposed additional permitted use is considered in line with the planning priority in that required materials will be locally available.

Priority six identifies the desire to expand agriculture & agribusiness while protecting productive agricultural land. The subject site is zoned RU2 Rural Landscape where its overall site area is 3745m<sup>2</sup>, being unfavourable for farming. Within priority six the development of a rural land use strategy is mentioned where its aim is stated as being .... *to provide the flexibility for agriculture and complementary uses to expand while not unnecessarily eroding the resource base over time*. The use is considered complimentary to the city and also agricultural pursuits generally and the size of the parcel will ensure no significant erosion of the natural resource base.



Priority eight identifies the consolidation of existing industries and support of their continued growth as a priority. Lismore has significant history in relation to timber industries. Early settlers named cedar getters are known to have harvested the big scrub where the Richmond River was crucial for the transportation of red cedar a valuable timber. Lismore was established as the furthest navigable point for ocean going vessels where the timber industry essentially accelerated the growth of Lismore being a significant impetus to Lismore being officially proclaimed a town.

Although there is some difference between logging and a timber yard, Lismore City can be stated to have significant history and association with the timber industry from its origins to becoming a City where this is considered worthy of mention and consideration in relation to the subject proposal. In Short, the timber industry it is a significant reason as to why Lismore is located where it is and is part of its legacy/history/heritage/character.

It is therefore justified that there is a demonstrated strategic need for this proposal.

## Environmental, Social and Economic Impact Assessment

### Environmental and Physical Constraints

#### Ecological Information

The subject land is not mapped on the Biodiversity Values Map and generally is devoid of any significant vegetation.

There are 3 threatened species mapped within close proximity. However, on investigation they are not located on the subject lands as provided within the image below (purple circles).

A small area of Koala Habitat is located on the very edge of the Tweed Street access as depicted below essentially between the two circles on the left.

No significant ecological impacts are anticipated to be associated with the proposal.

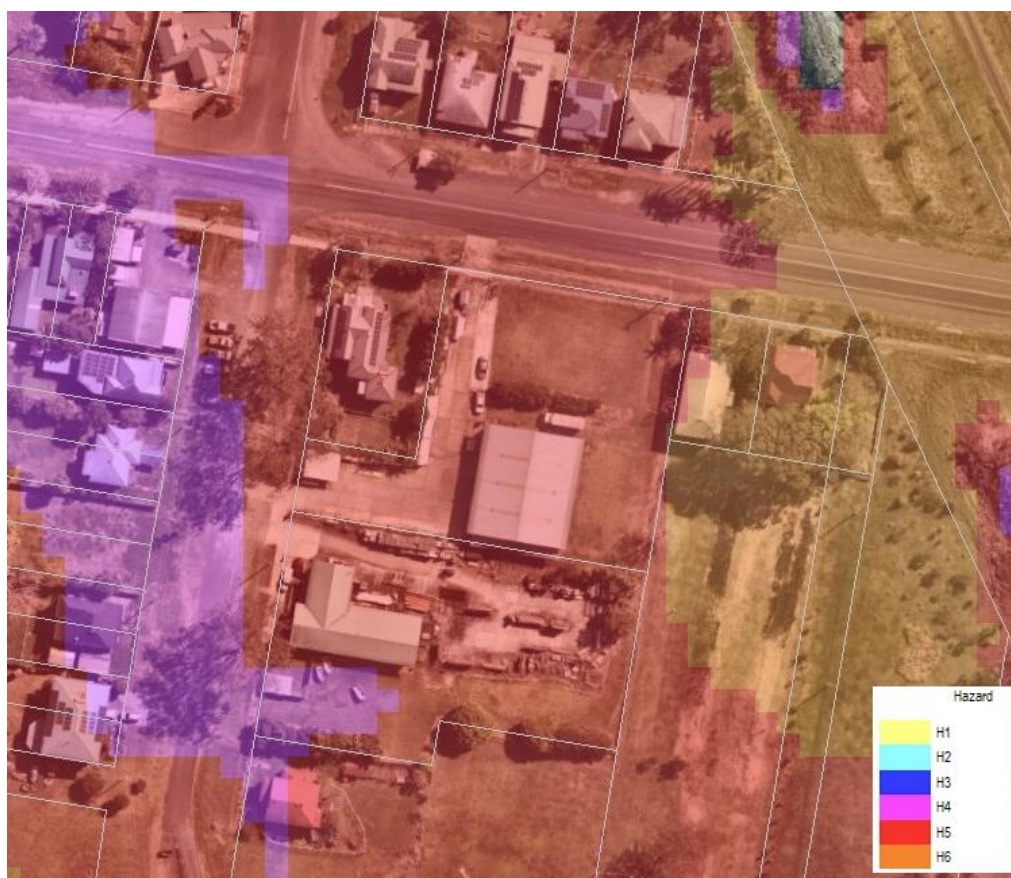


*Figure 4 – Ecological/Environmental Mapping*

No significant impact identified.

## Flood

The site is mapped as being affected by the 1% AEP flood event with a H5 hazard category (High Risk). Looking at the flood characteristics of the site the hazard category is based purely on depth as the velocities are relatively low, refer to image below.



*Figure 5: WaterRIDE hazard extract*



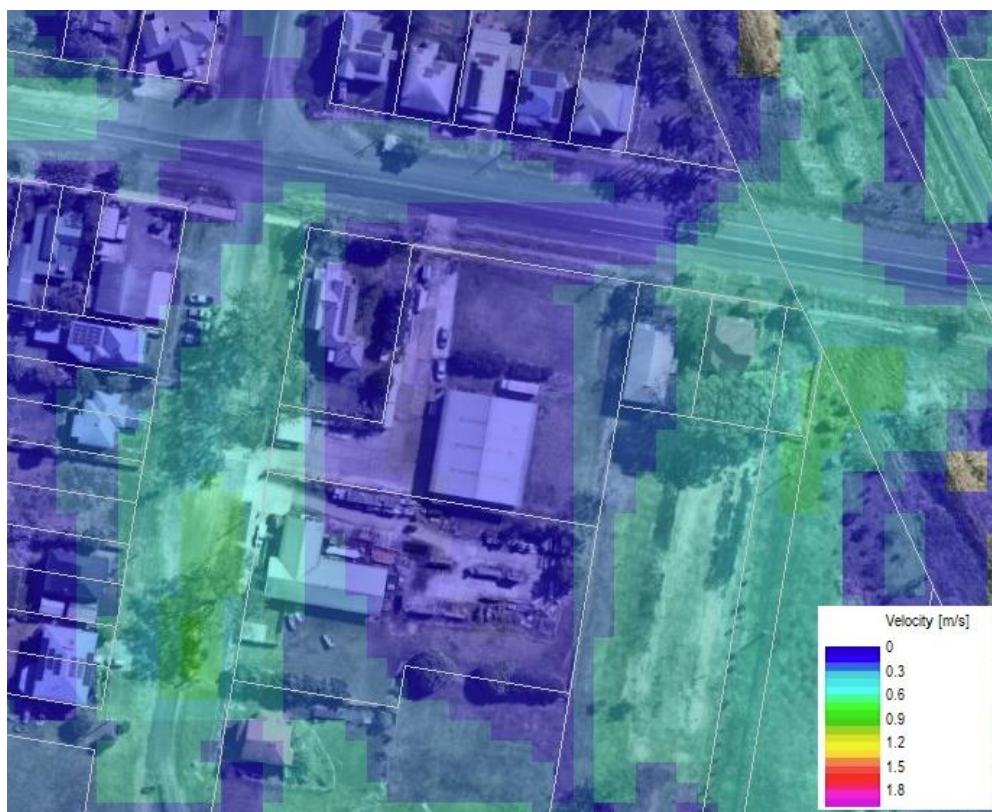


Figure 6: WaterRIDE velocity extract

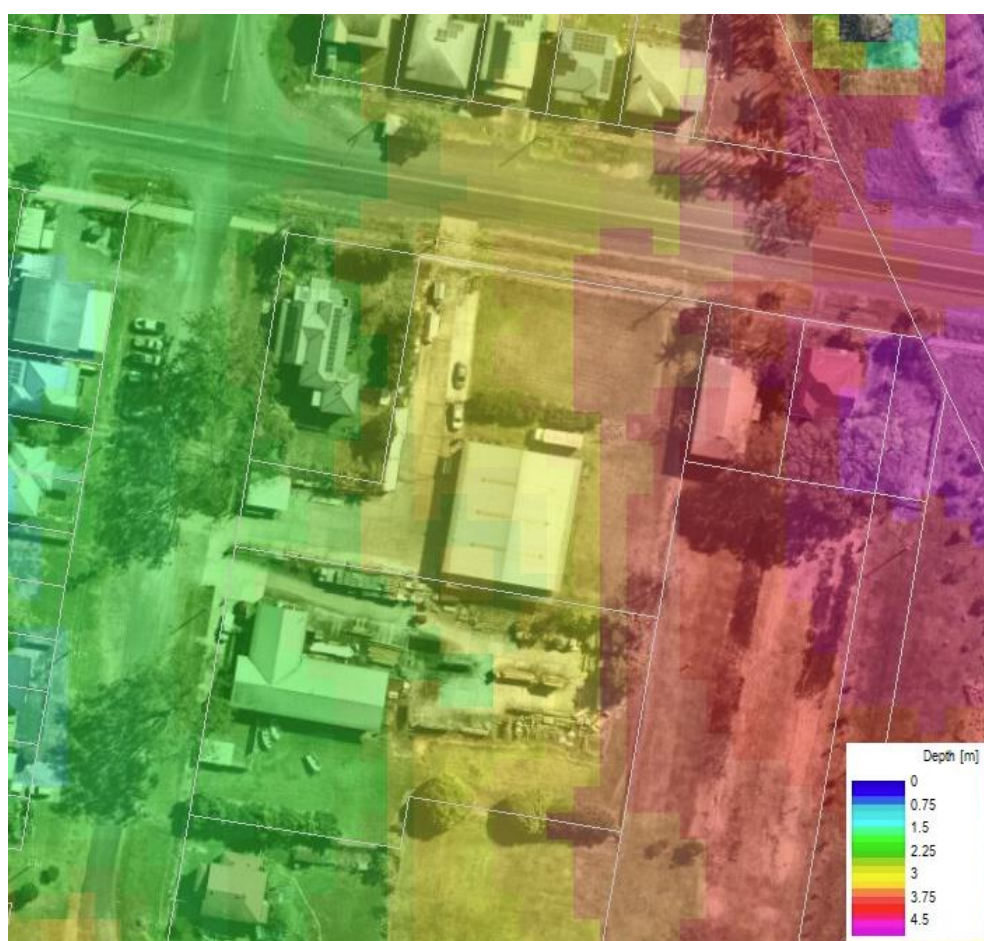
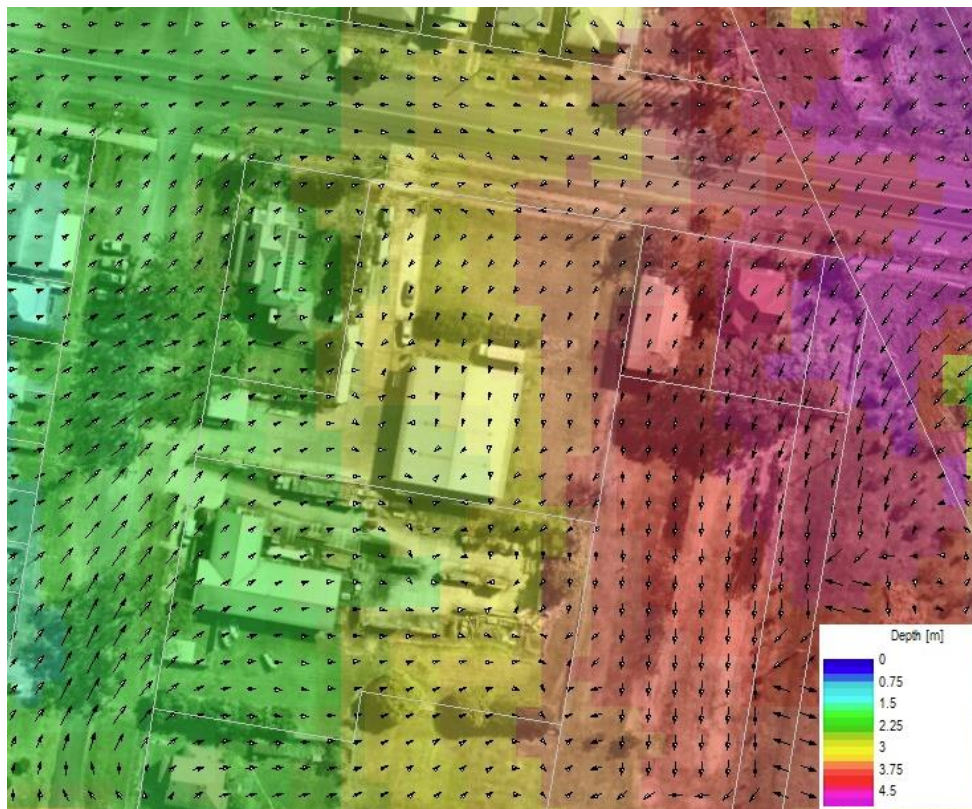


Figure 7: WaterRIDE depth extract



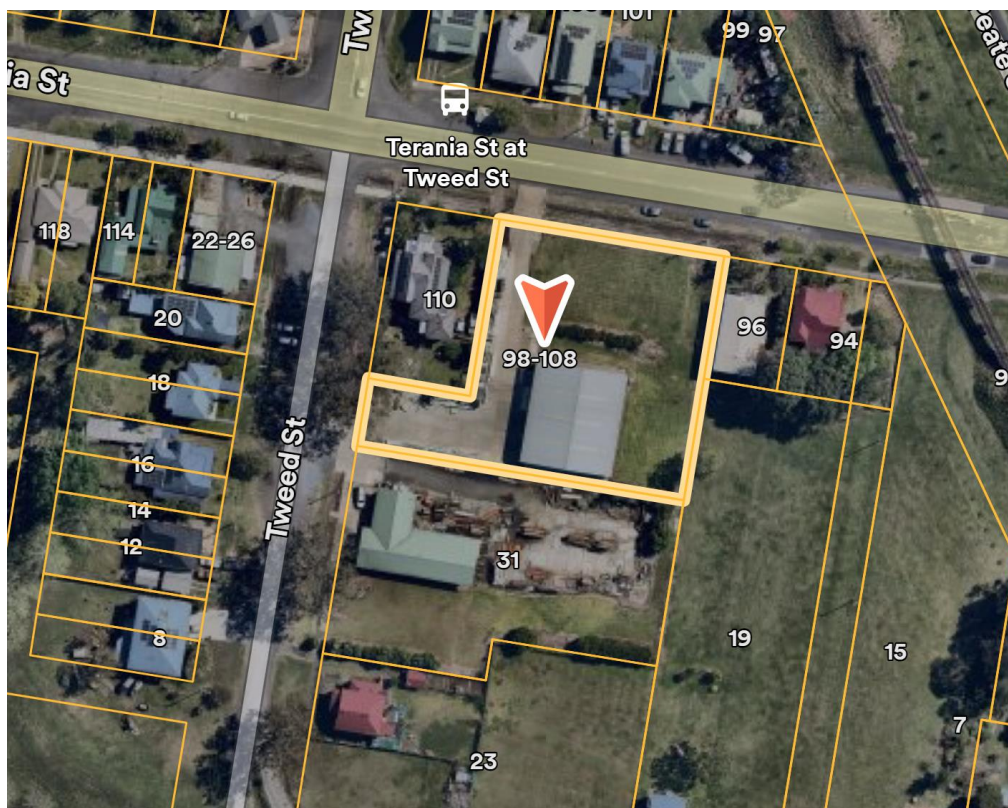
*Figure 8: WaterRIDE depth with flow vectors extract*

Given the nature of timber and its buoyancy it is considered the most critical flood characteristics relevant are velocity and flow paths. The images above identify low velocities, and no particular specific flow direction are apparent.

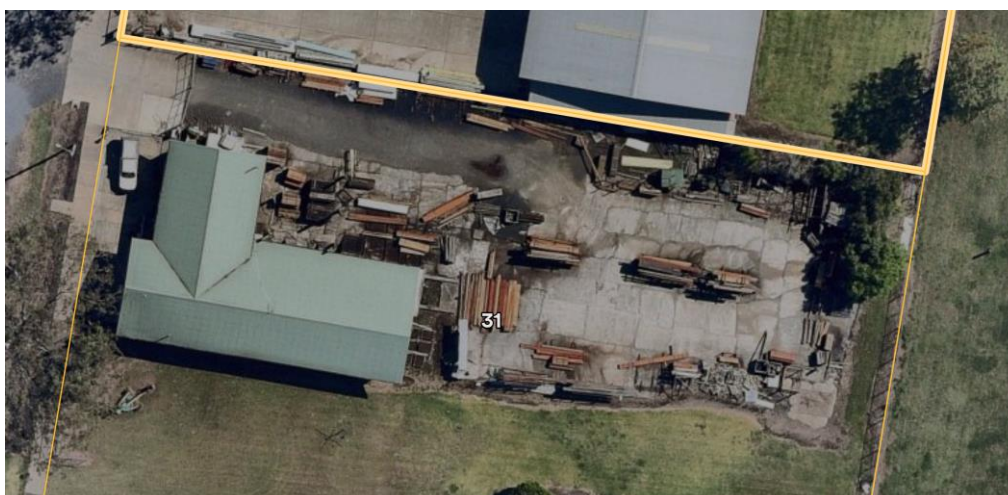
As previously discussed, most dwellings surrounding are being bought by the Reconstruction Authority. Furthermore, it is Council's intention to specifically mention within the Additional Permitted Use requirements, the state of satisfaction the Council must arrive at in relation to flood consideration, if a development application is to be supported.

Aerial imagery has been analysed where convenient, it is clearly evident the allotment to the south has significant amounts of stacked lumber prior to the 2022 significant flood event.





*Figure 9 Images Pre 2022 Flood*



*Figure 10 Images Pre 2022 Flood*

After the very significant flood event of 2022 the outcome is represented in the image below which illustrates lumber has been moved by floodwaters.





*Figure 11 Images after 2022 Flood*



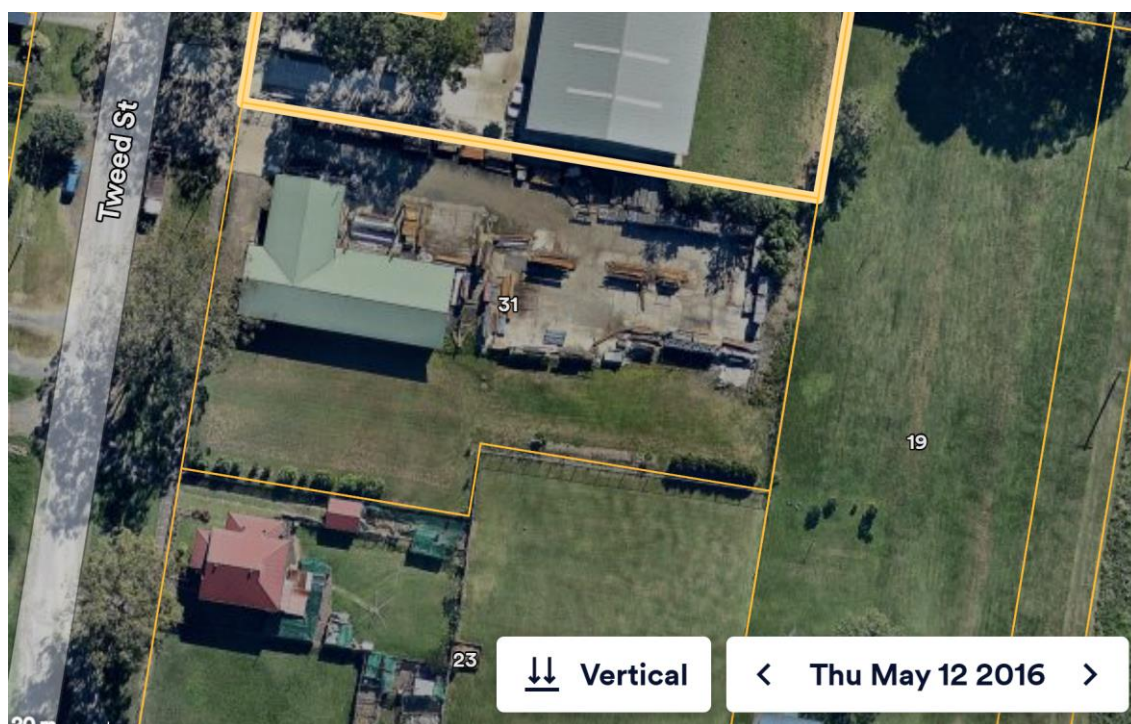
*Figure 12 Images after 2022 Flood*

Given the significance of the 2022 event. It is considered rational to review the images from the 2017 flood event.

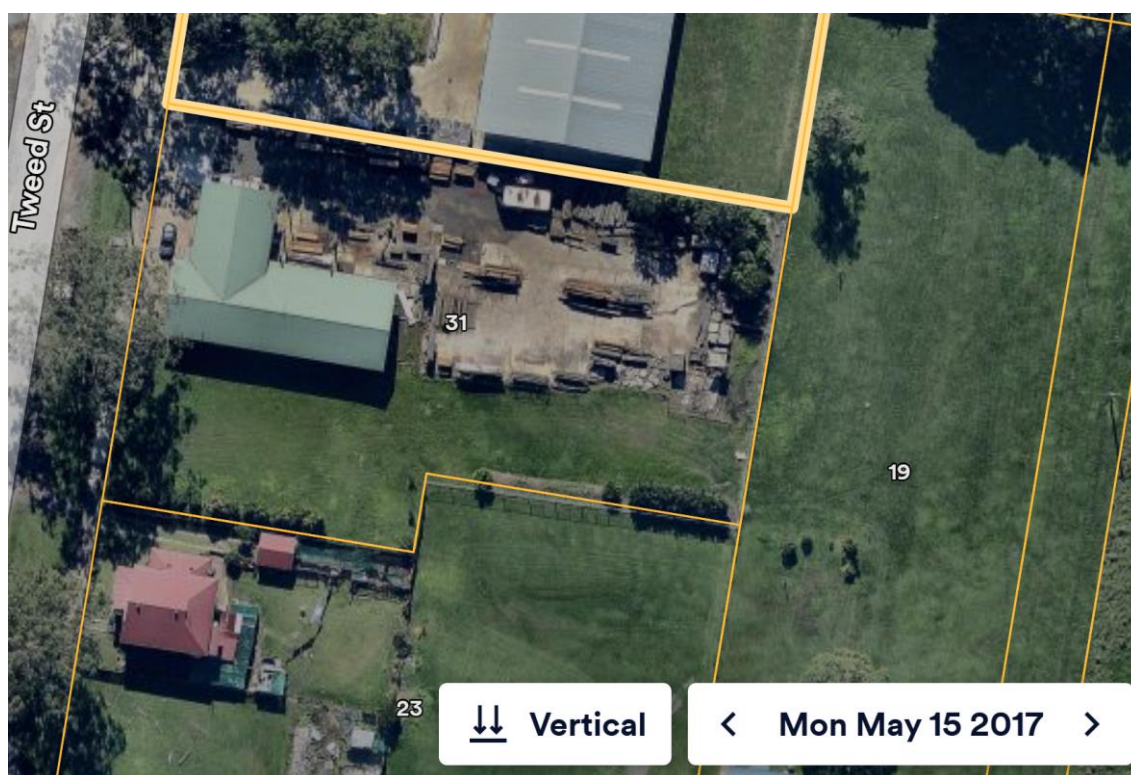
The 2017 Friday, March 31, Lismore flood reached a peak level of 11.6 meters at the rowing club gauge (CBD), which was below the Lismore 1% (1:100) AEP flood level of 12.5m AHD at the same gauge.



The event did however exceed the height of the Lismore levee and caused significant flooding to North and South Lismore. The images below identify the timbers stored do not appear to have been significantly moved in this occurrence.



**Figure 13** Images prior to 2017 Flood



**Figure 14** Images after 2017 Flood

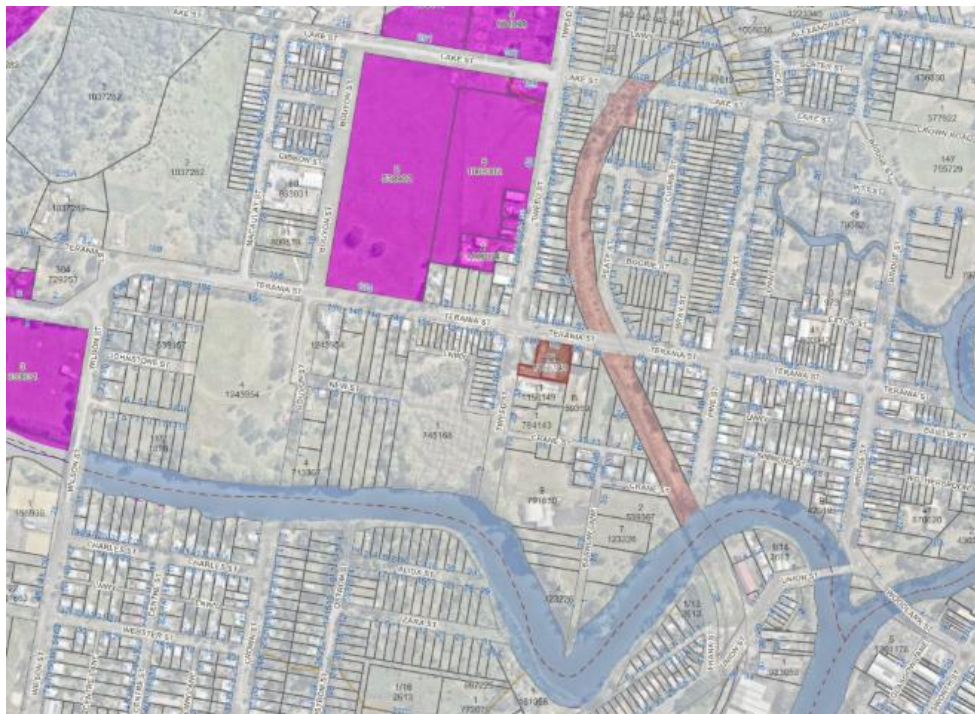
Significant assumptions are made in relation to the images above illustrating lumber did not significantly move in the 2017 Flood. Furthermore, if materials were to migrate away from the site in a slightly higher flood it would remain within the immediate vicinity and easily be salvaged as the velocity of the water is minimal.

## Bushfire

The subject allotment is not mapped as Bushfire Prone Land.

## Regionally Significant Farmland

The subject lands are not mapped as being either State or Regionally significant farmlands. Suitable image provided showing Regionally significant farmlands are within close proximity to the subject land.



*Figure 15 Images after 2017 Flood*

The subject allotment is zoned RU2 Rural Landscape where its overall size is 3745m<sup>2</sup>. At this measure its viability for any meaningful agriculture is dubious.

## Social, Economic & Cultural Heritage Impacts

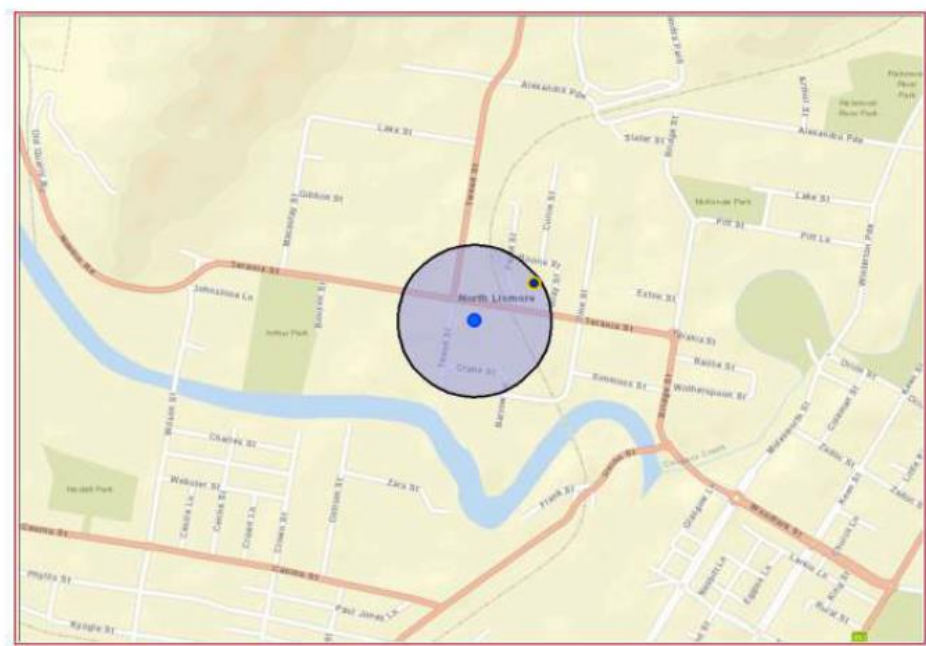
### Social and Economic Impacts

The planning proposal will allow for additional use to the subject lands. This is likely to improve its economic use and improve social outcomes via providing employment opportunities and local access to materials.

### Aboriginal and European Cultural Heritage

One Aboriginal Sites is recorded within 200 meters of the subject land. Given the distance to the subject no significant implications to this site are anticipated in relation to the proposal. A suitable AHIMS search result has been provided by the applicant illustrating the distance of the site to the subject lands as follows.





A search of Heritage NSW AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:

1	Aboriginal sites are recorded in or near the above location.
0	Aboriginal places have been declared in or near the above location. *

Figure 16 – Applicants AHIMS search results

The subject site does not contain any items of heritage and is not located within a heritage conservation area.

Servicing and Infrastructure

The subject allotment is well serviced by the existing road network. Reticulated water and sewer are available.

Overview of the Planning Proposal

The proposed outcome of the planning proposal will be achieved by:

- Adding a clause to Schedule 1 of the Lismore LEP 2012 to permit a *timber yard* as an additional permitted use subject to flood considerations on Lot 12 DP1156149, 98 Terania Street, NORTH LISMORE.
- Amending the Additional Permitted Uses Map to identify Lot 12 DP1156149, 98 Terania Street, NORTH LISMORE.

Timber yards are defined within the Lismore LEP 2012 as follows:

*timber yard* means a building or place the principal purpose of which is the sale of sawn, dressed or treated timber, wood fibre boards or similar timber products. It may include the cutting of such timber, boards or products to order and the sale of hardware, paint, tools and materials used in conjunction with the use and treatment of timber.f

Note.

Timber yards are a type of **retail premises**—see the definition of that term in this Dictionary.

## Other Staff Comments

Council's Development Engineer has assessed the Planning Proposal as required and their comments are incorporated into the relevant sections of this report. They are supportive of the proposal to proceed to Gateway.

## Public Consultation

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

## Conclusion

The attached Planning Proposal (**Attachment 1**) evaluates the impacts of a proposed development at the site, and concludes the site is suitable of accommodating a *timber yard*.

Despite some risks as detailed within this report the proposal is supported by Council staff.

It is recommended the Planning Proposal be submitted to DPHI for Gateway consideration and then put on public exhibition for public and agency input into the proposal.

Should any objections be made during the public exhibition stage the planning proposal will be reported back to Council. If no objections are received, the planning proposal will be finalised and made, as per the delegation of the Gateway Determination.

## Attachment/s

1. Planning Proposal Report - 98 Terania V2 (Over 7 pages)

# Report

<b>Subject</b>	<b>Proposed Land Acquisition related to City View Drive Sewer Main Remediation</b>
<b>TRIM Record No</b>	BP25/716:CDR25/1417
<b>Prepared by</b>	Project Manager
<b>Reason</b>	To obtain Council approval, via formal resolution, to acquire land required for the repair and reinstatement of critical sewer infrastructure damaged during the AGRN1012 severe weather event in 2022.
<b>Strategic Theme</b>	Environment
<b>Strategy</b>	Value and protect local biodiversity, natural landscapes and waterways, and strengthen resilience to natural hazards
<b>Action</b>	Facilitate increased resilience to natural hazards and disasters

## Executive Summary

Council is progressing the reinstatement of critical sewer infrastructure damaged during the AGRN1012 severe weather event in 2022. The damage occurred due to a landslip on Crown Road between 2 Beaumont Drive and 3 City Drive, which compromised an underground gravity sewer. Following eligibility confirmation under the Northern Rivers Water and Wastewater Repair and Recovery program, NSW Public Works has advanced the project through options development to detailed design.

The approved design includes a new gravity sewer alignment and the realignment of a rising main from the Bahram Street Sewage Pump Station (SPS). To facilitate construction, several easements are required across private properties. These easements are essential to enable access and installation of the new infrastructure.

Preliminary engagement with affected landowners has commenced. This report seeks Council's resolution to proceed with the acquisition of the necessary easements in accordance with legislative requirements to ensure timely delivery of the reinstatement works.

## Recommendation

That Council:

1. acquire by agreement the easements described below, for the purpose of facilitating the reinstatement of sewer infrastructure damaged during the AGRN1012 event, in accordance with the requirements of the Land Acquisition (Just Terms Compensation) Act 1991:

<b>Folio</b>	<b>Street Address</b>	<b>Owner</b>
1/DP260754	2 Denbos Crescent East Lismore	Privately owned
15/DP260754,	2 Beaumont Drive East Lismore	Privately owned
70/DP568219	7 City View Drive East Lismore	Privately owned
7/865421	37 City View Drive East Lismore	Privately owned

2. in the event that acquisition by agreement cannot be achieved with the affected landowners, Council proceed with the compulsory acquisition of the required easements for the same purpose, in accordance with the *Land Acquisition (Just Terms Compensation) Act 1991*

3. make an application to the Minister for Local Government and the Governor for approval to acquire the easements described in this resolution by compulsory process under *section 186(1) of the Local Government Act 1993*, where required
4. Delegate authority to the General Manager to:
  - a. negotiate and finalise all matters associated with the acquisition of the easements, whether by agreement or compulsory process
  - b. enter into and execute any access agreements or other documentation necessary to facilitate construction works prior to finalisation of the acquisition process
  - c. finalise compensation and settlement matters arising from the acquisition process

## Background

Council is progressing with the reinstatement of critical sewer infrastructure damaged during the AGRN1012 severe weather event in 2022. The damage was caused by a landslip on Crown Road, located between 2 Beaumont Drive and 3 City Drive, which compromised an underground gravity sewer.

Following a review of program eligibility, the project was confirmed for inclusion under the Northern Rivers Water and Wastewater Repair and Recovery program. While the reinstatement of sewerage services is included in the sewer repair project, the remediation of the landslip itself is not included. The landslip has occurred on Crown Land and has been deemed ineligible under Category B Essential Public Asset Restoration (EPAR) and inconsistent with the principles of the Northern Rivers Water and Wastewater Repair and Recovery program.

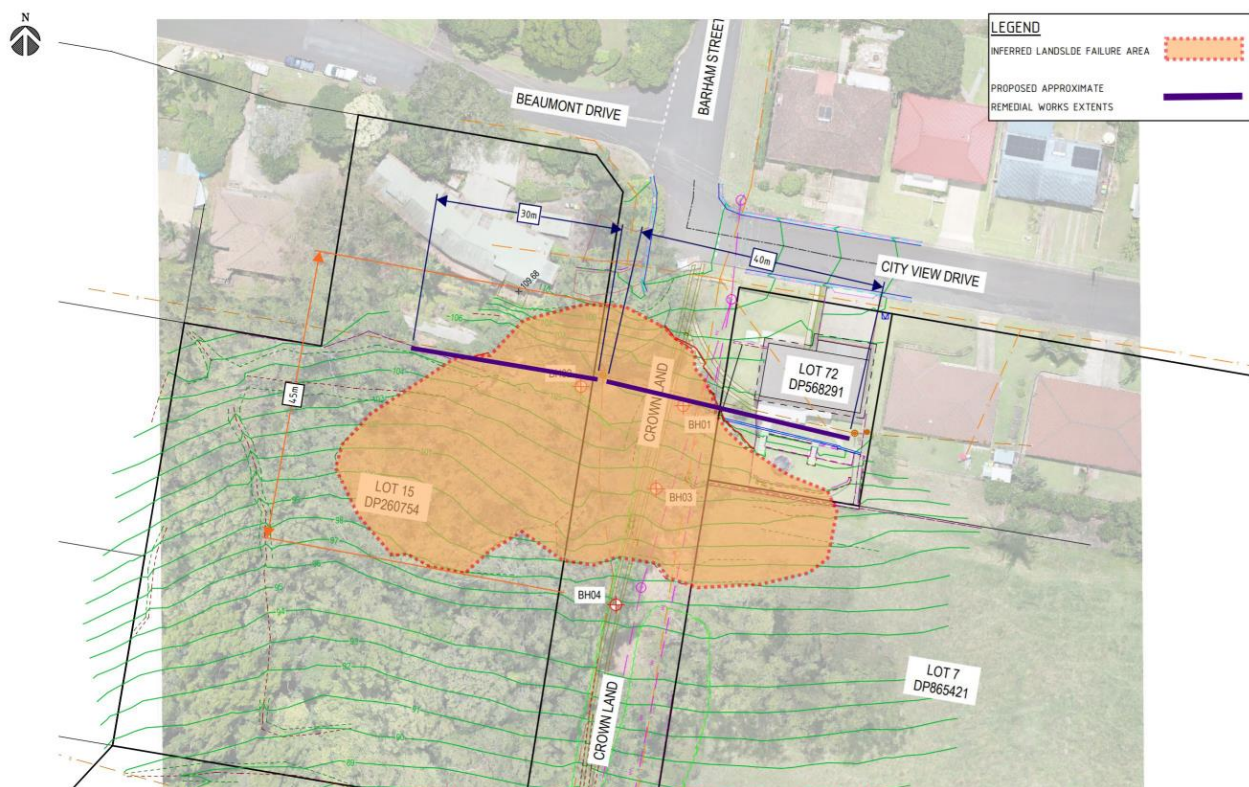
NSW Public Works has progressed the project through options development to detailed design. The design includes a new gravity sewer alignment and the realignment of a rising main from the Bahram Street Sewage Pump Station (SPS). The design phase is currently being finalised, marking a key milestone in project readiness.

Since April 2025, extensive engagement with impacted landowners and residents has been undertaken. Affected landowners have been informed of the proposed works and are aware that they will be contacted regarding next steps, including valuation discussions and an explanation of the acquisition process.

To enable construction and maintain project timelines, the acquisition of several easements is now required. The acquisition process will be carried out in accordance with relevant legislative requirements, and affected landowners will be formally notified and informed of their rights throughout the process.

*See below for the project site affected by the landslip (first image) and proposed sewer realignment works to avoid the landslip zone (second image).*





## Legislative Framework

Council is empowered to acquire land and easements for public infrastructure purposes, including sewerage systems, under the relevant provisions of New South Wales legislation. For sewer infrastructure projects, the acquisition of land or any interest in land must be undertaken in accordance with the *Land Acquisition (Just Terms Compensation) Act 1991*, which establishes the process for fair compensation and the procedural requirements when land is acquired other than through public sale. Under section 377 of the *Local Government Act 1993*, the authority to acquire land or easements is a non-delegable function. Only the elected Council may resolve to proceed with an acquisition; this decision cannot be delegated to Council staff or committees.

In accordance with the *Land Acquisition (Just Terms Compensation) Act 1991*, Council must first make genuine attempts to acquire the required easements by agreement with affected landowners. A minimum statutory period of 6 months must be allowed for negotiations before Council can commence compulsory acquisition proceedings.

NSW Public Works, acting as the delivery agency for this project, is responsible for managing the design and implementation phases, including coordination of the acquisition process. Their role includes preparing technical documentation, engaging with affected landowners, and progressing valuation and access discussions in accordance with legislative requirements.

Due to funding time constraints associated with the AGRN1012 recovery program, it is proposed that Council enter into agreements with affected landowners to allow construction of the sewer reinstatement works to commence prior to finalising the acquisition of the necessary easements, whether by agreement or through compulsory process. These early access arrangements will ensure critical project deadlines are met while negotiations continue regarding compensation and formalisation of easement terms.

If Council is unable to reach agreement with any affected landowner following completion of the works, it will be necessary for Council to exercise its powers under the *Land Acquisition (Just Terms Compensation) Act 1991* to compulsorily acquire the relevant easements to secure ongoing legal access and protection of the sewer infrastructure.

This legislative framework supports the current proposal to acquire easements across four properties to enable the reinstatement of sewer infrastructure damaged during the AGRN1012 severe weather event.

## Funding

The *City View Drive Sewer Remediation Project* is funded through the *Northern Rivers Water and Wastewater Repair and Recovery Program*, which supports the reinstatement of essential water and sewer infrastructure impacted by the AGRN1012 severe weather event. The project is forecast to cost \$1,478,100.

While the program funding is confirmed and available, it is subject to strict delivery timeframes and limited flexibility. Although the scheduled completion date of December 2027 may appear distant, delays in early phases, particularly those related to land access and approvals, pose a risk to the overall project timeline.

## Financial and Risk Implications

Funding for the reinstatement of sewer infrastructure damaged during the AGRN1012 event is provided under the *Northern Rivers Water and Wastewater Repair and Recovery Program*, which is subject to strict time constraints for project delivery. Commencing works under early access agreements will allow construction to proceed within the required funding timeframe.



The final cost to Council will include compensation payable for the acquisition of the easements, as determined by agreement or, if necessary, through the compulsory acquisition process in accordance with the *Land Acquisition (Just Terms Compensation) Act 1991*. All costs associated with the acquisition, including valuation, legal, and compensation expenses, will be met from the approved AGRN1012 project budget.

There is a residual risk that, if Council and a landowner cannot reach agreement following completion of the works, compulsory acquisition may be required. This could extend the overall acquisition timeframe and potentially result in additional compensation costs determined by the Valuer General. However, this risk is mitigated through early engagement with affected landowners, transparent valuation processes, and the legislative safeguards provided by the *Land Acquisition (Just Terms Compensation) Act 1991*.

## Public consultation

Public consultation beyond direct engagement with affected landowners is not required for the acquisition of easements associated with this project. NSW Public Works, supported by LCC project team, is progressing negotiations with landowners to acquire the required easements by agreement. Where appropriate, early access deeds are being facilitated to support timely commencement of construction activities.

If acquisition by agreement cannot be achieved within the prescribed negotiation period, NSW Public Works will continue with the acquisition process in accordance with the *Land Acquisition (Just Terms Compensation) Act 1991*. This approach allows the project to remain on schedule and within the framework already established for delivery.

## Conclusion

The acquisition of easements across four properties is essential to deliver the reinstated sewer infrastructure following damage sustained during the AGRN1012 severe weather event. The proposed sewer alignment and rising main realignment have been developed through detailed design, and early engagement with affected landowners has already commenced. Where required, early access deeds are being facilitated by NSW Public Works to support timely commencement of construction activities.

Resolution of this recommendation will enable the project to advance without disruption and maintain alignment with the program's funding conditions and delivery schedule.

## Attachment/s

There are no attachments for this report.

# Report

<b>Subject</b>	<b>Proposed Property Acquisitions for Road Restorations</b>
<b>TRIM Record No</b>	BP25/731:CDR25/1474
<b>Prepared by</b>	Roads and Bridges Project Director - Flood
<b>Reason</b>	Requires Council resolution to progress
<b>Strategic Theme</b>	Place
<b>Strategy</b>	Plan growth to ensure Lismore retains its place as a regional city and remains the heart of the Northern Rivers
<b>Action</b>	Improve our roads and footpaths to provide a safer and better connected network

## Executive Summary

This report outlines the proposal for Council to acquire land necessary for the advancement of critical flood restoration works across several key locations within the region. Following the 2022 natural disaster, specific parcels of land have been identified as essential to facilitate safe and effective road restoration, ensuring the ongoing safety and serviceability of our road network. This report details the targeted partial and full acquisitions required, with the aim of maintaining well-managed city and village infrastructure in alignment with Council's strategic objectives. Endorsement of these acquisitions is recommended to enable the timely delivery of restoration projects and to uphold the standard of our built environment.

## Recommendation

That:

1. Council approves the partial acquisition in accordance with the requirements of the *Land Acquisition (Just Terms Compensation) Act 1991* of the following properties to accommodate road restoration works:
  - a. 9 Rose Road, Tunttable Creek (Lot 99 DP 755726)
  - b. 74 Rose Road, Tunttable Creek (Lot 2 DP 572841)
  - c. 63 Martin Road, Larnook (Lot 1 DP 632815)
  - d. 96 Johnston Road, Clunes (Lot 1 DP 616634)
  - e. 9 Orion Street, Lismore (Lot 1 DP 783218)
2. Compensation for the partial acquisition may be negotiated to include a land swap under Section 44 of the *Roads Act 1993* and under section 64 of the *Land Acquisition (Just Terms Compensation) Act 1991*
3. In accordance with Section 38D of the *Roads Act 1993* Council supports any required statutory road closures and land swaps/transfers to be negotiated in relation to the properties listed in this report
4. The landowner's costs associated with the acquisition be met by Council, including but not limited to survey, fencing, Council fees, the landowner's reasonable legal fees, valuation fees and plan registration fees, funded by Disaster Recovery Funding Arrangements (DRFA)

5. Council approves the full acquisition of the following properties, by way of transfer for a nominal value from the New South Wales Reconstruction Authority (NSW RA), to accommodate road restoration works:
  - a. 1 Coleman Street (Lot 1 DP 536704)
  - b. 3 Coleman Street (Lot 1 DP 705753)
  - c. 5 Coleman Street (Lot 3 DP 744465)
  - d. 2 Cambrian Street (Lot 8 DP 542561)
  - e. 4 Cambrian Street (Lot 5 DP 536743)
6. Council advertise its intention to classify the land transferred from the NSW RA as Operational land and a report be brought back to Council within three months of acquiring the land to formally adopt the suitable land classification
7. Council delegates authority to the General Manager to negotiate the terms of acquisitions and compensation and to execute all documents necessary to give effect to this resolution

## Background

Lismore City Council has obtained funding for the restoration of essential public assets damaged during the 2022 natural disaster. The restoration design process has identified four locations where the acquisition of sections of adjacent privately owned land is necessary to ensure the efficient advancement of these projects. Under DRFA guidelines, the Coordinating Agency, in these instances, the NSW RA, must confirm eligibility for each acquisition. See Attachments 1 for the NSW RA's confirmation of eligibility for these matters.

For each recommended acquisition, Council has engaged a rigorous design process, supported by technical assessments and stakeholder consultations. These activities have led to the determination that an acquisition, either full or partial, is the most viable approach for each project.

### **9 Rose Road, Tuntable Creek (DP 755726 Lot 99) and 74 Rose Road, Tuntable Creek (DP 572841 Lot 2)**

These properties are adjacent to a significant landslip on Tuntable Creek Road (Recover Damage Number DM00737). A partial acquisition of both properties is necessary to install a catch drain above the landslip, which is intended to redirect surface water from the slip area and improve the resilience of Tuntable Creek Road. Acquisition of the land immediately surrounding, and involved in, the catch drain is recommended to mitigate risks associated with required ongoing maintenance and the safety of landowners and livestock.

### **63 Martin Road, Larnook (DP 632815 Lot 1)**

The bridge approach on Martin Road spanning Leycester Creek was damaged by the 2022 natural disaster (Recover Damage Number DM00828). Assessments for its restoration identified opportunity for the realignment of the bridge and its approaches to meet current standards and support reliability of access to the 19 properties located on Martin Road. The acquisition of a portion of 63 Martin Road is recommended to facilitate project delivery and enhance community outcomes.

### **96 Johnston Road, Clunes (DP 616634 Lot 1)**

A significant landslip occurred on Johnston Road as a direct result of the 2022 natural disaster (Recover Damage Number DM00987). Consideration of available design alternatives resulted in the determination that a gravity wall combined with rock fill is the best option to restore the road. To implement this solution, partial acquisition of privately owned land at 96 Johnston Road is required. The gravity wall must be sited within the road reserve, and the current alignment is not entirely contained within Council ownership. This acquisition will also facilitate ongoing maintenance of the retaining structure and ensure long-term safety and functionality of Johnston Road.

**9 Orion Street, Lismore (DP 783218 Lot 1), 1 Coleman Street (DP 536704 Lot 1), 3 Coleman Street (DP 705753 Lot 1), 5 Coleman Street (DP 744465 Lot 3), 2 Cambrian Street (DP 542561 Lot 8), 4 Cambrian Street (DP 536743 Lot 5)**

A long-term slip plane on Orion Street has accelerated due to the 2022 natural disaster (Recover Damage Number DP00135) and subsequent flood water inundations. Relevant properties on Coleman Street (1, 3 and 5) and Cambrian Street (2 and 4) have been acquired by the NSW RA under their Resilient Homes Program, which has created opportunity to realign the road. NSW RA, as the landowner, has indicated that these properties could be transferred to Council at no cost.

This proposed realignment would allow Orion Street to bypass the active slip zone, which will enhance the restored asset's resilience and ensure safe, long-term safety for road users. It is recommended Council acquire the relevant section of 9 Orion Street (with potential for road closure and land swap to form part of the compensation), and acquire the entirety of 1 Coleman Street, 3 Coleman Street, 5 Coleman Street, 2 Cambrian Street and 4 Cambrian Street so that the road reserve may be adjusted to accommodate a new road alignment and connection with existing infrastructure. Lismore City Council owns 6 Cambrian Street which would also be involved in the proposed works.

These acquisitions would support the implementation of a durable and compliant engineering solution, enable effective ongoing maintenance and risk management, and ensure Orion Street meets current standards and remains functional in future adverse events.

## Legislative Pathway

Council as roads authority is empowered under Section 177 of the *Roads Act 1993* to acquire land for any purpose of that Act. Section 377 of the *Local Government Act 1993* provides that a Council's power to acquire land is 'non-delegable'. This means that only the Council can decide to acquire land by an appropriate resolution.

The procedure which must be followed by an authority acquiring any land other than land offered for public sale is set out in the *Land Acquisition (Just Terms Compensation) Act 1991*. Acquisition by agreement is preferred; however, should an agreement with landowners not be achievable, the Act allows for compulsory acquisition, in which case a report would be brought back to council to consider its options.

Under section 64 of the *Land Acquisition (Just Terms Compensation) Act 1991*, compensation may be provided wholly or partly by way of land, allowing for a land swap arrangement.

Under Section 44 of the *Roads Act 1993*, land forming part of a former public road may be given by or with the consent of the person in whom it is vested, in compensation for other land acquired for the purposes of this Act. Under Section 38D of the *Roads Act 1993* Lismore City Council has authority to formally close a public road as part of road realignment or infrastructure restoration projects.

## Funding

The NSW RA has confirmed that the costs associated with the necessary land acquisitions listed in this report are eligible for funding under the DRFA Category B Essential Public Asset Restoration (EPAR) program, as these acquisitions are deemed essential to restoring the affected roads to their pre-disaster functionality. All negotiations relating to these acquisitions will be conducted rigorously and in strict compliance with DRFA funding guidelines, with a clear focus on securing value-for-money outcomes that fairly benefit both the individual landowners and the wider community as represented by the Council. Furthermore, the NSW RA has advised that these acquisition costs will not affect the Total Upper Limit Grant or Estimated Reconstruction Cost for the broader flood restoration package.

## Public Consultation

Council staff have proactively established and maintained positive working relationships with each individual landowner affected by the proposed acquisitions. Open and transparent communication has been prioritised throughout the process, with staff regularly engaging directly with landowners to address concerns, provide updates, and ensure that their interests are clearly understood and respected. While public consultation beyond these negotiations is not required for the acquisitions outlined in this report, every effort will continue to be made to reach mutually agreeable outcomes. Should agreement not be achieved, a report will be brought back to Council for further consideration of available options.

For any statutory road closures required, public consultation will be undertaken in accordance with Section 38B of the Roads Act 1993, ensuring the community is informed and has the opportunity to provide feedback as required by legislation.

Council will give public notice of its intention to classify the land as Operational land, pursuant to Sections 31 and 34 of the *Local Government Act*, 1993 with a mandatory 28 day submission period.

## Comments

### Finance

Finance supports this proposal.

Cost of acquisitions and funding has appropriately been canvassed in the commentary above.

### Roads & Infrastructure

The Council's Roads & Infrastructure directorate fully endorses the recommendations outlined in this report, supporting the proposed property acquisitions and road realignments required for the restoration of essential public assets impacted by the 2022 natural disaster. The directorate acknowledges and accepts responsibility for the ongoing maintenance of both new and restored infrastructure associated with these projects, ensuring their continued safety, functionality, and compliance with current standards for the benefit of the community.

## Conclusion

In summary, the recommended land acquisitions as written in the report are critical to restoring and safeguarding essential public infrastructure impacted by the 2022 natural disaster. The approach outlined is supported by comprehensive assessments, aligns with legislative requirements, and is eligible for external funding under the DRFA framework. Proceeding with these acquisitions will help secure long-term asset resilience, ensure community safety, and enable Council to deliver effective restoration outcomes for the region.

## Attachment/s

1. Damages and Designs (Over 7 pages)

# Report

<b>Subject</b>	<b>FOGO Revenue Policy Boundary Changes</b>
<b>TRIM Record No</b>	BP25/805:EF21/57
<b>Prepared by</b>	Director Water, Waste & Open Spaces
<b>Reason</b>	Seeking clarification on previous resolution of Council regarding FOGO Waste Collection Zones in rural area.
<b>Strategic Theme</b>	Environment
<b>Strategy</b>	Value and protect local biodiversity, natural landscapes and waterways, and strengthen resilience to natural hazards
<b>Action</b>	Deliver sustainable waste management

## Executive Summary

On 14 October 2025 Council made the following resolution:

*Changes to FOGO waste collection zones Adopted as part of the FY25/26 Revenue Policy be rescinded until the 2030 EPA mandate or until all exemptions are known.*

Council officers are seeking clarification on this resolution as it is understood that the intent was that this would only effect **108 properties** that were changed from **Rural to Village**.

Clarification is sort to ensure that Rural to Urban Green Bin FOGO collection service changes made in the 25/26 Revenue policy will remain as adopted in the 25/26 Revenue Policy.

## Recommendation

That Council:

1. amends resolution 198/25 to be that changes to FOGO waste collection zones adopted as part of the FY25/26 Revenue Policy affecting properties that were changed from Rural to Village be rescinded until the 2030 EPA mandate or until all exemptions are known
2. provides a rates credit to the 108 properties
3. will collect 108 Green Bins from the affected rural properties
4. will maintain the current Rural to Urban waste collection zone boundary changes as adopted in the FY25/26 Revenue Policy

## Background

Changes to waste collection zones were adopted as part of the FY25/26 Revenue Policy. These changes were made to:

1. clearly define the zone boundaries for the collections team to reduce inconsistencies and tidy up some areas with ad hoc/mixed services.
2. address feedback received from residents in 2024 requesting green bins in some classified rural areas, particularly adjacent to Village and Urban areas (e.g. Tullera, Caniaba, Richmond Hill).
3. enable the Customer Service team to efficiently set up new services in the correct zone.



4. encourage better resource recovery of kerbside Food Organics and Garden Organics (FOGO).
5. capture future growth areas where sensible.

As part of the collection zone changes, Rural customers that changed to Village in July this year have expressed concern that the service is not required. EPA exempts properties 2Ha and above from FOGO green bin collection services until 2033.

Collection zone changes Rural to Urban services were identified as part of community feedback in 2024 and 151 properties were provided a 240L Green bin for Food Organics and Garden Organics (FOGO) free of charge.

**Table 1. Difference in FY25/26 Annual Rates Charge following change to waste collection zone.**

<b>Previous Zone &amp; (Annual Charge)</b>	<b>Current Zone &amp; (Annual Charge)</b>	<b>Difference in Annual Charge</b>
Rural Service (\$631)	Village Service (\$720)	<b>\$89 Rescind / 108 Properties</b>
Rural Service (\$631)	Urban Service (\$642)	\$11

## Comments

### Finance

Finance supports the proposal.

## Conclusion

A total of 259 properties were affected by the boundary changes adopted in the 25/26 Revenue Policy pertaining to the recent roll out of the Green Bin FOGO Collection Services to their area.

Overall, 108 properties had their waste collection boundaries adjusted from Rural to Village. The annual waste collection charge increased by \$89 per annum.

The main concerns raised by those against the change were that they already compost or feed food scraps to livestock and concerns about higher collection charges.

A total of 151 properties, which included Richmond Hill, had their waste collection boundaries adjusted from Rural to Urban. The annual waste collection charge increased by \$11 per annum.

Supporters highlighted that the new system would make garden waste disposal easier, reduce landfill, support environmental outcomes, and help prevent illegal dumping. The most common benefit noted was garden waste disposal.

## Attachment/s

There are no attachments for this report.

# Report

<b>Subject</b>	<b>Draft Code of Meeting Practice</b>
<b>TRIM Record No</b>	BP25/664:EF19/483-7
<b>Prepared by</b>	Governance & Risk Manager
<b>Reason</b>	Place the revised Code of Meeting Practice on Public Exhibition prior to adoption
<b>Strategic Theme</b>	Leadership
<b>Strategy</b>	Ensure effective governance, advocacy, engagement and partnerships with a focus on long-term financial sustainability
<b>Action</b>	Provide responsible, transparent and accountable leadership with sustainable management of Council finances, assets, risks and human resources

## Executive Summary

The Office of Local Government (OLG) has released a new Model Code of Meeting Practice (the Model) which is prescribed under section 360 of the *Local Government Act 1993* (the Act) and the *Local Government (General) Regulation 2021* (the Regulation). The Draft Lismore City Council Code of Meeting Practice (COMP) incorporates the mandatory provisions of the Model Meeting Code prescribed by the Regulation. In addition to this, the Model allows councils to include optional and supplementary provisions if they choose.

A council adopted meeting code must not contain provisions inconsistent with the mandatory provisions.

Mandatory provisions of the Model are effective from 1 January 2026 regardless of whether a new COMP has adopted by Council or not.

## Recommendation

That:

1. in accordance with section 361 of the *Local Government Act 1993*:
  - a. the draft Code of Meeting Practice at Attachment 1 to this report be placed on public exhibition for a period of 28 days
  - b. a period of 42 days is provided for the Public to make submissions on the draft Code of Meeting Practice
2. following the period of 42 days this be reported back to Council for adoption.

## Background

The Model Code of Meeting Practice for Local Councils in NSW prescribes a uniform set of meeting rules for councils across NSW to ensure meetings of councils and committees of councils, comprising only of councillors, are open, accessible, orderly, effective and efficient.

Among other changes, the mandatory provisions of the 2025 Model Meeting Code prohibit pre-meeting briefings.



There is also a change to the reasons that councillors can attend meetings via audio-visual link, this has now been restricted to councillors prevented from attending in person because of ill-health or unforeseen caring responsibilities.

The model contains new rules of etiquette and the lifting of some restrictions on Mayoral Minutes.

Councils must also livestream meetings of the council and committees comprising wholly of councillors from 1 January 2026 using an audio-visual recording. Recordings of meetings must be published on the council's website for the balance of the council term or for 12 months, whichever is the later date.

Attached is an information sheet from the OLG regarding the Model. An updated fact sheet is expected to be available shortly which may result in some minor changes.

## **Public consultation**

Any new or amended Code of Meeting Practice must be advertised, with the period of public exhibition not less than 28 days. The public notice must also specify a period of not less than 42 days after the date on which the draft code is placed on public exhibition during which submissions may be made to Council.

## **Conclusion**

Council is required to adopt a Code of Meeting Practice that aligns with the Model Code of Meeting Practice. Before adopting the Code Council must place the Draft on public exhibition for a period of 28 days and receive submissions for a period of 42 days. Following that period this will be reported back to Council for adoption. Mandatory provisions of the Model are effective from 1 January 2026.

## **Attachment/s**

1. Draft LCC Code of Meeting Practice Version 2.0 (Over 7 pages)
2. 2025 Model Meeting Code FAQ (Over 7 pages)

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

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## Notice of Motion / Question with Notice

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

**TRIM Record No**        BP25/768:EF19/25-7

That Council receives the Mayoral Attendance Report for October 2025.

### October

- 7        Australia Day Awards Committee meeting  
         Councillor briefing
- 8        Media event: Rainforest to River project launch
- 9        Media event: Lismore Library official reopening  
         Southern Cross University Graduation – Occasional Speaker
- 10       Meeting with Ministers Hoenig and Saffin  
         Media event: new Waste vehicles launch
- 13       LGNSW Flood Recovery Forum – guest speaker
- 14       Council meeting
- 15       Rous County Council meeting  
         Disability Inclusion Advisory Group meeting  
         Professional development: media training
- 16       Professional development: media training  
         Rodney Gibson Beef Cattle Ring Dedication
- 17       Lismore Show official opening
- 18       Eastwood Estate soil turning
- 20       National Diocesan Financial Administrators' annual conference
- 21       Adjourned Council meeting
- 23       Premier's Rural Remote & Regional Advisory Council
- 28       Aboriginal Advisory Group meeting
- 29       Extra Ordinary RTRL meeting  
         Masters Games Volunteer Thank You function
- 30       Sister City Advisory Group meeting

### Attachment/s

There are no attachments for this report.

**TRIM Record No:**    BP25/768:EF19/25-7

## Notices of Motion / Questions with Notice



Rainforest to River project launch



new Waste vehicles launch



Lismore Show



SCU Graduation



LGNSW Flood Recovery Forum



National Diocesan Financial Administrators' conference



## Notice of Motion / Question with Notice

**Councillor Gianpiero Battista** has put the following question with notice:

Can I please ask what was the rationale behind the change in the green bin pick up in rural areas from weekly to fortnightly?

Was a survey conducted with the residents to gauge the support for such a move? If so, can results please be supplied?

Also is a similar survey been conducted for residential areas in Lismore to understand actual use of green and other bins pick ups?

As personal experience my green bin very rarely is full and I often do not put it out for weeks especially in winter.

### Attachment/s

There are no attachments for this report.

**TRIM Record No:** BP25/796:EF19/25-7

### General Manager's response:

*Can I please ask what was the rationale behind the change in the green bin pick up in rural areas from weekly to fortnightly?*

Please note that Rural zones do not have green bin collections, only Urban and Village zones.

Council adopted Balanced Regional Model A following a comprehensive Waste Services Review in 2023. The Review was conducted in response to Council's historically poor financial performance in waste management, specifically, an average annual loss of \$4.31m since FY19/20.

The Review identified Operational Improvements and Efficiency Benefits by rationalising collections service offerings (item KS8). The Review recommended that Council simplify our service model including collection frequencies and bin sizes to:

- Reduce collections expenses
- Reduce vehicle maintenance due to less km travelled, and
- Reduce driver fatigue.

*Was a survey conducted with the residents to gauge the support for such a move? If so, can results please be supplied?*

The change in how we deliver services was a key component of the recommendations from the Waste Services Review and was carefully considered.

Changes to bin sizes and collection frequencies were recommended to improve Council's financial position and reduce our budget deficit. The revised matrix of services was benchmarked against other regional Councils, publicly advertised on Your Say for 30 days and adopted by Council in June 2024.

## Notice of Motion / Question with Notice

Council listened to community feedback following the changes and the option for extra green bins in Urban and Village zones is now available to residents via rates. This option ensures that residents who wish to pay for more bin space on their Fortnightly collection day can choose to do so.

There is only a bin charge not a collection charge increase. Collection Frequency does not change, stays fortnightly for all village services.

E.G. Village resident purchases an extra Organics bin \$145 (240L) they then present one or two bins fortnightly for collection.

Extra bins can only be added to an active service. Bin purchase prices are listed on page 5 of the adopted Revenue Policy 25/26 on the web.

*Also is a similar survey been conducted for residential areas in Lismore to understand actual use of green and other bins pick ups?*

Council's waste and resource recovery operations are informed by field surveys and data collected from various sources, as well as NSW EPA policies and strategies and industry best practice, to provide a financially sustainable and efficient service to our community.

In October 2025, 1,000 visual bin inspections were done as part of the Lift the Lid campaign. Lift the Lid campaigns are undertaken to see how residents are using their red, green and yellow bins.

For example, the data from Caniaba and Dunoon Village zones shows that green bins are filled to 74.5% capacity on average. The data also identified that all green bins were presented for collection. The results of the Lift the Lid campaign demonstrate that the change from Weekly to Fortnightly collection in Village zones provides enough bin space for food and garden organics and is a sustainable and efficient use of Council's resources.

In the next 12-18 months, WasteTrack software will be installed in all collections fleet as new trucks are delivered. WasteTrack software will provide accurate information on how ALL customers are using their bins across all three waste streams. This data will be very valuable and further inform how we deliver services across all waste collection zones.

Council is committed to continual improvement in how we deliver waste management services. We are less than two (2) years into implementing the recommendations from the Waste Services Review and we are already seeing positive outcomes.

FY24/25 weighbridge data shows that across the Lismore Local Government Area, we collect:

- 6,415 tonnes of waste per year
- 2,994 tonnes of recycling per year, and
- 5,986 tonnes of organics per year.

## Notice of Motion / Question with Notice

Councillor Jasmine Knight-Smith has put the following question with notice:

Can the General Manager please outline what opportunities are available for increasing lighting in high-traffic areas across our local government area, including CBDs, parks, and car parks?

In particular:

What grant funding opportunities currently exist to support improved public lighting infrastructure?

What actions can Council take to secure funding for increased lighting in these priority areas?

Are there any existing plans or partnerships that could be leveraged to enhance lighting for safety, accessibility, and community use?

### Attachment/s

There are no attachments for this report.

**TRIM Record No:** BP25/795:EF19/25-7

### General Manager's response:

Council continues to implement projects that enhance public safety, accessibility, and amenity through improved lighting across key areas, including CBDs, parks, and carparks. Recent works have focused on reinstating and upgrading lighting impacted by flood events, as well as delivering new installations through targeted safety programs.

### Current Works and Achievements

Council recently completed the “**Safer Cities: Her Ways**” program, which delivered significant lighting improvements in the laneways between Woodlark Street and Browns Creek Carpark, and within the Harold Fredericks Carpark.

In **June 2025**, council reactivated all flood-affected lighting throughout the CBD carparks and along the Riverside pathway. This included the carparks located at the end of Magellan Street and adjacent to Fawcett Bridge.

In **May 2025**, shop awning lighting was reinstated along Magellan Street around into Keen Street (from La Trouvaille in Magellan to Best & Less in Keen Street) and along Molesworth Street around into Woodlark Street (from Kol's Kebabs in Molesworth Street to Mumtaj in Woodlark Street). Additionally, defective fairy lights identified earlier in the year were repaired.

Lighting on **Fawcett Bridge** has been scheduled for replacement, with funding secured. The upgrade is programmed to occur shortly, with the date to be confirmed.

### Planning for future Lighting improvements

Council will shortly commence development of a **Precinct Plan** for North, South, East, and Central Lismore. This plan will identify priority areas for future lighting improvements based on safety, accessibility, and community use. It should be noted that this is a strategic planning document and does not commit Council to the delivery of specific works at this stage.

## Grant Funding Opportunities

At present, there are **no active grant programs** that align directly with Council's lighting improvement objectives. Council officers continue to monitor available funding streams and are subscribed to notification systems that alert staff to upcoming opportunities, particularly those relating to community safety, urban renewal, and infrastructure resilience.

When suitable programs become available, Council is well-positioned to submit applications supported by evidence from existing plans, including the forthcoming Precinct Plan and recent safety audits.

## Partnerships and collaborative Opportunities

Council maintains strong working relationships with relevant agencies and community partners, including NSW Police, local Chambers of Commerce, and community safety networks. These partnerships support the identification of lighting priorities and can be leveraged in future funding applications to strengthen project outcomes and community benefit.

## Conclusion

Council staff have been addressing lighting issues across the CBD. While no current funding programs align with Council's specific lighting needs, staff continue to monitor available opportunities and proactively plan for future investment through the development of the upcoming Precinct Plan.



## Notice of Motion / Question with Notice

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

That Council:

1. include a Lismore Lake Precinct Water Licence as a zero cost line item in Council's budget following the next Quarterly Budget Review adjustments
2. monitor to identify grant funding opportunities to acquire at least 100 megalitres of capacity
3. advise the State Member for Lismore and the Federal Member for Page that funding is being sought to purchase water licence capacity at the Lismore Lake Precinct

### Councillor Comment

#### Outcome Sought

The single biggest issue delaying the rejuvenation of the Lismore Lake Precinct is the lack of water licence capacity to fill the Lismore Lake, and to maintain appropriate water levels.

Including a water licence in Council's budget would support grant funding applications, while attempts to otherwise raise the funds required to purchase water licences, or to seek out donated water licence capacity, may continue.

A water licence with enough capacity for the Lismore Lake Precinct will not only fill the Lismore Lake and maintain appropriate water levels, access to water will assist maintain Landcare bush rejuvenation activity, support the koala food tree plantation, and otherwise help maintain the whole Lismore Lake Precinct.

#### Cost of Implementing

Nil

#### Funding Source

Not applicable

#### Officer Consulted

Nil

#### Officer Comment

#### Compliance Coordinator

Establishing a water access licence for the Lismore Lake Precinct appears to be possible in principle under the *Water Management Act 2000 (NSW)*. The likely water source is the Richmond River Unregulated Water Source as defined under the *Water Sharing Plan for the Richmond River Area Regulated, Unregulated and Alluvial Water Sources 2023*. However, this would need to be confirmed through a pre-application enquiry with WaterNSW, which would determine the correct water source classification and availability of entitlement.

A licence may be granted under section 61 of the *Water Management Act*. The licence type would need to be confirmed with WaterNSW. Granting would likely depend on:

- confirmation of the applicable water source and availability of unallocated entitlement
- purpose of use (e.g. lake amenity, recreation, or environmental management)
- environmental and cultural heritage considerations consistent with the Water Sharing Plan

# Notice of Motion / Question with Notice

## Estimated Cost

Indicative costs for establishing an unregulated surface-water licence in the Richmond catchment are \$800 – \$1,500 / ML (\$80,000 to \$150,000 for 100 ML) - Typical for unregulated surface-water entitlements in North Coast NSW. Costs would need to be confirmed with WaterNSW once the source and entitlement class are verified.

## Funding Opportunities

Council could explore co-funding under the Australian Government's National Water Grid Fund (NWGF), administered by the Department of Climate Change, Energy, the Environment and Water (DCCEEW).

Projects supported under the NWGF must:

- deliver a public benefit and align with national water-security and sustainability objectives
- be supported by the NSW Government
- demonstrate environmental, social and cultural co-benefits

Local governments might be able to act as project advocates by developing feasibility or options assessments and partnering with NSW Water to progress proposals.

[www.nationalwatergrid.gov.au](http://www.nationalwatergrid.gov.au)

## Attachment/s

There are no attachments for this report.

**TRIM Record No:** BP25/800:EF19/25-7

## Notice of Motion / Question with Notice

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

That Council:

1. notes the initiative by Shellharbour City Council to progress a two-year pilot allowing mobile tiny-homes on existing residential lots without the need for a development application, subject to relevant conditions such as, minimum setbacks, availability of essential services, and compliance with fire safety and building standards
2. acknowledges the Shellharbour pilot is being advanced through a Planning Proposal to amend the Shellharbour Local Environmental Plan 2013, which remains subject to the NSW Government's Gateway determination process and has not yet taken effect
3. requests a councillor briefing on how a similar planning pathway could be considered within the context of Lismore City Council's current review and update of the Local Environmental Plan 2012 and related strategic planning work, providing preliminary advice on the feasibility of incorporating such a tiny-homes pilot locally
4. requests the briefing be scheduled within the timeframe of the LEP review and update and to be reported back to Council for consideration for adoption, if feasible

### Councillor Comment

#### Outcome Sought

This motion seeks to ensure Lismore City Council remains informed about emerging planning approaches being trialled in other local government areas to address and improve local housing supply.

Shellharbour City Council has recently resolved to progress a two-year pilot that would enable mobile tiny homes on residential properties without a development application, under defined conditions relating to setbacks, servicing, and safety compliance. The initiative is proceeding via a Planning Proposal to amend the Shellharbour Local Environmental Plan 2013 and is currently undergoing assessment through the NSW Government's Gateway process.

This motion seeks a briefing to inform Council's understanding of the Shellharbour model and assess its potential to be replicated in Lismore's own housing and planning framework.

#### Cost of Implementing

Nil – staff time

#### Funding Source

Existing operational budget

#### Officer Consulted

Strategic Planning Coordinator

#### Officer Comment

#### Strategic Planning Coordinator

Lismore City Council (LCC) is currently undertaking a comprehensive review of Lismore Local Environmental Plan 2012 (LLEP 2012) and associated strategic planning work. Planning staff are aware of the Shellharbour City Council (SCC) pilot and have given similar consideration as part of the LEP review. It is likely that as part of the LEP review, a local exemptions closure will be added to Lismore's planning controls that would enable development with DA similar to Shellharbour. Staff are on track to bring that LEP review to Council in early 2026. Notwithstanding, preliminary advice from Planning staff

## Notice of Motion / Question with Notice

on mobile tiny homes is that the existing provisions and pathways enable mobile tiny homes and other secondary dwellings in accordance with the objectives of the Affordable and Diverse Housing Strategy. Detail on the existing provisions and pathways, relevant to mobile tiny homes in Lismore, are outlined below.

1. Under the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021 (the Regs), whereby the use of a caravan (or moveable dwelling) is permitted in any residential/ rural zone without requiring any Council approval where they:
  - are used for habitation only by the owner or members of the owner's household; and
  - are maintained in a safe and healthy condition.

The requirement for the caravan (or moveable dwelling) to be used by the owner or members of the owner's household is difficult to regulate and therefore in reality the existing provisions of the Regs are not dissimilar to the SCC proposal.

2. The Regs also provide for the use of a moveable dwelling to accommodate persons displaced as a result of a natural disaster without requiring any Council approval where they:
  - are maintained in a safe and healthy condition; and,
  - are removed within 2 years of installation (or longer if local approvals policy allows).
3. Should a resident wish to place a mobile tiny home on their property, where they cannot meet either of the above exemptions set by the Regs, they can currently gain consent via a Development Assessment pathway with LCC. LCC already has a fast-track process which expedites approval for single dwellings and dual occupancies. Should a Development Assessment for a mobile tiny home be received, this can be processed through the fast-track pathway. This existing fast track DA pathway helps ensure timely outcomes, while also allowing LCC to assess these developments more thoroughly than would be otherwise possible under the proposed Exempt Development provisions such as those being proposed by SCC.
4. LCC currently offers a 100% discount LCC Section 64 and Section 7.11 developer contributions for all secondary dwellings in sewered areas. Should LCC receive mobile tiny homes as secondary dwellings, the discount would currently apply.

The SCC pilot presents an approach whereby they are seeking to amend their Local Environmental Plan (LEP) to enable mobile tiny homes as Exempt Development (as secondary dwellings), subject to compliance with certain pre-conditions around siting, setbacks, servicing, and fire safety. This approach is being progressed via a Planning Proposal to amend the Shellharbour LEP and is currently not under Gateway Assessment by the NSW Government.

Planning staff will continue to monitor the pilot, including the feedback provided to SCC by the Department of Planning, Housing and Infrastructure and continue considering its merit in the LEP review.

### Attachment/s

There are no attachments for this report.

**TRIM Record No:** BP25/773:EF19/25-7



## Notice of Motion / Question with Notice

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

That the following policies, procedures, guidelines and handbook are rescinded immediately:

- 1.2.25
- 1.4.4
- 1.4.17
- 5.2.30
- 8.2.1
- 8.10.1
- 8.11.1
- Public Art Procedure
- Self-Help Programme Policy
- Social Impact Assessment Guidelines

### Councillor Comment

#### Outcome Sought

These items are out of date or obsolete and need to be rescinded, to ensure non-compliance will not result in code of conduct breaches.

#### Cost of Implementing

Nil

#### Funding Source

Not applicable

#### Officer Consulted

Nil

#### Officer Comment

#### Executive Officer

##### 1.2.25 Volunteer Program Policy

Recommended to be retained, with a review by officers and return to Council for adoption.

##### 1 4.4 Public access to objections/complaints lodged with council

Support rescission

##### 1.4.17 Signs as Remote Supervision Policy

Support rescission, as it has served its intended purpose. Ongoing management of signage will continue, with any damaged or missing signs repaired or replaced as they are identified through regular inspections or customer reports

##### 5.2.30 Social Impact Assessment Policy

Support rescission as it is outdated.

##### 8.2.1 Public Art Policy

Recommended to retain and undertake a comprehensive review and revision to align it with Reimagine Lismore: A Plan for the Future 2025–2035 and the Lismore Regional Gallery Management Strategy 2025–2028. This follows the recent resolution of council to amend the dedicated Lismore City Council Arts and Culture Policy to expand in scope - including Sports and Tourism.

# Notice of Motion / Question with Notice

## **8.10.1 Public Tree Policy**

Recommended to be retained, with a review by officers and return to Council for adoption. A Policy is essential to guide tree maintenance and management programs, respond to customer requests, and support the assessment of insurance claims

## **8.11.1 Smoke-Free Areas Policy**

Support rescission as NSW health is the regulatory authority not Council. This Policy was for people to “self-police”, not for Council to issue infringements.

## **Public Art Procedure**

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.

## **Self-Help Programme Policy**

Support rescission and officers will develop a new policy for consideration.

## **Social Impact Assessment Guidelines**

Support rescission as it is outdated.

## **Attachment/s**

- |    |   |                |
|----|---|----------------|
| 1. | 1.2.25 Volunteer Program Policy   | (Over 7 pages) |
| 2. | 1.4.4 Public Access to Objections-Complaints lodged with Council Policy | (Over 7 pages) |
| 3. | 1.4.17 Signs as Remote Supervision Policy                               | (Over 7 pages) |
| 4. | 5.2.30 Social Impact Assessment Policy                                  | (Over 7 pages) |
| 5. | Social Impact Assessment Guidelines                                     | (Over 7 pages) |
| 6. | 8.2.1 Public Art Policy   | (Over 7 pages) |
| 7. | 8.10.1 Public Tree Policy   | (Over 7 pages) |
| 8. | 8.11.1 Smoke-Free Areas Policy  | (Over 7 pages) |
| 9. | 10.3.1 Self Help Programme Policy                                       | (Over 7 pages) |

**TRIM Record No:** BP25/802:EF19/25-7

## Notice of Motion / Question with Notice

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

That Council:

1. lists for inclusion in the 2026–27 Operational Plan and Budget (or earlier through the next available Quarterly Budget Review Statement) the following capital works at the Uralba Street side of the Lismore Skate Park:
  - a) installation of additional fixed seating
  - b) installation of shade sails or structures over existing and new seating
  - c) installation of cigarette-butt receptacles adjacent to seating areas
2. notes the opportunity to apply for funding through the NSW Community Building Partnership grant program, and requests submission of an application for these works (or any equivalent small-infrastructure funding opportunities) to reduce the net cost to Council
3. requests a concept design and cost estimate be prepared for the above works, including staged delivery options, and report back to Council prior to finalisation of the 2026–2027 Budget or sooner if grant outcomes are known

### Councillor Comment

#### Outcome Sought

To enhance comfort, safety and amenity for users and spectators at the Lismore Skate Park through the provision of additional shaded seating, while ensuring cost-effective delivery via Council's budget process and available grant programs.

#### Cost of Implementing

Nil – staff time

#### Funding Source

Existing operational budget

#### Officer Consulted

#### Officer Comment

#### Director Corporate Sustainability

There are currently no upgrades planned for the recently delivered Lismore Skatepark in any Council strategies or plans. Upgrades to the Lismore Skatepark would be subject to consideration of community feedback received throughout the year and as part of our annual review of the Community Strategic Plan, Delivery Program and Budget. If upgrades are endorsed it would be subject to design from internal design teams to ensure it is 'shovel ready' for grant applications which would be coordinated through the new Grants Officer. Ongoing any planned or scheduled updates or upgrades for Council's assets like the Skatepark should be considered and included in Council's Strategic Asset Management Plan.

### Attachment/s

There are no attachments for this report.

**TRIM Record No:** BP25/798:EF19/25-7

## Notice of Motion / Question with Notice

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

That Council:

1. reinstate the Social Justice and Crime Prevention Committee to continue the work of this committee before it was disbanded
2. appoints a chair and alternate chair

### Councillor Comment

#### Outcome Sought

To reinstate the Social Justice and Crime Prevention Committee

#### Cost of Implementing

Staff time

#### Funding Source

General Fund if funding is required

#### Officer Consulted

Nil – was discussed during the October meeting with staff present

#### Officer Comment

### Manager Governance and Risk

Attached is a copy of the report provided to council in April 2023 when the Committee was discontinued for the information of councillors.

### Attachment/s

1. [Social Justice and Crime Prevention Committee](#)

TRIM Record No: BP25/772:EF19/25-7



## Report

**Report**

<b>Subject</b>	<b>Social Justice and Crime Prevention Committee</b>
<b>TRIM Record No</b>	BP23/202:EF13/463-5
<b>Prepared by</b>	Governance Manager
<b>Reason</b>	Discontinuation of committee
<b>Strategic Theme</b>	Leadership and participation
<b>Strategy</b>	We provide effective management and responsible governance.
<b>Action</b>	Ensure the efficient and effective operation of Council.

**Executive Summary**

Council records indicate the Social Justice and Crime Prevention Committee has not met since August 2019. A report was considered by Council in February 2022 and a briefing provided in April 2022. There has not been any progress since that time. As part of a tidy up it is recommended this committee be discontinued.

**Recommendation**

That the Social Justice and Crime Prevention Committee be discontinued.

**Background**

At the Ordinary Council Meeting of 11 January 2022 staff recommended the Social Justice and Crime Prevention Committee be discontinued. This was not supported and Council resolved the following:

*That a decision on the discontinuation of the Social Justice and Crime Prevention Committee is deferred to the February meeting to allow a more detailed report to be prepared for consideration including secretariat and staffing considerations; and that as part of that report feedback is sought from previous committee members as to the value of continuing the committee.*

*(Councillors Bird/Ekins)*

*Voting for: Councillors Bing, Bird, Colby, Cook, Ekins, Guise, Hall and Krieg*

*Voting against: Councillors Gordon, Jensen and Rob*

At the ordinary meeting of 8 February 2022 staff provided a report for consideration which included feedback from previous committee members. Council resolved the following;

*That a workshop be held to assist with exploring the purpose, membership and Terms of Reference in conjunction with Police and community representatives.*

*(Councillors Cook/Jensen) (BP22/37)*

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

*Voting Against: Councillor Guise*

## Report

A briefing was held for councillors on 5 April 2022 which contained the following considerations:

### Considerations

- The Committee's former activity was heavily driven by an individual councillor who had a passion for this area of focus.
- The role of Council appeared to be to facilitate appropriate communication and collaboration across organisations that operate in the social justice space.
- Council itself has limited capacity to operate in the area of social justice and crime prevention, outside targeted projects identified through the Operational Plan.
- If Council seeks to continue this committee, it would require:
  - A clear purpose and terms of reference
  - Commitment around leadership
  - Clarification of membership, and
  - Identification of (and funding for) additional resource requirements from Council.
- If Council determines that continuing the committee is appropriate, it may also consider whether this is an immediate activity, or one that could be deferred for 6-12 months to allow Council to focus on community recovery in the context of the natural disaster response.
- In discussions with members of the committee it was felt there were no longer any benefits for it to continue

As there has been no progress on this matter since the April 2022 briefing, staff recommend this committee be discontinued.

### Public consultation

Not required.

### Attachment/s

There are no attachments for this report.

## Notice of Motion / Question with Notice

**Councillor Virginia Waters** has put the following question with notice:

- Can the General Manager please provide an update on the implementation of Council's Reconciliation Action Plan, specifically when will;
- Cultural Awareness Training be offered to councillors?
  - the quarterly review of the RAP be delivered to councillors, noting the September 2025 update has not yet been received?

### Attachment/s

There are no attachments for this report.

**TRIM Record No:** BP25/771:EF19/25-7

### General Manager's response:

Officers are unable to find an action in the Council resolution about reporting to Council on a quarterly basis regarding RAP progress. Action 2.40 states *the CCCO will conduct a quarterly review of implementation and resourcing requirements starting on September 2025 and then quarterly*. The internal working group did not meet in September as planned due to the restructure with Directors and uncertainty of who would be responsible for various actions. The Executive responsibility for the RAP is now changing from the CCCO to the Director People and Community.

Officers are obtaining quotes for the cultural awareness training.

## Notice of Motion / Question with Notice

Councillor Harper Dalton-Earls has put the following question with notice:

I have received multiple emails and requests regarding the locked toilet block at the Lismore Lake which was a joint funded Government Resilience Project to build the facility. Can the General Manager please advise when will this be made open for public use and benefit.

### Attachment/s

There are no attachments for this report.

**TRIM Record No:** BP25/770:EF19/25-7

### General Manager's response:

The toilet block will be open 7am-4pm in the coming week with 24 hour disabled access via MLAK.

## Notice of Motion / Question with Notice

Councillor Jasmine Knight-Smith has put the following question with notice:

Could the General Manager provide Council with an update on the naming of Volpato Lane, including a timeline of past staff actions, responses from external bodies, and Council resolutions related to this matter? Please include any other relevant information.

### Attachment/s

There are no attachments for this report.

**TRIM Record No:** BP25/797:EF19/25-7

### General Manager's response:

In November 2024 Council resolved the following:

*That following consultation with the Volpato family, Council appeal to the Geographical Names Board and if unsuccessful write to the relevant Minister seeking approval to rename New England Lane to Volpato Lane.*

Councillors were provided with the below information via City Notes on 3 March 2025.

*On 7 January 2025 Council appealed the Geographical Names Board (GNB) decision to reject the application to rename New England Lane. The appeal submission included previously provided documentation together with the new Volpato family biography.*

*On 14 January 2025 the GNB Secretariat rejected the road name proposal based on following guideline 6.7.9 (Amending Road Names) – Enduring*

*On 16 January 2025 the General Manager wrote to The Hon Jihad Dib MP – Minister for Customer Service & Digital Government to formally appeal the decision.*

*On 27 February 2025 the appeal response was received from the Minister:*

*“I am advised the Surveyor-General has objected the proposal because it does not comply with the principal published in the NSW Address Policy and User Manual.*

*Under the Roads Regulation 2018, Council may not proceed with a proposal to name or rename a road against an objection made by a relevant party except with the approval of the Minister who administers the Road Act. Any appeal should therefore be directed to the relevant Minister.*

*While I understand Lismore City Council's desire to honour the late Florian Volpato OAM by renaming New England Land, it is important to maintain a level of consistency and clarity in road names. Changing Road names can cause confusion in the provision of services and is discouraged.*

*There are multiple avenues for commemorative naming which Council may wish to explore, including naming an unnamed road or an unnamed geographical feature such as a park or reserve. The GNB can collaborate with Council to explore alternative options to commemorate Mr Volpato OAM that are consistent with the Address Policy and NSW Place Name Policy.”*



## Notice of Motion / Question with Notice

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

Can the General Manager provide an update regarding the status of the 2004 Bob Gates Memorial Recreation Reserve Plan of Management, if a review has commenced and, if so, what is the anticipated time frame to completion?

### Attachment/s

There are no attachments for this report.

**TRIM Record No:** BP25/799:EF19/25-7

### General Manager's response:

Council records indicate a review of the 2004 Bob Gates Memorial Recreation Reserve Plan of Management has not been undertaken, and there is currently no confirmed timeframe for when this may occur.

It is expected that Community Strategic Plan Initiative 1.1.4 *to develop detailed place plans for Lismore Lake* would inform the preparation of any update to the Plan of Management to support implementation of the place plan outcomes.

**MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE CITY OF LISMORE HELD IN COUNCIL CHAMBERS ON TUESDAY 14 OCTOBER 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 (via audio-visual), Waters together with Mr Butron, General Manager; Ms Sullivan, Director People & Community; Ms Keneally, Director Roads & Infrastructure; Mr Potter, Director Water Waste & Open Spaces; Mr Singh-Pangly, Director Corporate Sustainability; Mr Snow, Director Planning & Economy; Ms Foy, Executive Director, Flood Restoration Portfolio; Mrs Albertini, Manager People & Culture; Mr Reinhold, Executive Planner; Mr Pitman, Technology Support Officer; Mrs Mitchell, Executive Officer and Miss Hull, Executive Assistant.

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

187/25 **RESOLVED** that:

- attendance by audio-visual link be approved for Councillor Rob
- a leave of absence for Councillor Jensen on 21 October 2025

(Councillors Knight-Smith/Bing)

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

**Voting against:** Nil

## Confirmation of Minutes

188/25 **RESOLVED** that the minutes of the following meeting be confirmed:

- Ordinary Council meeting 9 September 2025
- Confidential Council meeting 9 September 2025

(Councillors Dalton-Earls/Bing)

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

**Voting against:** Nil

## Disclosures of Interest

**Clr Jensen declared a Non-Significant, Non-Pecuniary Conflict of Interest for the following item:** 10.4 Proposed Sale to Dunoon & District Sports & Recreation Club Ltd - Part 1 Cowley Road, Dunoon

**Nature:** I am a member of the Dunoon & District Sports & Recreation Club

**Clr Gordon declared a Pecuniary Conflict of Interest for the following item:** 11.3 Tobacco and Vape Shops

**Nature:** I will leave the Chamber

**Clr Hall declared a Non-Significant, Non-Pecuniary Conflict of Interest for the following item:** 10.1 DA25/103: Temporary Accommodation (58 beds) in McKenzie Street, Lismore

**Nature:** I previously worked with the CEO of Social Futures

**Clr Rob declared a Non-Significant, Non-Pecuniary Conflict of Interest for the following item:** 10.1 DA25/103: Temporary Accommodation (58 beds) in McKenzie Street, Lismore

**Nature:** I will leave the Chamber as I have potential connections with the organisation

## Altering Order of Business

189/25 **RESOLVED** that the order of business be altered to debate the following matters raised during Public Forum:

- 10.1 DA25/103: Temporary Accommodation (58 beds) in McKenzie Street, Lismore
- 10.4 Proposed Sale to Dunoon & District Sports & Recreation Club Ltd - Part 1 Cowley Road, Dunoon
- 11.4 Letters of In-Principle Support

(Councillors Krieg/Battista)

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

**Voting against:** Nil

## Mayoral Minute(s) and Condolence Motions

**10.1 DA25/103: Temporary Accommodation (58 beds) in McKenzie Street, Lismore**

MOTION moved that Development Consent be granted to DA25/130, subject to the recommended conditions of consent (see Attachment 1).

(Councillors Hall/Knight-Smith)

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

190/25 **RESOLVED** that Development Consent be granted to DA25/130, subject to the recommended conditions of consent (see Attachment 1)

(Councillors Hall/Knight-Smith) (BP25/638)

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

**Voting against:** Nil

**Absent:** Councillor Rob

**Councillor Rob returned to the meeting, the time being 10:29AM**

**10.4 Proposed Sale to Dunoon & District Sports & Recreation Club Ltd - Part 1  
Cowley Road, Dunoon**

MOTION moved that:

1. the license agreement between Council and Dunoon and Districts Sports and Recreation Club be increased, to a level to be negotiated by the General Manager to cover costs by Council
2. the General Manager be delegated authority to negotiate a sale at a future date when the Club is in a financial position to purchase the land

(Councillors Gordon/Knight-Smith)

**Councillor Knight-Smith left the meeting, the time being 10:34AM**

FORESHADOWED MOTION moved that:

1. the license agreement between Council and Dunoon and Districts Sports and Recreation Club be increased, to a level to be negotiated by the General Manager to cover costs by Council
2. the General Manager be delegated authority to negotiate a sale for \$1 at a future date when the Club is in a financial position to purchase the land

(Councillor Dalton-Earls)

**Councillor Knight-Smith returned to the meeting, the time being 10:37AM**

**Councillor Knight-Smith left the meeting, the time being 10:41AM**

**Councillor Knight-Smith returned to the meeting, the time being 10:42AM**

**Councillor Rob left the meeting, the time being 10:45AM**

191/25

**RESOLVED** that:

1. the license agreement between Council and Dunoon and Districts Sports and Recreation Club be increased, to a level to be negotiated by the General Manager to cover costs by Council
2. the General Manager be delegated authority to negotiate a sale at a future date when the Club is in a financial position to purchase the land

(Councillors Gordon/Knight-Smith) (BP25/627)

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

**Voting against:** Nil

**Absent:** Councillor Rob

**Councillor Rob returned to the meeting, the time being 10:48AM**

#### **11.4 Letters of In-Principle Support**

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MOTION moved that Council write letters of in-principle support for:

1. the future introduction of a low-emission train service within the railway corridor between Lismore and Booyong, subject to the availability of further information including relevant reports and feasibility studies, and on the condition any proposed works are compatible with any existing or planned Rail Trail infrastructure, for the benefit of residents, businesses, and visitors to the Northern Rivers region
2. Nimbin Youth to acknowledge and contribute support for their grant applications and to assist in securing additional funding

(Councillor Dalton-Earls/Gordon)

**Councillor Jensen left the meeting, the time being 11:03AM**

**Councillor Jensen returned to the meeting, the time being 11:04AM**



- 192/25 **DEFEATED** that Council write a letter of in-principle support for the future introduction of a low-emission train service within the railway corridor between Lismore and Booyong, subject to the availability of further information including relevant reports and feasibility studies, and on the condition any proposed works are compatible with any existing or planned Rail Trail infrastructure, for the benefit of residents, businesses, and visitors to the Northern Rivers region.

(Councillors Dalton-Earls/Gordon) (BP25/715)

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

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

MOTION moved that Council write a letter of in-principle support for Nimbin Youth to acknowledge and contribute support for their grant applications and to assist in securing additional funding.

(Councillors Dalton-Earls/Knight-Smith)

**Councillor Hall left the meeting, the time being 11:16AM**

**Councillor Hall returned to the meeting, the time being 11:19AM**

**RESOLVED** that the motion be put.

(Councillors Hall/Gordon)

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

**Voting against:** Councillors Battista, Dalton-Earls and Guise

- 193/25 **DEFEATED** that Council write a letter of in-principle support for Nimbin Youth to acknowledge and contribute support for their grant applications and to assist in securing additional funding.

(Councillors Dalton-Earls/Knight-Smith) (BP25/715)

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

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

## Reports of Committees

### 8.1 Lismore Flood Risk Management Committee - 3 September 2025

---

MOTION moved that the minutes from the 3 September 2025 meeting be received and the recommendations contained therein be adopted.

(Councillors Rob/Bing)

AMENDMENT moved and **DEFEATED** that the minutes from the 3 September 2025 meeting be received and the recommendations contained therein be adopted with a change to item 4.4 that the Committee recommend Council consider submitting a request to the CSIRO asking if they would be able to review and update our Flood Risk Management Plan following completion of the Northern Rivers Resilience Initiative (NRRI) flood modelling project they are currently working on and, if agreeable, ask if they can provide a cost estimate to complete the work.

(Councillors Waters/Knight-Smith)

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

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

194/25 **RESOLVED** that the minutes from the 3 September 2025 meeting be received and the recommendations contained therein be adopted.

(Councillors Rob/Bing) (BP25/685)

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

**Voting against:** Councillors Guise and Waters

## Matters Arising

### 9.1 Questions on Notice

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195/25 **RESOLVED** that the Questions on Notice responses provided in this report be noted.

(Councillors Battista/Dalton-Earls) (BP25/683)

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

**Voting against:** Nil

## Reports of the General Manager

### 10.2 Planning Proposal to enable Additional Permitted Uses in South Lismore

196/25

**RESOLVED** that:

1. Council supports the Planning Proposal to apply Additional Permitted Uses to the Lismore Local Environmental Plan for the mapped area of E4 General Industrial zone as detailed in this report,
2. the Planning Proposal be finalised in accordance with the delegation issued to Council by the Gateway Determination.

(Councillors Gordon/Battista) (BP25/711)

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

**Voting against:** Nil

### 10.3 Child Safe Policy

MOTION moved that Council adopt the Child Safe Policy as attached to the report.

(Councillor Knight-Smith/Waters)

**Councillor Gordon left the meeting, the time being 11:35AM**

**Councillor Gordon returned to the meeting, the time being 11:36AM**

197/25

**RESOLVED** that Council adopt the Child Safe Policy as attached to the report.

(Councillors Knight-Smith/Waters) (BP25/714)

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

**Voting against:** Nil

### **10.5 FOGO Community Consultation**

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198/25 **RESOLVED** that changes to FOGO waste collection zones adopted as part of the FY25/26 Revenue Policy be rescinded until the 2030 EPA mandate or until all exemptions are known.

(Councillors Hall/ Jensen) (BP25/717)

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

**Voting against:** Councillor Krieg

### **10.6 Local Transport Forum - Terms of Reference**

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199/25 **RESOLVED** that Council adopts the Local Transport Forum Terms of Reference.

(Councillors Hall/ Bing) (BP25/718)

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

**Voting against:** Nil

### **10.7 Disaster Management Committee Terms of Reference**

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200/25 **RESOLVED** that Council adopts the Terms of Reference for the Lismore City Council Emergency Management Committee.

(Councillors Rob/Dalton-Earls) (BP25/723)

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

**Voting against:** Nil

### **10.8 Investments - September 2025**

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201/25 **RESOLVED** that the report be received and noted.

(Councillors Bing/Dalton-Earls) (BP25/741)

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

### 10.9 Pecuniary Interest Returns

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202/25 **RESOLVED** that the report be received, and the tabled Disclosure of Interests in written returns be acknowledged.

(Councillors Gordon/Bing) (BP25/705)

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

### 10.10 Advisory Groups

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MOTION moved that Council appoint to the Lismore Villages Advisory Group one community member for both the Rural South and Richmond Hill/Lindendale districts, that being Ross Davies and Bronwyn Gowing respectively.

(Councillors Waters/Dalton-Earl)

AMENDMENT moved that Council appoint to the Lismore Villages Advisory Group Craig Parrish for the Richmond Hill/Lindendale district.

(Councillors Rob/Bing)

**RESOLVED** that the motion be put.

(Councillors Hall/Bing)

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

203/25 On submission to the meeting the amendment was **RESOLVED** that Council appoint to the Lismore Villages Advisory Group Craig Parrish for the Richmond Hill/Lindendale district.

(Councillors Rob/Bing) (BP25/662)



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

204/25

**RESOLVED** that:

On submission to the meeting the amendment became the motion and was **RESOLVED** that Council appoint to the Lismore Villages Advisory Group Craig Parrish for the Richmond Hill/Lindendale district.

(Councillors Rob/Bing) (BP25/662)

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

## Notices of Motion / Questions with Notice

### 11.1 Crime Prevention Plan

---

MOTION moved that Council rescind its decision of item 11.4 from the 9 September 2025 meeting.

(Councillors Rob/Battista)

**Councillor Jensen left the meeting, the time being 11:57AM**

**Councillor Jensen returned to the meeting, the time being 11:58AM**

**Councillor Rob left the meeting, the time being 12:05PM**

**Councillor Rob returned to the meeting, the time being 12:10PM**

**Councillor Knight-Smith left the meeting, the time being 12:14PM**

**Councillor Knight-Smith returned to the meeting, the time being 12:15PM**

**RESOLVED** that the motion be put.

(Councillors Hall/Bing)

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

**Councillor Dalton-Earls left the meeting, the time being 12:28PM**

**Councillor Dalton-Earls returned to the meeting, the time being 12:32PM**

205/25 **RESOLVED** that Council rescind its decision of item 11.4 from the 9 September 2025 meeting.

(Councillors Rob/Battista) (BP25/663)

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

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

**At this point the meeting adjourned for lunch, the time being 12:33PM**

**The meeting resumed at 1:02PM**

### **11.2 Mayoral Attendance Report**

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206/25 **RESOLVED** that Council receives the Mayoral Attendance Report for September 2025.

(Councillors Krieg/Bing) (BP25/703)

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

**Voting against:** Councillor Rob

**Councillor Gordon left the meeting, the time being 1:07PM**

### **11.3 Tobacco and Vape Shops**

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207/25 MOTION moved that Council write to the Federal Minister for Health, the Hon Mark Butler MP, the Minister for Home Affairs the Hon Tony Burke MP and NSW Minister for Small Business, The Hon Janelle Saffin MP and:

1. inform them of the high number of illegal tobacco and vape shops in Lismore. Approximately eight in the CBD at last count
2. express Lismore City Council's concern at the organised crime implications that this presents
3. request Council be informed what is proposed at a Federal level concerning compliance and enforcement given Lismore is not the only area with a concerning number of tobacco and vape shops

(Councillors Knight-Smith/Waters)

FORESHADOWED MOTION moved that Council strongly oppose any business selling unlicensed tobacco or related products and welcome any enforcement action to prevent it.

(Councillor Rob)

208/25

**RESOLVED** that Council write to the Federal Minister for Health, the Hon Mark Butler MP, the Minister for Home Affairs the Hon Tony Burke MP and NSW Minister for Small Business, The Hon Janelle Saffin MP and:

1. inform them of the high number of illegal tobacco and vape shops in Lismore. Approximately eight in the CBD at last count
2. express Lismore City Council's concern at the organised crime implications that this presents
3. request Council be informed what is proposed at a Federal level concerning compliance and enforcement given Lismore is not the only area with a concerning number of tobacco and vape shops

(Councillors Knight-Smith/Waters) (BP25/631)

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

**Councillor Gordon returned to the meeting, the time being 1:36PM**

### 11.5 Community Safety

---

MOTION moved that Council:

1. advocate to work in collaboration with Richmond Police District to:
  - a. reinstate the Drug Squad that was disbanded over a year ago now
  - b. boost the specialist TAG unit back to full capacity
  - c. support increasing police resources by actively seeking grant funding opportunities with support from the NSW Police Commissioner and Member for Lismore
  - d. support ongoing high visibility policing and operations throughout the LGA with supplementary support by way of regular Ranger patrols
2. actively pursue grant opportunities to increase lighting and boost CCTV capabilities across the LGA as a deterrent against antisocial and criminal activity
3. request the Minister for Health and the Minister for Mental Health to provide the Northern NSW Local Health District more resources to deal with the increased number of patients who require acute support
4. request the Minister/s for Housing and Homelessness provide additional resources to address housing insecurity and homelessness across the LGA
5. notes the actions staff are undertaking with regards to:
  - a. increased patrols in Lismore CBD and Nimbin

- b. meeting and collaborating with local Police to identify and address emerging crime issues
- c. seeking grant funding to improve street lighting across Lismore CBD and villages
- d. supporting youth programs, education and awareness campaigns

(Councillors Krieg/Hall)

FORESHADOWED MOTION moved that Council:

1. advocate to work in collaboration with Richmond Police District to:
  - a. reinstate the Drug Squad that was disbanded over a year ago now
  - b. boost the specialist TAG unit back to full capacity
  - c. support increasing police resources by actively seeking grant funding opportunities with support from the NSW Police Commissioner and Member for Lismore
  - d. support ongoing high visibility policing and operations throughout the LGA with supplementary support by way of regular Ranger and security patrols
2. actively pursue grant opportunities to increase lighting and boost CCTV capabilities across the LGA as a deterrent against antisocial and criminal activity
3. request the Minister for Health and the Minister for Mental Health to provide the Northern NSW Local Health District more resources to deal with the increased number of patients who require acute support
4. notes the actions staff are undertaking with regards to:
  - a. increased patrols in Lismore CBD and Nimbin
  - b. meeting and collaborating with local Police to identify and address emerging crime issues
  - c. seeking grant funding to improve street lighting and boosting CCTV capabilities across Lismore CBD and villages
  - d. supporting youth programs, education and awareness campaigns

(Councillor Rob)

209/25

**RESOLVED** that Council:

1. advocate to work in collaboration with Richmond Police District to:
  - a. reinstate the Drug Squad that was disbanded over a year ago now
  - b. boost the specialist TAG unit back to full capacity
  - c. support increasing police resources by actively seeking grant funding opportunities with support from the NSW Police Commissioner and Member for Lismore
  - d. support ongoing high visibility policing and operations throughout the LGA with supplementary support by way of regular Ranger patrols
2. actively pursue grant opportunities to increase lighting and boost CCTV capabilities across the LGA as a deterrent against antisocial and criminal activity

3. request the Minister for Health and the Minister for Mental Health to provide the Northern NSW Local Health District more resources to deal with the increased number of patients who require acute support
4. request the Minister/s for Housing and Homelessness provide additional resources to address housing insecurity and homelessness across the LGA
5. notes the actions staff are undertaking with regards to:
  - a. increased patrols in Lismore CBD and Nimbin
  - b. meeting and collaborating with local Police to identify and address emerging crime issues
  - c. seeking grant funding to improve street lighting across Lismore CBD and villages
  - d. supporting youth programs, education and awareness campaigns

(Councillors Krieg/Hall) (BP25/720)

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

**Voting against:** Nil

#### **11.6 The Lismore Museum & Richmond River Historical Society**

MOTION moved that Lismore City Council offer the Richmond River Historical Society the space they previously rented in the municipal building so that they may operate the Museum and the Historical Society from this building.

(Councillors Knight-Smith/Waters)

FORESHADOWED MOTION moved that Council:

1. resolves to relocate back into the Lismore CBD by relocating into existing buildings that it owns, manages and leases
2. acknowledges this may be a stage approach given the various status of its buildings
3. request the General Manager to bring a report to Council should additional budget funding be required

(Councillor Battista)

**Councillor Krieg left the meeting, the time being 2:02PM**

**Councillor Krieg returned to the meeting, the time being 2:03PM**

**Councillor Rob left the meeting, the time being 2:06PM**

**Councillor Rob returned to the meeting, the time being 2:08PM**

**RESOLVED** that the motion be put.



(Councillor Hall)

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

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

- 210/25 **DEFEATED** that Lismore City Council offer the Richmond River Historical Society the space they previously rented in the municipal building so that they may operate the Museum and the Historical Society from this building.

(Councillors Knight-Smith/Waters) (BP25/726)

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

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

**Councillor Waters left the meeting, the time being 2:27PM**

**Councillor Waters returned to the meeting, the time being 2:28PM**

**Councillor Hall left the meeting, the time being 2:29PM**

**Councillor Knight-Smith left the meeting, the time being 2:31PM**

**Councillor Hall returned to the meeting, the time being 2:32PM**

**Councillor Knight-Smith returned to the meeting, the time being 2:34PM**

**Councillor Knight-Smith left the meeting, the time being 2:35PM**

**Councillor Knight-Smith returned to the meeting, the time being 2:36PM**

**RESOLVED** that the motion be put.

(Councillor Hall)

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

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

- 211/25 **RESOLVED** that Council:

1. resolves to relocate Council employees back into the Lismore CBD by relocating into existing buildings that it owns, manages and leases
2. acknowledges this may be a stage approach given the various status of its buildings
3. request the General Manager to bring a report to Council should additional budget funding be required

(Councillors Battista/Bing) (BP25/726)

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

### 11.7 Dibbs Street Intersection

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212/25 **RESOLVED** that Council request Transport for New South Wales:

1. to expedite the implementation of timed right-turn restrictions at the from Dibbs Street onto Ballina Road, to make it "No Right Turn" between the hours of 8am - 9am, and 3pm - 4pm on weekdays, to improve safety and reduce congestion during school drop off and pick up times
2. fund this through one of the road safety initiative programs

(Councillors Hall/Rob) (BP25/733)

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

**Councillor Hall left the meeting, the time being 2:52PM**

### 11.8 Property Strategy

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Can the General Manager outline the progress and timeframes for the Property Strategy. Is the Property Strategy overdue? What was the original due date and what is the current due date?

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

The Property Strategy is expected to be presented to Council for adoption at the November 2025 Council meeting. A briefing will be provided prior to the meeting.

## Matter of Urgency

213/25 **RESOLVED** that the following issue be considered.

That Council:

1. notes the introduction of the *Environmental Planning and Assessment (Planning System Reforms) Bill 2025* by the Minister for Planning and Public Spaces, the Hon. Paul Scully MP, on 17 September 2025
2. acknowledges that the Bill proposes the most significant changes to the NSW planning framework since the original *Environmental Planning and Assessment Act 1979*, yet was introduced into Parliament without public consultation, explanatory material, or local government briefing
3. requests that the Mayor urgently write to the Minister for Planning and Public Spaces, the Minister for Local Government, and Local Government NSW expressing Council's concern about the absence of consultation and the erosion of local decision-making powers
4. calls on the NSW Government to pause the progression of the Bill and commence a comprehensive public and local government consultation process, including regional and rural councils

(Councillor Waters)

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

The Mayor deemed the matter urgent.

**RESOLVED** that the time being 3.00pm the meeting continue to 3.30pm.

(Councillors Krieg/Bing)

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

**Councillor Dalton-Earls left the meeting, the time being 3:02PM**

**Councillor Jensen left the meeting, the time being 3:02PM**

**Councillor Jensen returned to the meeting, the time being 3:04PM**

**Councillor Dalton-Earls returned to the meeting, the time being 3:05PM**

**RESOLVED** that the motion be put.

(Councillor Battista)

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

**Voting against:** Councillors Knight-Smith, Guise and Waters

**Absent:** Councillor Hall

**Councillor Rob left the meeting, the time being 3:14PM**

**Councillor Rob returned to the meeting, the time being 3:15PM**

214/25

**DEFEATED** that Council:

1. notes the introduction of the *Environmental Planning and Assessment (Planning System Reforms) Bill 2025* by the Minister for Planning and Public Spaces, the Hon. Paul Scully MP, on 17 September 2025
2. acknowledges the Bill proposes the most significant changes to the NSW planning framework since the original *Environmental Planning and Assessment Act 1979*, yet was introduced into Parliament without public consultation, explanatory material, or local government briefing
3. requests the Mayor urgently write to the Minister for Planning and Public Spaces, the Minister for Local Government, and Local Government NSW expressing Council's concern about the absence of consultation and the erosion of local decision-making powers
4. calls on the NSW Government to pause the progression of the Bill and commence a comprehensive public and local government consultation process, including regional and rural councils

(Councillors Waters/Knight-Smith)

**Voting for:** Councillors Guise and Waters

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

**Absent:** Councillor Hall

### **11.9 Sharps bin at the Lismore Transit Centre**

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Can the General Manager advise if the large yellow sharps bin currently located in front of the Rose Gardens at the Lismore Transit Centre could be relocated to inside the Transit Centre building where determined most appropriate?

Relocating the sharps bin inside the Transit Centre would likely better promote its use by offering greater privacy, while also creating a more welcoming environment for residents and visitors, particularly those arriving by bus.

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

The large yellow sharps bin currently located outside the Transit Centre is provided to support safe disposal of needles and bulk sharps containers for the surrounding area. It is regularly used by staff and the Country Women's Association (CWA) to manage needles found outside their building.

To enhance safety for staff and the community, the Transit Centre now closes nightly at 7:00pm. Relocating the large sharps bin inside the building would reduce its accessibility after hours and place it in a less safe location.

For individual use, discreet sharps disposal units are available inside the Transit Centre toilet cubicles to ensure privacy and convenience.

## **Altering Order of Business**

215/25      MOTION moved that the order of business be altered to debate item 12.1.

(Councillors Rob/Jensen)

**Voting for:**                      Councillors Battista, Bing, Gordon, Jensen and Rob

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

**Absent:**                              Councillor Hall

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

**Councillor Rob left the meeting, the time being 3:18PM**

**Councillor Rob returned to the meeting, the time being 3:19PM**

## Adjournment of Meeting

MOTION moved that the meeting be adjourned with the meeting to resume on Tuesday 21 October 2025 at 6pm.

(Councillors Krieg/Dalton-Earls)

**Councillor Jensen left the meeting, the time being 3:21PM**

**Councillor Jensen returned to the meeting, the time being 3:21PM**

216/25 **RESOLVED** that the meeting be adjourned with the meeting to resume on Tuesday 21 October 2025 at 6pm.

(Councillors Krieg/Dalton-Earls)

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

**Voting against:** Councillors Battista, Jensen and Rob

**Absent:** Councillor Hall

**Meeting adjourned at 3.25pm.**



## Present

Mayor, Councillor Krieg; Councillors Battista, Bing, Dalton-Earls, Gordon, Guise, Jensen, Knight-Smith, Rob (via audio-visual), Waters together with Mr Butron, General Manager; Ms Sullivan, Director People & Community, Mrs Mitchell, Executive Officer and Miss Hull, Executive Assistant.

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

217/25

**RESOLVED** that:

- attendance by audio-visual link be approved for Councillor Rob
- Council note Councillor Jensen is on approved leave
- an apology be received from Councillor Battista

(Councillors Hall/Bing)

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

**Voting against:** Nil

## Confidential Matters – Closed Council Meeting

218/25

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

<b>Item</b>	12.1 Richmond Tweed Regional Library: Council Decision on Participation Beyond 2027
<b>Grounds for Closure Public Interest</b>	Section 10A(2) (a): 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, Gordon, Hall and Krieg

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

**12.1 Richmond Tweed Regional Library: Council Decision on Participation Beyond 2027**

---

219/25 **RESOLVED** that points 1 and 2 be considered in Closed Session and point 3 remain in Open Session.

(Councillors Krieg/Hall)

**Voting for:** Councillors Bing, Gordon, Hall, Krieg and Rob

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

## Resumption of Open Council

220/25 When the Council had resumed its former sitting, the Mayor reported that Council, meeting in Closed Session, had **RESOLVED**:

**12.1 Richmond Tweed Regional Library: Council Decision on Participation Beyond 2027**

That Council:

1. remain as the Executive (Administering) Council under a refined Deed of Agreement, with supporting service charters for transparent operations and cost recovery and under a reduced Cooperative Library Services Model (LMS), only overseeing Lismore library staff and a reduced shared services team (collections, programs, LMS, mobile library)
2. endorse the transfer of local branch staff employment to their respective councils, retaining only Lismore-based and regional support staff by June 2027 - embedding local accountability for staff, WHS, and branch operations

(Councillors Gordon/Knight-Smith) (BP25/719)

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

**Voting against:** Councillors Guise

**12.1 Richmond Tweed Regional Library: Council Decision on Participation Beyond 2027**

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- 221/25 MOTION moved that Council authorise RTRL Committee and Leadership team to negotiate amendments to the Deed to include new appendices (risk management, service charters, cyber security, planning protocols) to strengthen governance and transparency changes prior to June 2027.

(Councillors Gordon/Dalton-Earls)

FORESHADOWED MOTION moved that Council:

1. authorise RTRL Committee and Leadership team to negotiate amendments to the Deed to include new appendices (risk management, service charters, cyber security, planning protocols) to strengthen governance and transparency changes prior to June 2027
2. may not remain as the Executive Council after June 2027

(Councillor Rob)

AMENDMENT moved that Council authorise RTRL Committee and Leadership team to negotiate amendments to the Deed to include new appendices (risk management, service charters, cyber security, planning protocols) to strengthen governance and transparency changes prior to June 2027 and seek expressions of interest by member councils to be the Executive Council by December 2025.

(Councillors Hall/Rob)

**Councillor Knight-Smith left the meeting, the time being 6:47PM**

**Councillor Knight-Smith returned to the meeting, the time being 6:47PM**

- 222/25 AMENDMENT moved and **RESOLVED** that Council authorise RTRL Committee and Leadership team to negotiate amendments to the Deed to include new appendices (risk management, service charters, cyber security, planning protocols) to strengthen governance and transparency changes prior to June 2027 and seek expressions of interest by member councils to be the Executive Council by December 2025.

(Councillors Hall/Rob)

**Voting for:** Councillors Bing, Gordon, Hall, Krieg and Rob

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

**Councillor Bing left the meeting, the time being 7:13PM**

**Councillor Bing returned to the meeting, the time being 7:14PM**

223/25

On submission to the meeting the amendment became the motion and was **RESOLVED** that Council authorise RTRL Committee and Leadership team to negotiate amendments to the Deed to include new appendices (risk management, service charters, cyber security, planning protocols) to strengthen governance and transparency changes prior to June 2027 and seek expressions of interest by member councils to be the Executive Council by December 2025.

(Councillors Hall/Rob)

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

**Voting against:** Councillor Guise

## Closure

This concluded the business and the meeting terminated at 7.20pm.

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

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**MAYOR**

**MINUTES OF THE CONFIDENTIAL MEETING OF THE COUNCIL OF THE CITY OF LISMORE HELD  
IN COUNCIL CHAMBERS ON TUESDAY 14 OCTOBER 2025 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, Dalton-Earls, Gordon, Guise, Knight-Smith, Rob (via audio-visual), Waters together with Mr Butron, General Manager; Ms Sullivan, Director People & Community, Mrs Mitchell, Executive Officer and Miss Hull, Executive Assistant.

### **12.1 Richmond Tweed Regional Library: Council Decision on Participation Beyond 2027**

---

213/25

**RESOLVED** that Council:

1. remain as the Executive (Administering) Council under a refined Deed of Agreement, with supporting service charters for transparent operations and cost recovery and under a reduced Cooperative Library Services Model (LMS), only overseeing Lismore library staff and a reduced shared services team (collections, programs, LMS, mobile library)
2. endorse the transfer of local branch staff employment to their respective councils, retaining only Lismore-based and regional support staff by June 2027 - embedding local accountability for staff, WHS, and branch operations

(Councillors Gordon/Knight-Smith) (BP25/719)

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

**Voting against:** Councillors Guise and Rob

## Resumption of Open Council

214/25

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

(Councillors Hall/Dalton-Earls)

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

**Voting against:** Nil

## Closure

This concluded the business and the meeting terminated at 6.18pm.

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

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**MAYOR**