

An Ordinary Meeting of Lismore City Council will be held at the Council Chambers on 11 November 2025, 10.00am

## Attachments Excluded From Agenda

Eber Butron  
**General Manager**

4 November 2025



# Attachments

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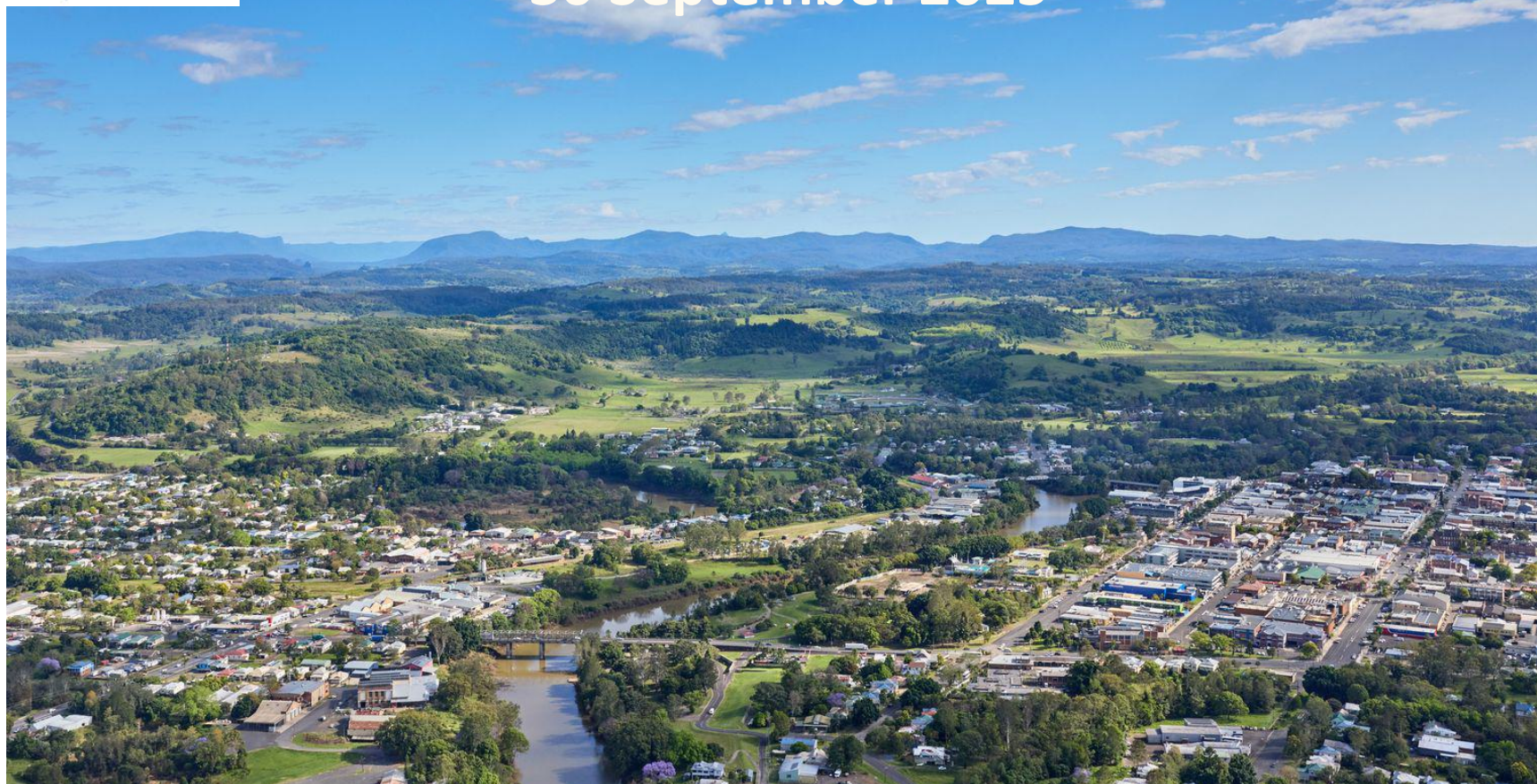
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# Quarterly Budget Review Statement 30 September 2025



<b>Quarterly Budget Review Statement Lismore City Council for the period 01/07/2025 to 30/09/2025</b>	
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**Quarterly Budget Review Statement  
for the period 01/07/2025 to 30/09/2025**

**Responsible Accounting Officer's Statement**

The following statement is made in accordance with Clause 203 (2) of the Local Government (General) Regulation 2021 in relation to the Quarterly Budget Review Statement (QBRS) for the quarter ended 30 September 2025.

The QBRS for the quarter ended 30 September 2025 indicates that Council's underlying projected financial position at 30 June 2026 will be satisfactory at year end, having regard to the projected estimates of income and expenditure as contained in the original budget forecast and revised budget position at 30 September 2025.

The operating result before capital grants and contributions has declined to a projected loss of \$12.872m, from the original budgeted loss of \$11.071m. This has been due to the impact of carry forward budgets of \$0.962m and recommended changes for the first quarter of \$0.839m. The adverse impact on the operating result is due to some of the funding having been received in prior years, with matching expenses being incurred in the current year as well as other funding being drawn from reserves held at 30 June 2025 and matching income not being reflected in the income statement.

Capital works budgets have increased by \$12.026m, due to carry forward works of \$7.4m and recommended changes for the first quarter of \$4.626m. A comprehensive review of the capital works budget will be undertaken as part of the December QBRS to ensure Council has the capacity to deliver the revised program.

Council's projected unrestricted cash surplus remains at \$612,000. Council held cash and investments of \$270.273m at 30 September 2025, which includes \$251.004m in external restrictions and \$19.269m in internal restrictions. Council's cash position at 30 September 2025 has been impacted by \$11.9m being owed related to the buildings flood recovery portfolio, requiring a temporary draw down on internal reserves until funds are reimbursed. The flood recovery team are pursuing other funding solutions, including the request to draw down on significant advance funds already held for other parts of the flood recovery portfolio. This position needs to be addressed to ensure Council is not placed in a position to draw down its internal reserves and to ensure Council's financial position remains satisfactory.



Date: 30/10/2025

**Kulwant Singh-Pangly**  
Responsible Accounting Officer

QBRs FINANCIAL OVERVIEW												
Lismore City Council												
Budget review for the quarter ended 30/09/2025												
DESCRIPTION		Previous Year Actual* 2024/25 \$000's	Current Year Original Budget 2025/26 \$000's	Carry Forwards 2025/26 \$000's	Approved Changes Review Q1 \$000's	Approved Changes Review Q2 \$000's	Approved Changes Review Q3 \$000's	Revised Budget 2025/26 \$000's	Recommended Changes for Council resolution \$000's	Projected Year End (PYE) Result 2025/26 \$000's	Variance Original Budget v PYE 2025/26 \$000's	Actual YTD 2025/26 \$000's
Net Operating Result before grants and contributions provided for capital purposes	General Fund	(21,581)	(12,482)	(962)	0	0	0	(13,444)	(839)	(14,283)	(1,801)	65,349
	Water Fund	148	390	0	0	0	0	390	0	390	0	7,262
	Sewer Fund	2,961	1,021	0	0	0	0	1,021	0	1,021	0	1,070
	Consolidated	(18,472)	(11,071)	(962)	0	0	0	(12,033)	(839)	(12,872)	(1,801)	18,675
Operating Result from continuing operations (with capital grants and contributions) excluding depreciation, amortisation and impairment of non financial assets	Consolidated	156,507	245,670	707	0	0	0	246,378	(1,247)	245,130	(540)	88,111
Borrowings	Total borrowings	35,357	30,500	0	0	0	0	30,500	0	30,500	0	34,009
Liquidity	External restrictions	188,862	188,060	(4,607)	0	0	0	183,453	(6,005)	177,448	(10,612)	251,004
	Internal Allocations	21,041	36,897	(2,086)	0	0	0	34,811	132	34,943	(1,954)	19,269
	Unallocated	0	0	0	0	0	0	0	0	0	0	0
	Total Cash, Cash Equivalents and Investments	209,903	224,957	(6,693)	0	0	0	218,264	(5,873)	212,391	(12,566)	270,273
Capital	Capital Funding	138,499	244,140	7,400	0	0	0	251,540	4,626	256,166	12,026	25,359
	Capital Expenditure	138,499	244,140	7,400	0	0	0	251,540	4,626	256,166	12,026	25,359
	Net Capital	0	0	0	0	0	0	0	0	0	0	0

		Opening Balance  As at 1 July 2025 \$000's	Total Cash Contributions Received  As at this Q \$000's	Total Interest Earned  As at this Q \$000's	Total Expended  As at this Q \$000's	Total Internal Borrowings (to)/from  As at this Q \$000's	Held as Restricted Asset  As at this Q \$000's	Cumulative balance of internal borrowings (to)/from  As at this Q \$000's
Developer Contribution	Total Developer Contributions	11,422	249	122	457	0	11,336	0

Income and Expenses Budget Review Statement Lismore City Council Budget review for the quarter ended 30/09/2025 Consolidated Fund												
Description	Previous Year Actual* 2024/25 \$000's	Current Year Original Budget 2025/26 \$000's	Carry Forwards 2025/26 \$000's	Approved Changes Review Q1 \$000's	Approved Changes Review Q2 \$000's	Approved Changes Review Q3 \$000's	Revised Budget 2025/26 \$000's	Recommended Changes for Council resolution \$000's	Note Ref	Projected Year End (PYE) Result 2025/26 \$000's	Variance Original Budget v PYE 2025/26 \$000's	Actual YTD 2025/26 \$000's
<b>INCOME</b>												
Rates and Annual Charges	66,953	70,816	0	0	0	0	70,816	0	1	70,816	0	65,349
User Charges and Fees	30,687	27,809	0	0	0	0	27,809	0	2	27,809	0	7,262
Other Revenue	3,959	3,374	0	0	0	0	3,374	0	3	3,374	0	1,070
Grants and Contributions - Operating	24,115	39,589	0	0	0	0	39,589	4,630	4	44,220	4,630	7,951
Grants and Contributions - Capital	137,591	220,560	1,669	0	0	0	222,229	(409)	5	221,820	1,260	34,024
Interest and Investment Income	9,708	5,073	0	0	0	0	5,073	0	6	5,073	0	1,132
Other Income	0	0	0	0	0	0	0	0	7	0	0	0
Net gain from disposal of assets	0	0	0	0	0	0	0	0	8	0	0	0
Net Share of Interests in Joint Ventures and Associates	162	0	0	0	0	0	0	0		0	0	0
<b>Total Income from continuing operations</b>	<b>273,175</b>	<b>367,220</b>	<b>1,669</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>368,889</b>	<b>4,222</b>		<b>373,111</b>	<b>5,891</b>	<b>116,788</b>
<b>EXPENSES</b>												
Employee benefits and on-costs	49,208	54,003	20	0	0	0	54,024	(117)	9	53,907	(97)	12,056
Materials & Services	56,842	58,669	942	0	0	0	59,610	5,586	10	65,196	6,528	15,542
Borrowing Costs	2,813	1,367	0	0	0	0	1,367	0	11	1,367	0	175
Other Expenses	4,188	4,227	0	0	0	0	4,227	0	12	4,227	0	904
Net Loss from Disposal of Assets	3,617	3,266	0	0	0	0	3,266	0	13	3,266	0	0
Net Share of Interests in Joint Ventures and Associates	0	18	0	0	0	0	18	0	14	18	0	0
<b>Total Expenses from continuing operations excluding depreciation, amortisation and impairment of non financial assets</b>	<b>116,668</b>	<b>121,549</b>	<b>962</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>122,511</b>	<b>5,469</b>		<b>127,981</b>	<b>6,431</b>	<b>28,677</b>
<b>Operating Result from continuing operations excluding depreciation, amortisation and impairment of non financial assets</b>	<b>156,507</b>	<b>245,670</b>	<b>707</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>246,378</b>	<b>(1,247)</b>		<b>245,130</b>	<b>(540)</b>	<b>88,111</b>
Depreciation, amortisation and impairment of non financial assets	37,388	36,182	0	0	0	0	36,182		15	36,182	0	9,045
<b>Operating result from continuing Operations</b>	<b>119,119</b>	<b>209,488</b>	<b>707</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>210,196</b>	<b>(1,247)</b>		<b>208,948</b>	<b>(540)</b>	<b>79,065</b>
<b>Net Operating Result before grants and contributions provided for capital purposes</b>	<b>(18,472)</b>	<b>(11,071)</b>	<b>(962)</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>(12,033)</b>	<b>(839)</b>		<b>(12,872)</b>	<b>(1,801)</b>	<b>45,041</b>

**Notes**

Original Budget +/- approved budget changes in previous quarters = REVISED Budget

Revised Budget +/- recommended changes this quarter = PROJECTED year results

Previous Year Actual 2024/2025 is draft and subject to audit

**Lismore City Council**  
**Income Statement (Consolidated)**  
**Budget Variation Notes**

Budget variations of \$10,000 or greater have been commented on in the QBRs

Note	Reference	Program	Reason for budget variation	Amount \$000's
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**Income from Continuing Operations**

**1 Rates and Annual Charges**

There are no reportable changes

**2 User Charges and Fees**

There are no reportable changes

**3 Other Revenue**

There are no reportable changes

**4 Grants and Contributions - Operating**

Roads	Roads to Recovery grant - minor change in total funding for the 2025/2026 financial year based on the revised program (refer to capital expenditure budget variation notes for expense variations)	(47)
Flood Recovery - Transport	Council's has taken a position of not capitalising portfolio overhead costs related to flood restoration works. The original budget accounted for portfolio employee costs, but not contractor costs. This is purely an accounting treatment, with \$4 million being adjusted between capital and operating costs, offset by the same adjustment from capital grants to operating grants. This adjustment has no overall impact on Council's budget position.	4,000
Environmental Strategies	Council has been successful in obtaining grant funding of \$1.985 million for the Urban Rivers and Catchments program, with work to be completed in stages up until August 2028. Expenditure planned to 30 June 2025 is \$992,352, with \$486,248 from unexpended grants and \$506,104 from grant revenue.	506
Environmental Strategies	Northern Rivers Watershed initiative - continuation of grant funded works in 2025/2026, with \$180,000 still to be received.	180

**5 Grants and Contributions - Capital**

Footpaths	Council has been successful in receiving grant funding of \$3,551,247 under the Get Active NSW footpaths program for a number of projects. These include Lismore Boulevard (\$2,383,030), North Lismore connections (\$807,180) and Dibbs Street (\$361,037). These projects also include contributions from Council of \$200,000, funded from the footpaths capital expenditure budget.	3,551
Bus Shelters	Council has been successful in receiving grant funding of \$80,000 under the Country Passenger Transport Infrastructure Grants Scheme (CPTIGS) for the installation of 4 new bus shelters. \$40,000 of this was received in late June 2025 (to be transferred from unexpended grants reserves), with the remaining \$40,000 to be received as income during the current financial year.	40
Flood Recovery - Transport	Council's has taken a position of not capitalising portfolio overhead costs related to flood restoration works. The original budget accounted for portfolio employee costs, but not contractor costs. This is purely an accounting treatment, with \$4 million being adjusted between capital and operating costs, offset by the same adjustment from capital grants to operating grants. This adjustment has no overall impact on Council's budget position.	(4,000)

**6 Interest and Investment Revenue**



**Lismore City Council**  
**Income Statement (Consolidated)**  
**Budget Variation Notes**

Budget variations of \$10,000 or greater have been commented on in the QBRS

Note			Amount
Reference	Program	Reason for budget variation	\$000's
		There are no reportable changes	
<b>7</b>	<b>Other Income</b>		
		There are no reportable changes	
<b>8</b>	<b>Net Gain from Disposal of Assets</b>		
		There are no reportable changes	
<b>Expenses from Continuing Operations</b>			
<b>9</b>	<b>Employee Benefits and Oncosts</b>		
		Funding redirected to casual staff budgets in materials and services to improve software and business efficiencies for business systems (savings from staff vacancies)	(28)
	Information Technology Services		
		Funding redirected to contractor costs in materials and services (savings from staff vacancies)	(24)
	Information Technology Services		
		Reduction in salary overhead costs in CBD Activation activities, with increased contractor and materials costs	(65)
	Destination & Economy		
<b>10</b>	<b>Materials and Services</b>		
		Budget required for website transition costs which is being funded from the Art Gallery account, drawn from reserves.	17
	Art Gallery		
		Funding for casual staff to improve software and business efficiencies for business systems (funded from staff vacancies and subsequent reduction in employee costs budget)	28
	Information Technology Services		
		Funding for contractor costs funded from staff vacancies and subsequent reduction in employee costs budget	24
	Information Technology Services		
		Biodiversity Management Strategy funds from reserves to for urban habitat works	21
	Environmental Strategies		
		A review of the Biodiversity Management Strategy is being undertaken and is funded from the BMS reserve.	51
	Environmental Strategies		
		Northern Rivers Watershed initiative - continuation of grant funded works in 2025/2026.	208
	Environmental Strategies		
		Council has been successful in obtaining grant funding of \$1.985 million for the Urban Rivers and Catchments program, with work to be completed in stages up until August 2028. Expenditure planned to 30 June 2025 is \$992,352, with \$486,248 from unexpended grants and \$506,104 from grant revenue.	992
	Environmental Strategies		
		Increase in contractor and materials costs for CBD Activation activities, offset by a decrease in employee costs.	65
	Destination & Economy		
		The GSAC and Lismore Memorial Baths on-premise software system is being phased out, with vendor support ceasing after 1 July 2026. Funds of \$120,000 were set aside in the internally restricted Carry Forwards reserve at 30 June 2025 to replace this software.	120
	GSAC		
		Waste Planning - Site Access, Internal Hardstands and Buildings - budget required - requested revote from 2024/2025 (project had not commenced), funded from the carry forward reserve.	50
	Waste Disposal		

**Lismore City Council  
Income Statement (Consolidated)  
Budget Variation Notes**

Budget variations of \$10,000 or greater have been commented on in the QBRs

Note			Amount
Reference	Program	Reason for budget variation	\$000's
	Flood Recovery - Transport	Council's has taken a position of not capitalising portfolio overhead costs related to flood restoration works. The original budget accounted for portfolio employee costs, but not contractor costs. This is purely an accounting treatment, with \$4 million being adjusted between capital and operating costs, offset by the same adjustment from capital grants to operating grants. This adjustment has no overall impact on Council's budget position.	4,000
<b>11</b>	<b>Borrowing Costs</b>		
	There are no reportable changes		
<b>12</b>	<b>Other Expenses</b>		
	There are no reportable changes		
<b>13</b>	<b>Net Loss from Disposal of Assets</b>		
	There are no reportable changes		
<b>14</b>	<b>Net Share of Interests in Joint Ventures and Associates</b>		
	There are no reportable changes		
<b>15</b>	<b>Depreciation</b>		
	There are no reportable changes		

Income and Expenses Budget Review Statement Lismore City Council Budget review for the quarter ended 30/09/2025 General Fund											
Description	Previous Year Actual* 2024/25 \$000's	Current Year Original Budget 2025/26 \$000's	Carry Forwards 2025/26 \$000's	Approved Changes Review Q1 \$000's	Approved Changes Review Q2 \$000's	Approved Changes Review Q3 \$000's	Revised Budget 2025/26 \$000's	Recommended Changes for Council resolution \$000's	Projected Year End (PYE) Result 2025/26 \$000's	Variance Original Budget v PYE 2025/26 \$000's	Actual YTD 2025/26 \$000's
<b>INCOME</b>											
Rates and Annual Charges	46,211	48,721	0	0	0	0	48,721	0	48,721	0	48,414
User Charges and Fees	18,149	15,338	0	0	0	0	15,338	0	15,338	0	5,037
Other Revenue	3,944	3,354	0	0	0	0	3,354	0	3,354	0	1,004
Grants and Contributions - Operating	22,984	39,235	0	0	0	0	39,235	4,630	43,865	4,630	7,836
Grants and Contributions - Capital	132,217	196,602	1,669	0	0	0	198,271	(409)	197,862	1,260	33,035
Interest and Investment Income	6,435	2,510	0	0	0	0	2,510	0	2,510	0	1,062
Other Income	0	0	0	0	0	0	0	0	0	0	0
Net gain from disposal of assets	0	0	0	0	0	0	0	0	0	0	0
Net Share of Interests in Joint Ventures and Associates	162	0	0	0	0	0	0	0	0	0	0
<b>Total Income from continuing operations</b>	<b>230,102</b>	<b>305,760</b>	<b>1,669</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>307,429</b>	<b>4,222</b>	<b>311,651</b>	<b>5,891</b>	<b>96,389</b>
<b>EXPENSES</b>											
Employee benefits and on-costs	44,143	49,498	20	0	0	0	49,519	(117)	49,402	(97)	10,999
Materials & Services	39,017	39,422	942	0	0	0	40,364	5,586	45,950	6,528	10,032
Borrowing Costs	1,876	501	0	0	0	0	501	0	501	0	63
Other Expenses	4,188	4,216	0	0	0	0	4,216	0	4,216	0	904
Net Loss from Disposal of Assets	2,378	1,452	0	0	0	0	1,452	0	1,452	0	0
Net Share of Interests in Joint Ventures and Associates	0	18	0	0	0	0	18	0	18	0	0
<b>Total Expenses from continuing operations excluding depreciation, amortisation and impairment of non financial assets</b>	<b>91,602</b>	<b>95,108</b>	<b>962</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>96,070</b>	<b>5,469</b>	<b>101,539</b>	<b>6,431</b>	<b>21,999</b>
<b>Operating Result from continuing operations excluding depreciation, amortisation and impairment of non financial assets</b>	<b>138,500</b>	<b>210,652</b>	<b>707</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>211,359</b>	<b>(1,247)</b>	<b>210,112</b>	<b>(540)</b>	<b>74,390</b>
Depreciation, amortisation and impairment of non financial assets	27,864	26,532	0	0	0	0	26,532	0	26,532	0	6,633
<b>Operating result from continuing Operations</b>	<b>110,636</b>	<b>184,120</b>	<b>707</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>184,827</b>	<b>(1,247)</b>	<b>183,580</b>	<b>(540)</b>	<b>67,757</b>
<b>Net Operating Result before grants and contributions provided for capital purposes</b>	<b>(21,581)</b>	<b>(12,482)</b>	<b>(962)</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>(13,444)</b>	<b>(839)</b>	<b>(14,283)</b>	<b>(1,801)</b>	<b>34,722</b>

**Notes**

Original Budget +/- approved budget changes in previous quarters = REVISED Budget

Revised Budget +/- recommended changes this quarter = PROJECTED year results

Previous Year Actual 2024/2025 is draft and subject to audit

Income and Expenses Budget Review Statement Lismore City Council Budget review for the quarter ended 30/09/2025 Water Fund											
Description	Previous Year Actual* 2024/25 \$000's	Current Year Original Budget 2025/26 \$000's	Carry Forwards 2025/26 \$000's	Approved Changes Review Q1 \$000's	Approved Changes Review Q2 \$000's	Approved Changes Review Q3 \$000's	Revised Budget 2025/26 \$000's	Recommended Changes for Council resolution \$000's	Projected Year End (PYE) Result 2025/26 \$000's	Variance Original Budget v PYE 2025/26 \$000's	Actual YTD 2025/26 \$000's
<b>INCOME</b>											
Rates and Annual Charges	5,938	6,718	0	0	0	0	6,718	0	6,718	0	1,747
User Charges and Fees	12,003	11,947	0	0	0	0	11,947	0	11,947	0	2,099
Other Revenue	0	0	0	0	0	0	0	0	0	0	63
Grants and Contributions - Operating	425	347	0	0	0	0	347	0	347	0	114
Grants and Contributions - Capital	2,789	973	0	0	0	0	973	0	973	0	837
Interest and Investment Income	914	564	0	0	0	0	564	0	564	0	14
Other Income	0	0	0	0	0	0	0	0	0	0	0
Net gain from disposal of assets	0	0	0	0	0	0	0	0	0	0	0
Net Share of Interests in Joint Ventures and Associates	0	0	0	0	0	0	0	0	0	0	0
<b>Total Income from continuing operations</b>	<b>22,069</b>	<b>20,549</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>20,549</b>	<b>0</b>	<b>20,549</b>	<b>0</b>	<b>4,874</b>
<b>EXPENSES</b>											
Employee benefits and on-costs	2,559	1,936	0	0	0	0	1,936	0	1,936	0	474
Materials & Services	11,737	12,171	0	0	0	0	12,171	0	12,171	0	3,494
Borrowing Costs	364	333	0	0	0	0	333	0	333	0	55
Other Expenses	0	5	0	0	0	0	5	0	5	0	0
Net Loss from Disposal of Assets	997	1,177	0	0	0	0	1,177	0	1,177	0	0
Net Share of Interests in Joint Ventures and Associates	0	0	0	0	0	0	0	0	0	0	0
<b>Total Expenses from continuing operations excluding depreciation, amortisation and impairment of non financial assets</b>	<b>15,657</b>	<b>15,622</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>15,622</b>	<b>0</b>	<b>15,622</b>	<b>0</b>	<b>4,023</b>
<b>Operating Result from continuing operations excluding depreciation, amortisation and impairment of non financial assets</b>	<b>6,412</b>	<b>4,927</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>4,927</b>	<b>0</b>	<b>4,927</b>	<b>0</b>	<b>851</b>
Depreciation, amortisation and impairment of non financial assets	3,475	3,564	0	0	0	0	3,564	0	3,564	0	891
<b>Operating result from continuing Operations</b>	<b>2,937</b>	<b>1,363</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1,363</b>	<b>0</b>	<b>1,363</b>	<b>0</b>	<b>(40)</b>
<b>Net Operating Result before grants and contributions provided for capital purposes</b>	<b>148</b>	<b>390</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>390</b>	<b>0</b>	<b>390</b>	<b>0</b>	<b>(877)</b>

**Notes**

Original Budget +/- approved budget changes in previous quarters = REVISED Budget

Revised Budget +/- recommended changes this quarter = PROJECTED year results

Previous Year Actual 2024/2025 is draft and subject to audit



Income and Expenses Budget Review Statement Lismore City Council Budget review for the quarter ended 30/09/2025 Sewer Fund											
Description	Previous Year Actual* 2024/25 \$000's	Current Year Original Budget 2025/26 \$000's	Carry Forwards 2025/26 \$000's	Approved Changes Review Q1 \$000's	Approved Changes Review Q2 \$000's	Approved Changes Review Q3 \$000's	Revised Budget 2025/26 \$000's	Recommended Changes for Council resolution \$000's	Projected Year End (PYE) Result 2025/26 \$000's	Variance Original Budget v PYE 2025/26 \$000's	Actual YTD 2025/26 \$000's
<b>INCOME</b>											
Rates and Annual Charges	14,804	15,377	0	0	0	0	15,377	0	15,377	0	15,188
User Charges and Fees	535	524	0	0	0	0	524	0	524	0	126
Other Revenue	15	19	0	0	0	0	19	0	19	0	3
Grants and Contributions - Operating	706	7	0	0	0	0	7	0	7	0	0
Grants and Contributions - Capital	2,585	22,984	0	0	0	0	22,984	0	22,984	0	152
Interest and Investment Income	2,359	1,999	0	0	0	0	1,999	0	1,999	0	56
Other Income	0	0	0	0	0	0	0	0	0	0	0
Net gain from disposal of assets	0	0	0	0	0	0	0	0	0	0	0
Net Share of Interests in Joint Ventures and Associates	0	0	0	0	0	0	0	0	0	0	0
<b>Total Income from continuing operations</b>	<b>21,004</b>	<b>40,910</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>40,910</b>	<b>0</b>	<b>40,910</b>	<b>0</b>	<b>15,525</b>
<b>EXPENSES</b>											
Employee benefits and on-costs	2,506	2,568	0	0	0	0	2,568	0	2,568	0	582
Materials & Services	6,088	7,076	0	0	0	0	7,076	0	7,076	0	2,016
Borrowing Costs	573	533	0	0	0	0	533	0	533	0	57
Other Expenses	0	5	0	0	0	0	5	0	5	0	0
Net Loss from Disposal of Assets	242	637	0	0	0	0	637	0	637	0	0
Net Share of Interests in Joint Ventures and Associates	0	0	0	0	0	0	0	0	0	0	0
<b>Total Expenses from continuing operations excluding depreciation, amortisation and impairment of non financial assets</b>	<b>9,409</b>	<b>10,819</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>10,819</b>	<b>0</b>	<b>10,819</b>	<b>0</b>	<b>2,655</b>
<b>Operating Result from continuing operations excluding depreciation, amortisation and impairment of non financial assets</b>	<b>11,595</b>	<b>30,091</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>30,091</b>	<b>0</b>	<b>30,091</b>	<b>0</b>	<b>12,870</b>
Depreciation, amortisation and impairment of non financial assets	6,049	6,086	0	0	0	0	6,086	0	6,086	0	1,521
<b>Operating result from continuing Operations</b>	<b>5,546</b>	<b>24,005</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>24,005</b>	<b>0</b>	<b>24,005</b>	<b>0</b>	<b>11,348</b>
<b>Net Operating Result before grants and contributions provided for capital purposes</b>	<b>2,961</b>	<b>1,021</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1,021</b>	<b>0</b>	<b>1,021</b>	<b>0</b>	<b>11,197</b>

**Notes**

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Previous Year Actual 2024/2025 is draft and subject to audit

**Capital Budget Review Statement**  
**Lismore City Council**  
**Budget review for the quarter ended 30/09/2025**

Description	Previous Year Actual* 2024/25 \$000's	Current Year Original Budget 2025/26 \$000's	Carry Forwards 2025/26 \$000's	Approved Changes Review Q1 \$000's	Approved Changes Review Q2 \$000's	Approved Changes Review Q3 \$000's	Revised Budget 2025/26 \$000's	Recommended Changes for Council resolution \$000's	Note Ref	Projected Year End (PYE) Result 2025/26 \$000's	Variance Original Budget v PYE 2025/26 \$000's	Actual YTD 2025/26 \$000's
<b>CAPITAL FUNDING</b>												
Rates & other untied funding	2,512	4,868	0	0	0	0	4,868	(504)		4,364	(504)	137
Capital Grants & Contributions	26,816	217,477	1,669	0	0	0	219,146	(409)		218,737	1,260	22,562
Reserves - External Restrictions	10,539	10,266	3,046	0	0	0	13,312	325		13,637	3,371	1,069
Reserves - Internally Allocated	8,663	4,889	1,361	0	0	0	6,249	124		6,374	1,485	806
New Loans	0	0	0	0	0	0	0	0		0	0	0
Proceeds from sale of assets	787	505	0	0	0	0	505	0		505	0	0
Unexpended Grants	85,210	1,884	1,324	0	0	0	3,208	5,136		8,344	6,460	265
Operating Grants & Contributions (RTR, Block Grant)	1,347	2,401	0	0	0	0	2,401	(47)		2,354	(47)	63
Developer Contributions	520	1,151	0	0	0	0	1,151	0		1,151	0	457
Dedications	2,105	700	0	0	0	0	700	0		700	0	0
<b>Total Capital Funding</b>	<b>138,499</b>	<b>244,140</b>	<b>7,400</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>251,540</b>	<b>4,626</b>		<b>256,166</b>	<b>12,026</b>	<b>25,359</b>
<b>CAPITAL EXPENDITURE</b>												
New Assets	13,305	4,683	2,420	0	0	0	7,103	4,547	1	11,650	6,967	787
Asset Renewal	125,194	239,456	4,981	0	0	0	244,437	78	2	244,516	5,059	24,572
<b>Total Capital Expenditure</b>	<b>138,499</b>	<b>244,140</b>	<b>7,400</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>251,540</b>	<b>4,626</b>		<b>256,166</b>	<b>12,026</b>	<b>25,359</b>
<b>Net Capital Funding - Surplus/(Deficit)</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>		<b>0</b>	<b>0</b>	<b>0</b>

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**Lismore City Council  
Capital Expenditure Statement  
Budget Variation Notes**

Budget variations of \$10,000 or greater have been commented on in the QBRs

Note			Amount
Reference	Program	Reason for budget variation	\$000's
<b>1</b>	<b>New Assets</b>		
		Council has been successful in receiving grant funding of \$3,551,247 under the Get Active NSW footpaths program for a number of projects. These include Lismore Boulevard (\$2,383,030), North Lismore connections (\$807,180) and Dibbs Street (\$361,037). These projects also include contributions from Council of \$200,000, funded from the footpaths capital expenditure budget. The increase in capital expenditure budgets is \$3,751,247.	3,751
	Footpaths		
	Blakebrook Quarry	Allocation of \$160,000 for construction of a new boundary fence, funded from a reduction in the renewals to be allocated budget	160
	Parks & Reserves	Allocation of \$19,900 for additional turf at the new Skatepark, funded from the open space renewals budget	20
	Parks & Reserves	Funding of \$236,119 has been requested from the S7.11 Open Space and Recreation reserve for the construction of a bouldering wall and seating pods at the newly constructed Lismore Urban Sports Precinct and skatepark.	236
	Bus Shelters	Council has been successful in receiving grant funding of \$80,000 under the Country Passenger Transport Infrastructure Grants Scheme (CPTIGS) for the installation of 4 new bus shelters	80
	Environmental Strategies	Council has \$1.048 million in unexpended grant funds for Koala Vehicle Strike infrastructure installation works. Planning is still underway with Transport for NSW, however stage 1 of the project, including installation of a fauna fence on the Bruxner Highway is expected to be completed by 30 June 2026, costing \$300,000. Stage 2 involves installation of a fauna culvert under the Bruxner Highway and is expected to be completed in the next financial year.	300
<b>2</b>	<b>Asset Renewal</b>		
	Blakebrook Quarry	Reallocation of \$160,000 for construction of a new boundary fence as detailed under "new assets".	(160)
	Parks & Reserves	Allocation of \$19,900 for additional turf at the new Skatepark, funded from the open space renewals budget.	(20)
	Parks & Reserves	Hepburn Park carpark upgrade - requested revote of funds from 2024/2025 (project had not commenced).	75
	Parks & Reserves	Sun Protection Strategy works - requested revote of funds from 2024/2025 (project had not commenced).	56
	Parks & Reserves	Lismore Caravan Park fencing stage 1 - requested revote of funds to carry forward unspent funds from 2024/2025 (project had not commenced) and it is planned to combine with the stage 2 budget of \$40,000. Funded from the carry forward reserve.	40
	GSAC	Security upgrades required at GSAC, requested revote of funds from 2024/2025 (project had not commenced).	78
	Bridges	Boomerang Creek land acquisition budget required, proposed revote of funds unspent on Boyle Road culvert in 2024/2025, funded from the carry forward reserve.	12
	Bridges	Fernside Bridge guardrail budget required, proposed revote of funds unspent on Boyle Road culvert in 2024/2025, funded from the carry forward reserve.	53
	Roads	Design and development budget required for Dunoon Road, Tweed Street and Alexandra Parade, proposed revote of unspent Footpath construction budgets in 2024/2025, funded from the carry forward reserve.	100

**Lismore City Council  
Capital Expenditure Statement  
Budget Variation Notes**

Budget variations of \$10,000 or greater have been commented on in the QBRs

Note			Amount
Reference	Program	Reason for budget variation	\$000's
	Roads	Rosehill Road rehabilitation will now include natural disaster funding of \$513,198, decreasing the general fund allocation for this project	(513)
	Roads	Kyogle Road rehabilitation works (from Leycester Road to Bungabee Road) will now be partially funded from unexpended Regional Emergency Road Repair Fund (RERRF) grant allocations, along with natural disaster funding, reducing the general fund allocation for this project by \$220,000.	(220)
	Roads	Winterton Parade rehabilitation works will now be funded from natural disaster grants, decreasing the general fund allocation for this project.	(700)
	Roads	The Channon Road rehabilitation project estimate has increased slightly by \$138,591, part funded by Roads to Recovery grants	139
	Roads	Missingham Road culvert replacement works are required, to be funded by Roads to Recovery grants.	100
	Roads	Nightcap Range Road rehabilitation works are required, increasing budgets by \$60,000.	60
	Flood Recovery - Transport	Council's has taken a position of not capitalising portfolio overhead costs related to flood restoration works. The original budget accounted for portfolio employee costs, but not contractor costs. This is purely an accounting treatment, with \$4 million being adjusted between capital and operating costs, offset by the same adjustment from capital grants to operating grants. This adjustment has no overall impact on Council's budget position.	(4,000)
	Footpaths	Council has been successful in receiving grant funding of \$3,551,247 under the Get Active NSW footpaths program for a number of projects. These include Lismore Boulevard (\$2,383,030), North Lismore connections (\$807,180) and Dibbs Street (\$361,037). These projects also include contributions from Council of \$200,000, funded from the footpaths capital expenditure budget. The increase in capital expenditure budgets is \$3,751,247.	(200)
	Waste Disposal	Capping and gas management budget required, requested revote of funds from 2024/2025, funded from the carry forward reserve.	90
	Sewer	Wyrallah Road Depot upgrades are required, with funding partially contributed from sewer reserves.	89
	Fleet Management	Council was successful in receiving grant funding of \$5 million to replace Council's existing fleet of waste collection trucks. This funding supports Council in its efforts to make its waste management operations more financially sustainable. Council received the full grant in the 2024/2025 financial year, so funding is being sourced from unexpended grants in the current year.	5,000



**Cash and Investments Budget Review Statement**  
**Lismore City Council**  
**Budget review for the quarter ended 30/09/2025**

Description	Previous Year Actual 2024/25* \$000's	Original Budget Transfers to/(from) Reserves \$000's	Current Year Original Budget 2025/26 \$000's	Carry Forwards 2025/26 \$000's	Approved Changes Review Q1 \$000's	Approved Changes Review Q2 \$000's	Approved Changes Review Q3 \$000's	Revised Budget 2025/26 \$000's	Recommended Changes for Council resolution \$000's	Projected Year End (PYE) Result 2025/26 \$000's	Variance Original Budget v PYE 2025/26 \$000's	Actual YTD 2025/26 \$000's
<b>Total Cash, Cash Equivalents &amp; Investments</b>	<b>209,903</b>	<b>15,054</b>	<b>224,957</b>	<b>(6,693)</b>				<b>218,264</b>	<b>(5,873)</b>	<b>212,391</b>	<b>(12,566)</b>	<b>270,273</b>
<b>EXTERNALLY RESTRICTED</b>												
Water Fund	13,195	(134)	13,061	(670)				12,391	0	12,391	(670)	13,433
Sewer Fund	46,654	695	47,349	(1,199)				46,150	(89)	46,061	(1,288)	48,688
Developer Contributions - General Fund	10,664	1,323	11,987	(1,177)				10,811	(236)	10,575	(1,413)	10,436
Developer Contributions - Water	88	0	88	0				88	0	88	0	101
Developer Contributions - Sewer	670	0	670	0				670	0	670	0	800
Domestic Waste Management	284	127	411	0				411	0	411	0	0
Stormwater Management	3,263	(0)	3,263	0				3,263	0	3,263	0	3,300
Specific Purpose Unexpended Grants - General Fund	110,877	(1,884)	108,993	(1,561)				107,432	(5,663)	101,769	(7,224)	171,260
Waste Minimisation	1,124	(929)	195	0				195	0	195	0	938
Art Gallery Gift Account	200	0	200	0				200	(17)	183	(17)	202
Trust Fund/Donations	1,843	0	1,843	0				1,843	0	1,843	0	1,846
<b>Total Externally Restricted</b>	<b>188,862</b>	<b>(802)</b>	<b>188,060</b>	<b>(4,607)</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>183,453</b>	<b>(6,005)</b>	<b>177,448</b>	<b>(10,612)</b>	<b>251,004</b>
<b>Cash, cash equivalents &amp; investments not subject to external restrictions</b>	<b>21,041</b>	<b>15,856</b>	<b>36,897</b>	<b>(2,086)</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>34,811</b>	<b>132</b>	<b>34,943</b>	<b>(1,954)</b>	<b>19,269</b>
<b>INTERNAL ALLOCATIONS</b>												
Employee Leave Entitlements	3,816	0	3,816	0				3,816	0	3,816	0	3,816
Special Rate Variations	1,325	(150)	1,175	(128)				1,047	(77)	969	(206)	978
Onsite Sewerage Management	323	(137)	186	0				186	0	186	0	274
Fleet Replacement	2,652	1,306	3,958	0				3,958	0	3,958	0	2,026
Carry Forward Works	3,797	8,823	12,620	(1,458)				11,162	210	11,372	(1,248)	3,388
Emergencies	0	1,100	1,100	0				1,100	0	1,100	0	0
Economic Development & Growth	0	1,000	1,000	0				1,000	0	1,000	0	0
Public Infrastructure & Building Assets	9,128	3,914	13,042	(500)				12,542	0	12,542	(500)	8,786
<b>Total Internally Allocated</b>	<b>21,041</b>	<b>15,856</b>	<b>36,897</b>	<b>(2,086)</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>34,811</b>	<b>132</b>	<b>34,943</b>	<b>(1,954)</b>	<b>19,269</b>
<b>Unallocated</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

**Notes**

External restrictions - must be used for a specific purpose and are not to be used for general operations. The funds are bound by legislation or third party agreements that restrict their use.

Internal allocations - Council have allocated by resolution or policy to identified programs of work and any forward plans identified by Council. These allocations are at the discretion of Council.

Previous Year Actual 2024/2025 is draft and subject to audit

**Developer Contributions Summary**  
**Lismore City Council**  
 Budget review for the quarter ended 30/09/2025

Purpose	Opening Balance* 1 July 2025 \$000's	Developer Contributions Received			Interest Earned Q1 \$000's	Interest Earned Q2 \$000's	Interest Earned Q3 \$000's	Amounts Expended Q1 \$000's	Amounts Expended Q2 \$000's	Amounts Expended Q3 \$000's	Internal Borrowings (to)/from Q1 \$000's	Internal Borrowings (to)/from Q2 \$000's	Internal Borrowings (to)/from Q3 \$000's	Held as Restricted Asset As at this Qtr \$000's	Cumulative Balance of Internal Borrowings (to)/(from) \$000's
		Cash Q1 \$000's	Cash Q2 \$000's	Cash Q3 \$000's											
S7.11 Emergency Services	37	0	0	0	0	0	0	0	0	0	0	0	0	37	0
S7.11 Community Services & Facilities	981	2	0	0	11	0	0	0	0	0	0	0	0	994	0
S7.11 Public Domain Facilities	707	6	0	0	8	0	0	0	0	0	0	0	0	721	0
S7.11 Open Space & Recreation Facilities	1,210	10	0	0	12	0	0	247	0	0	0	0	0	985	0
S7.11 Cycleways Facilities	633	10	0	0	7	0	0	1	0	0	0	0	0	649	0
S7.11 Rural North Traffic Management Facilities	1,178	2	0	0	13	0	0	0	0	0	0	0	0	1,193	0
S7.11 Rural South Traffic Management Facilities	83	0	0	0	1	0	0	0	0	0	0	0	0	84	0
S7.11 Urban Traffic Management Facilities	5,176	15	0	0	55	0	0	186	0	0	0	0	0	5,060	0
S7.11 Traffic Management	296	37	0	0	3	0	0	0	0	0	0	0	0	336	0
S7.11 Carparking	89	0	0	0	1	0	0	0	0	0	0	0	0	90	0
S7.11 Stormwater	15	6	0	0	0	0	0	0	0	0	0	0	0	21	0
S7.11 Street Trees	73	0	0	0	1	0	0	0	0	0	0	0	0	74	0
S7.11 Heavy Haulage	13	23	0	0	0	0	0	23	0	0	0	0	0	13	0
S7.11 Plan Administration	173	4	0	0	2	0	0	0	0	0	0	0	0	179	0
<b>Total S7.11 Under Plans</b>	<b>10,664</b>	<b>116</b>	<b>0</b>	<b>0</b>	<b>113</b>	<b>0</b>	<b>0</b>	<b>457</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>10,436</b>	<b>0</b>
S7.11 Not Under Plans	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
S7.12 Levies	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
S7.4 Planning Agreements	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
S64 Contributions - Water	88	12	0	0	1	0	0	0	0	0	0	0	0	101	0
S64 Contributions - Sewer	670	121	0	0	8	0	0	0	0	0	0	0	0	800	0
Other	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>Total Developer Contributions</b>	<b>11,422</b>	<b>249</b>	<b>0</b>	<b>0</b>	<b>122</b>	<b>0</b>	<b>0</b>	<b>457</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>11,336</b>	<b>0</b>

**Notes**

All developer contributions received are to be disclosed, and distinguished as cash or non cash. Recognition occurs when council gains control over the asset (cash or non cash).

Councils have obligations to provide facilities from contribution revenue levied on developers under the provisions of s7.4, s7.11 and s7.12 of the Environmental Planning and Assessment Act 1979.

Developer contributions may only be expended for the purpose for which the contributions were required, however Council may apply contributions according to the priorities established in work schedules for the contribution plan.

'Amounts Expended' only includes monetary expenditure. The result should be a positive and not negative result.

Previous Year Actual 2024/2025 is draft and subject to audit

# Lismore City Council

## Monthly Council Finance Report

November 2025



# Please Note

The results reported are for the 3 months to 30<sup>th</sup> September 2025.

Reporting on Operating Expenses and Revenue excludes Flood Restoration Program (FRP). Values reported for the General Fund exclude FRP amounts.

Comparison of actual revenue/expense to budgets requires careful consideration as FY24 budgets are not fully phased (over the year). In future, budget phasing will be improved as part of the Finance uplift.

At this stage, it is best to focus on the Full Year Budget and the Year-to-Date actual expressed as a percentage of the full year budget.





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### Revenue and receivables

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- Water & Rates Recoveries
- Other Receivables for the enterprise

### Investment Performance

### External and Internal Reserves – quarterly

### Capital Works Program

- Expenditure by program



## Summary and Key Highlights

Measure	Where we are at		
Operating expenses		⊖	
Revenue		⊖	
Rates and Water Recoveries			⊗
Other Receivables			⊗
Investment performance	✓		
Reserves		⊖	
Capital Works Program		⊖	

### Key takeaways

- On a YTD basis, whilst there is some variance with both revenue and expenses, Finance is not presently concerned about the financial profile across the Funds. A lot of the variances are driven by timing differences.
- We have significant amounts of prior period revenue outstanding. Overdue rates and water billing are now \$11.8m. The collection of overdue rates and annual charges has recently recommenced after a 'flood holiday' of over two years. Responses to the first reminder notice have been strong. We have collected c\$800k.
- Other Receivables total \$17.1m. \$15.7m of this is grant funding. This includes \$5.354m that has been outstanding for 3 months + and consists of amounts owing by government departments.
- We have completed year-end Financial Statements, and it highlighted that Internal Reserves were \$15m below target levels at 30 June (reducing to \$10m at 30 September). This has largely been driven by delays in the receipt of grant funding by the FRP. Operationally, we are monitoring this and working closely with FRP to resolve these issues.
- Significant progress is being made on the FY25-26 \$6m Efficiency Target.
- Expenditure associated with the Capital Works Program is well behind budget. However, we expect this to align with future budgets as delivery ramps up. There has been extensive project delivery planning on a YTD basis.
- FY26-27 Budget Planning has commenced, and we expect to engage Council in the next couple of months.

## Operating Expenses by Fund

Differences between timing of actual expenditure and budget projections has resulted in actual costs exceeding budget



Operating expenses by	FY Budget \$000	YTD actual to FY budget %	YTD Budget \$000	YTD Actual \$000	YTD Variance \$000	Where we are at
Total operating expenses – General Fund	85,663	26.26%	21,662	23,480	(1,817)	
Total operating expenses – Sewer Fund	6,145	18.80%	1,600	1,155	326	
Total operating expenses – Water Fund	10,692	23.58%	2,673	2,521	152	
<b>Total operating expenses</b>	<b>102,500</b>	<b>26.5%</b>	<b>25,935</b>	<b>27,156</b>	<b>(1,339)</b>	

### Key takeaways

- Total operating expenses for the General Fund for the year to date (YTD) 30 September 2025 are over budget by \$1,817k.
  - Materials and services costs are over budget by \$2,040k, and a substantial portion of that is due to timing differences (phasing of the budget differing from the actual recording of the cost). The budget for materials and services was reduced partly by the efficiency dividend (previously discussed with Council)
  - The FY budgeted Materials and services costs include Contractor other costs of \$20.186m, representing a significant potential opportunity. It is currently running below budget by \$875k.
- The operating expenses for both the Sewer and Water Funds are running below budget.
- The General Fund's operating expenses by type are set out on the next page.

## Operating Expenses by expense type – General Fund

Materials and Services related expenditure is the largest contributor to the budget variance



Operating expenses	FY Budget \$000	YTD actual to FY budget %	YTD Budget \$000	YTD Actual \$000	YTD Variance \$000	Mvt from last month
Workforce costs and on-costs	45,318	22.66%	11,324	11,251	73	
Materials and services	36,129	31.35%	9,284	11,325	(2,040)	
Other expenses	4,216	21.44%	1,054	904	150	
<b>Total operating expenses</b>	<b>85,663</b>	<b>26.26%</b>	<b>21,662</b>	<b>23,480</b>	<b>(1,817)</b>	

### Key takeaways

- Overall workforce costs are materially in line with budgets.
- Materials and services costs are \$2,040k over budget.
  - Substantial negative variances are due to timing in recognising the expenditure in the budget vs when they are actually incurred. For example, Insurance premiums and Technology software.
  - There are other negative variances that, while less, may be permanent, although further analysis with the relevant programs is required. For example, Traffic Control and External Plant Hire.

## Total Revenue by Fund

Year to date revenue is below budget due mainly to timing differences (phasing).



Revenue from operations, grants and sale of assets, and treasury activities by Fund	FY Budget \$000	YTD actual to FY budget %	YTD Budget \$000	YTD Actual \$000	YTD Variance \$000	Mvt from last month
Revenue from General fund	95,415	62.88%	63,238	59,994	(3,244)	
Revenue from Sewer Fund	18,218	85.05%	15,970	15,495	(476)	
Revenue from Water fund	18,291	21.12%	3,588	3,862	274	
<b>Total Revenue from Business as Usual</b>	<b>131,924</b>	<b>60.15%</b>	<b>82,797</b>	<b>79,351</b>	<b>(3,446)</b>	

### Key takeaways:

- Actual vs budget analysis is distorted by grant income, which is generally aligned with, or lags, expenditure on projects being funded by the grants. In the most part, phasing of budgeted project expenditure is not available, and even if it were, any changes in project schedules would impact the timing of receipt of grant revenue. Grant revenue needs to be reported on in conjunction with the related project expenditure for analysis to be meaningful.
- The negative variance for the General Fund is primarily related to grants. Please see the following schedule for more details.
- The negative variance for the Sewer Fund is primarily due to the accounting treatment of interest and investment income. Budgeted Interest and investment income for the year have been phased equally over the 12 months, whereas actual investment income is currently recognised on receipt, except at the financial year end, when accounting standards require an accrual to be raised. That accrual has been reversed in July, whereas all the income to which that accrual relates has not yet been received.
- The favourable variance for the Water Fund represents the budgeted loss on sale of assets that has not yet eventuated.

## TOTAL REVENUE FOR GENERAL FUND by type

Year to date revenue is below budget due to timing differences (phasing).



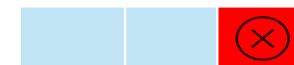
Revenue from operations, grants and sale of assets, and treasury activities	FY Budget \$000	YTD actual to FY budget %	YTD Budget \$000	YTD Actual \$000	YTD Variance \$000	Mvt from last month
<b>Operating activities</b>						
Rates and Annual Charges	48,721	99.38%	48,389	48,414	25	
User charges and fees	15,338	30.11%	4,497	4,619	122	
Other income	3,354	30.59%	839	1,026	188	
<b>Total revenue from operations</b>	<b>67,413</b>	<b>80.19%</b>	<b>53,725</b>	<b>54,059</b>	<b>335</b>	
<b>Grants and Contributions and asset sales</b>						
Grants and Contributions provided for operating purposes	18,103	19.82%	3,520	3,588	68	
Grants and Contributions provided for Capital Purposes	8,841	21.53%	5,729	1,903	(3,825)	
Net gains/(Losses) from disposal of assets	(1,452)	0.00%	(363)	0	363	
<b>Total revenue from grants, contributions and asset sales</b>	<b>25,492</b>	<b>21.54%</b>	<b>8,885</b>	<b>5,491</b>	<b>(3,394)</b>	
Interest and Investment revenue from Treasury activities	2,510	17.65%	627	443	(184)	
<b>Total revenue for the year</b>	<b>95,415</b>	<b>62.88%</b>	<b>63,237</b>	<b>59,993</b>	<b>(3,244)</b>	

### Key takeaways:

- Rates and annual charges are invoiced annually in July. Revenue is recognised in that month. The majority of ratepayers take the option of paying those rates via quarterly instalments.
- User charges and fees are above budget. Weighbridge fees are currently \$144k above budget.
- Other income is above budget due to unbudgeted wage and salary subsidies of \$69k to date, as well as fees from events.
- Grant income is generally aligned with, or lags, expenditure on projects being funded by the grants. In the most part, phasing of budgeted project expenditure is not available, and even if it were, any changes in project schedules would impact the timing of receipt of grant revenue. Grant revenue needs to be reported on in conjunction with the related project expenditure for analysis to be meaningful.
- There is a favourable variance as budgeted losses on sales of assets have not yet been realised.
- Budgeted Interest and investment income for the year have been phased equally over the 12 months, whereas actual investment income is currently recognised on receipt, except at the financial year end, when accounting standards require an accrual to be raised. That accrual has been reversed in July, whereas all of the income to which that accrual relates has not yet been recognised.

## Rates and Water Recoveries

Debt recovery processes are progressing well with additional c\$800k collected.



Receivables	Receivable \$000	Overdue \$000
Receivables – rates and annual charges	55,561	9,739
Receivables – water usage charges	5,799	2,043
<b>Total receivables</b>	<b>61,360</b>	<b>11,782</b>

### Key takeaways:

#### Rates and annual charges:

- Invoiced annually in July each year, and the receivable is taken up at that time.
- The overdue amount has improved from August by \$1.677m, which is expected, given that the balance of the first instalment due by 31st August was still outstanding last month. The balance of prior year rates and annual charges outstanding has improved by \$783k to \$7.138m.
- The collection of overdue rates and annual charges has recently recommenced after a ‘flood holiday’ of over two years. Responses to the first reminder notice have been strong, and payment plans are being entered into. The next reminder notice will be issued approximately 10 days after the due date for the next instalment (30 November).

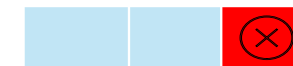
#### Water Usage Charges:

- Invoices for water usage are issued quarterly after a 4-week meter reading period. Invoices for the current quarter have now been issued with a resultant increase in receivables. The overdue balance has increased by \$418k since last month. Overdue water bills were not included in the current round of reminder notices.



## Other Receivables (enterprise wide)

Grant funding receivables makes up the majority of the balance and require a focus on collections.



Aged Other Receivables by Category	3+ months \$000	3 months \$000	2 months \$000	1 month \$000	Current \$000	Total \$000
Grant Funding	5,354	0	3,750	1,481	5,087	15,672
Lismore Recycling & Recovery Centre	49	1	224	217	1	493
Northern Rivers Quarry & Asphalt	0	7	190	201	128	527
Commercial Waste Services	6	0	1	1	128	135
Lismore Memorial Gardens	0	0	1	5	37	43
Food & Health Premises	11	0	39	(2)	(1)	47
Other	(40)	(20)	15	33	113	182
<b>Total other receivables</b>	<b>5,382</b>	<b>(12)</b>	<b>4,220</b>	<b>1,936</b>	<b>5,493</b>	<b>17,099</b>

### Key takeaways:

- Grant Funding receivables are the majority of the balance. The \$5.354m that has been outstanding for 3 months+ from government departments. No change from the previous month except for the age.
- The \$493k of receivables by the Lismore Recycling & Recovery Centre consists of 31 customers, of which one debtor represents \$437k. Their receivables age from 3 months, indicating favourable credit terms. The receivable greater than 3 months is for one customer, and that has been referred to debt recovery.
- Northern Rivers Quarry & Asphalt receivables of \$527k are primarily from two customers from the same group of companies with favourable credit terms totalling \$458K.

## INVESTMENT PERFORMANCE SNAPSHOT – 30 September 2025



Cash and Investments Breakdown	\$
A1: Operational Cash Accounts	4,605,979
A2: Restricted Operational Cash Accounts	2,200,854
<b>A Total Operational Cash Accounts</b>	<b>6,806,833</b>
B1: Investments: Business Online Saver Cash Account	31,969,804
B2: Other Investments including Term Deposits	81,014,986
<b>B Total Investments</b>	<b>112,984,790</b>
C1: Flood Works Advanced Funding for Roads	148,822,225
C2: Flood Works Advanced Funding for Buildings	19,733
C3: Flood Works Advanced Funding for Waste	4,609,298
<b>C Total Flood Works Advanced Funding</b>	<b>153,451,256</b>
<b>Total Cash, Investments and Advanced Funding</b>	<b>273,242,879</b>

Sample NSW Councils	Cash	Fixed Rate Bonds	Floating Rate Notes	Term Deposits	NSW TCorp Medium Term Growth Fund	NSW TCorp Long Term Growth Fund	12mo Return to July 2025
<b>Portfolios with Growth Asset Managed Funds</b>							
NSW Council 5	5%	8%	24%	38%	0%	25%	6.13%
NSW Council 1	7%	2%	19%	48%	17%	8%	5.98%
NSW Council 2	6%	0%	28%	58%	0%	9%	5.18%
NSW Council 4	6%	4%	19%	65%	6%	0%	5.14%
NSW Council 13	1%	0%	0%	92%	7%	0%	5.07%
NSW Council 3	23%	0%	13%	55%	9%	0%	4.99%
NSW Council 11	24%	0%	3%	61%	12%	0%	4.98%
<b>Portfolios with TDs / FRNs / Bonds no Growth Assets</b>							
NSW Council 7	2%	5%	46%	47%	0%	0%	5.17%
NSW Council 9	8%	6%	49%	37%	0%	0%	5.15%
NSW Council 8	43%	5%	23%	29%	0%	0%	4.92%
<b>Portfolios with Cash and Term Deposits only</b>							
NSW Council 6	11%	0%	0%	89%	0%	0%	5.00%
NSW Council 14	26%	0%	0%	74%	0%	0%	4.97%
NSW Council 12	17%	0%	0%	83%	0%	0%	4.95%
Lismore City Council	20%	0%	0%	80%	0%	0%	4.79%

**Key takeaways:**

- In future, the Investment Performance report currently presented to Council will be included with this report.
- Current returns are in line with expectations, although there is an opportunity to increase risk-adjusted returns
- Current rate of returns is:
  - A1-A2 Total Operational cash Accounts \$6.8m (LM:\$6.3m) – investment returns, RBA cash rate 3.60% less 8bps
  - B1 BOS On-line saver \$32m (LM:\$36m) - investment returns, RBA cash rate 3.60% + 10bps
  - B2 Term Deposits \$81m (LM:\$71m)- investment returns, 4.18%, (LM:4.33%)
  - C1-C3 Advance Flood Works Funding \$153m (LM:\$75m). The increase reflects a further \$88m in advanced funding received during September. Investment returns, RBA cash rate 3.60% + 10bps
- LCC's investment policy is conservative compared to other councils. We are pursuing an opportunity to revise that policy, broaden the

## RESERVES AS AT 30 JUNE 2025 – T E R M I N A L F I N A N C I A L S T A T E M E N T S

Our internal reserves position is healthier than as at 30 June 2024. The balance of internal reserves have been impacted in both years by outstanding grant receivables for work already completed.



Reserves as at 30 June	2025 \$000	2024 \$000
<b>External restrictions</b>		
External restrictions included in liabilities ( Primarily specific purpose unexpended grants)	113,715	89,955
External restrictions included in cash, cash equivalents and investments comprise:	75,146	79,615
<b>Total external restrictions</b>	<b>188,861</b>	<b>169,570</b>
<b>Internal allocations</b>	21,042	14,026
<b>Total External and Internal Restrictions</b>	<b>209,903</b>	<b>183,596</b>

**Key takeaways:**

- Internal reserves have been impacted by outstanding grant receivables at year's end for building works done under the Flood Restoration, for which the government departments have been slow in processing the claim. While the balances are different, this situation also existed at 30 June 2024. Steps are in place to better manage this going forward.
- Internal reserves balance has been able to increase since 30 June 2024.



## Capital Works Expenditure to date



Program	FY Budget \$m	YTD actual to FY budget %	YTD Actual \$m
FRP	212.229	13.57%	28.804
Water, Waste and Open Spaces	18.929	12.22%	2.3
Roads & Infrastructure	16.641	13.23%	2.202
Other	1.198	12.33%	0.148
<b>Total</b>	<b>248.997</b>	<b>13.44%</b>	<b>33.454</b>

**Key takeaways:**

- FRP are forecasting a significant ramp up with construction of the major Landslip Restoration Package within the Roads Program commencing in October and the Pavements Package planned commencement in Quarter 1 2026.
- Further analysis is required for the other programs to confirm whether they are on schedule.
- Budgets will be reconsidered in line with programmed delivery as part of the Dec QBRS.



## Planning Proposal

**Amendment to Lismore LEP 2012 to allow additional  
permitted use at Lot 12 DP 1156149; 98 Terania Street,  
NORTH LISMORE**



## November 2025

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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 by adding an Additional Permitted Use to the Lismore LEP 2012.

If the symbol of Lismore is the heart, the timber industry is viewed as its left ventricle, as this industry essentially is the origin of why Lismore City is located where it is and represents the economic oxygen for its early growth.

With the above emotive comments set aside. It is relevant to identify the following:

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/unknown.
3. The subsequent 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 particular of the land (flood).

In relation to Point 1 above detailed discussion within the body of this report identify that although the flood risk classification of the land is high risk, this essentially relates to the depth level of the water where velocities are low. Given the hazard classification is a construct of these two elements the velocities in this instance are considered more critical than depth. Furthermore, on analysis of the Reconstruction Authorities buyback program, most dwelling in the area are essentially being removed from the subject area.

In relation to Point 2 although master/precinct planning is yet to occur and the area is in transition, it is evident the proposed use (timber yard) is essentially already permitted within zoned areas within close proximity to the subject location with similar flooding characteristics.

A timber yard is not considered a high impact use where surrounding uses in transition would be substantially limited by its presence.

In relation to point 3, although challenges to satisfy a future DA are identified, it is considered they are possible. It is recommended the Additional Permitted Use have requirements attached in which the consent authority be satisfied to ensure the future applicant and



assessment officer are aware measures are expected to accompany any future development application in relation to the flood function and dynamics of the land.

Detailed discussions are provided within this report on the following matters, where essentially, The proposal is supported by based on the following:

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

## PART 1 – OBJECTIVES AND INTENDED OUTCOMES

### Objective

The objective of the planning proposal is 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.

### Intended outcomes

- To enable the use of the subject land as a *timber yard*, given this use is currently prohibited in the RU2 Rural Landscape zone.

## PART 2 – EXPLANATION OF PROVISIONS

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* with consent 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.

## PART 3 – JUSTIFICATION OF STRATEGIC AND SITE-SPECIFIC MERIT

### Section A – Need for the planning proposal

#### 1. ***Is the planning proposal a result of an endorsed LSPS, strategic study or report?***

No. The planning proposal is being pursued by the landowner. However, the proposal is considered compatible with Priority Principles 1, 6 and 8 of the LSPS. Further elaboration of this compatibility is provided within **Table 1** of this report.

#### 2. ***Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?***

A planning proposal is the best way for the additional uses to be pursued, given *timber yards* are currently not permitted within the RU2 Rural Landscape Zone. The addition of a use is preferable to a rezoning given it limits the site to the specific purposes intended by the landowner.

### Section B – Relationship to the strategic planning framework

#### 3. ***Will the planning proposal give effect to the objectives and actions of the applicable regional or district plan or strategy (including any exhibited draft plans or strategies)?***


The planning proposal gives effect to the objectives of the *North Coast Regional Plan 2041*. See **Appendix 1** for detail on how the proposal gives effect to the Plan.


**4. Is the planning proposal consistent with a council LSPS that has been endorsed by the Planning Secretary or GSC, or another endorsed local strategy or strategic plan?**

The planning proposal is consistent with Council's LSPS – *Inspire Lismore 2040* and supports planning priorities as discussed within **Table 1** as follows.

**Table 1**

#	Planning Priority	Consistency
1	Growth is consolidated around Lismore city, CBD and villages	<p>Priority 1 identifies growth is consolidated around Lismore City, CBD and villages.</p> <p>The subject land is located less than 1 kilometre from Lismore CBD. Furthermore, lands zoned E1 Local Centre and E4 General Industrial are also located within 190metres and 65 metres respectively on which timberyards are permitted under the Lismore LEP 2012.</p> <p>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.</p>
2	Create a city and villages that support active & healthy living.	Not essentially relevant to the Planning Proposal.
3	Rural and natural landscapes will be identified & protected.	No significant impacts to the rural landscape are anticipated given the location in combination with the size of the allotment and that no significant views are relevant in this location.
4	Recognise, embrace and protect our cultural heritage.	One Aboriginal Sites is recorded within 200 metres 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.

		<div></div> <div><p>A search of Heritage NSW AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:</p><table><tr><td>1</td><td>Aboriginal sites are recorded in or near the above location.</td></tr><tr><td>0</td><td>Aboriginal places have been declared in or near the above location. *</td></tr></table></div> <div><p><b>Figure 1 – Applicants AHIMS search results</b></p><p>The subject site does not contain any items of heritage and is not located within a heritage conservation area.</p></div>	1	Aboriginal sites are recorded in or near the above location.	0	Aboriginal places have been declared in or near the above location. *
1	Aboriginal sites are recorded in or near the above location.					
0	Aboriginal places have been declared in or near the above location. *					
5	Identify & support the expansion of emerging industries	Not essentially relevant to the Planning Proposal.				
6	Expand agriculture & agribusiness while protecting productive agricultural land.	<p>Priority six identifies the desire to expand agriculture &amp; 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 .... <i>to provide the flexibility for agriculture and complementary uses to expand while not unnecessarily eroding the resource base over time.</i></p> <p>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.</p>				
7	Revitalise the City Heart and create linkages to a reactivated River Precinct.	<p>Not essentially relevant to the Planning Proposal. Although the proposal is within close proximity to the CBD (less than 1 kilometre). Furthermore, Council has been tracking the Reconstruction Authorities flood buyback purchases and has developed a map of buyback properties (Settled Updated 12/08/25) via linking the alterations in rates to the mapping layer. The map of properties purchased developed by the Council GIS specialist</p>				

		<p>is provided below where buyback properties are shown red.</p>  <p><i>Figure 2 Buyback mapping developed by Lismore City Council</i></p> <p>The above map is considered to demonstrate this area close to the CBD is in transition and is currently being deactivated in relation to residential usage, while precinct master planning of the area is undertaken. Some flexibility in providing suitable uses to keep the area active during this transition is considered a reasonable proposition.</p>
8	Consolidate existing industries & support their continued growth.	<p>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 being proclaimed a town.</p> <p>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. It essential forms part of its character.</p>
9	Transport & communications keep our communities	Not essentially relevant to the subject proposal.

	connected and facilitate the expansion of industries	
10	Areas of high biodiversity value and connectivity are protected and enhanced.	The proposal is not considered to present significant adverse implications to the environment. The subject area is not mapped on the Biodiversity Values Map.
11	Waterways, riparian areas and water catchments are protected and enhanced.	<p>The proposal is located within a designated drinking water catchment where the additional use proposed is not considered to pose any significant risk to water quality.</p> <p>The subject land is setback 215 metres from the Richmond River and is not considered to pose any significant adverse implications to riparian areas or waterways.</p> <p>The NSW Government Coastal Design Guidelines Checklist for Planning Proposals is submitted at <b>Appendix 4</b></p>
12	Protect and improve productive agricultural land and other natural resources.	See comments provided for point 6. In addition, the subject lands are not mapped as being State and/or Regionally Significant Farmlands.
13	Identify, manage and adapt to risks from natural hazards.	<p>As discussed within point 7 the land is flood prone land where many residential properties are being bought back by the Reconstruction Authority.</p> <p>Timber is a buoyant material and is capable of being carried by flood waters. Significant detailed discussions in relation to flood dynamics of the land are discussed in <b>Appendix 3, Part 4.1 section</b> of this report.</p> <p>Given large timbers or wrapped packs of timber has the potential to become hazardous debris in a flood event it is recommended within the Objectives within Part 1 of this report that the additional permitted use identify any future development application is required to satisfy the Council in relation to the hazard being suitable managed (flood considerations).</p> <p>The above will identify to the future applicant and assessment officer this matter is to be suitable addressed and considered for any future application.</p>

		As discussed previously there are zonings within the immediate vicinity with similar flood dynamic where timber yards are permitted.
14	Build community resilience and adapt to climate changes.	Please refer to comments provided above for point 13.

**5. Is the planning proposal consistent with any other applicable State and regional studies or strategies?**

The planning proposal is not inconsistent with any State and regional study or strategy.

**6. Is the planning proposal consistent with applicable SEPPs?**

The planning proposal does not preclude the application of, and is consistent with, relevant *State Environmental Planning Policies*. Further detail is provided at **Appendix 2**.

**7. Is the Planning Proposal consistent with applicable s9.1 Ministerial Directions?**

The planning proposal is consistent, or justifiably inconsistent, with the applicable *section 9.1 Ministerial Directions*. Refer to **Appendix 3** for s9.1 compliance table.

*Section C – Environmental, social and economic impact*

**8. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected because of the proposal?**

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.

A small area of Koala Habitat is located on the very edge of the Tweed Street access is identified and is unlikely to be affected.

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

Further elaboration and imagery in relation to the above are provided within the **Appendix 1 point 3** discussions of this report.

**9. Are there any other likely environmental effects of the Planning Proposal and how are they proposed to be managed?**

Within the **Table 1 point 13** discussions in relation to the flood prone nature of the land and the buoyancy of the stored materials are discussed at length. It is considered this is an important matter of consideration. Please refer to these discussions and the detailed comments in relation to flood provided at **Appendix 3, Part 4.1 section**

**10. How has the planning proposal adequately addressed any social and economic effects?**



## Section D – Infrastructure (Local, State and Commonwealth)

The subject lot is well-serviced where mains sewer, reticulated water, electricity are available and the road network is well established.

**12. What are the views of state and federal public authorities and government agencies consulted in order to inform the Gateway determination?**

## PART 4 - MAPPING

Council's GIS team will create the map in the required format after Gateway is received.



## PART 5 – COMMUNITY CONSULTATION

Council will commence community consultation in accordance with any Gateway determination. Public exhibition will be undertaken in accordance with the DPE *Local Environmental Plan Making Guideline* – August 2023 and Council's Community Participation Plan.


## PART 6 – PROJECT TIMELINE

The proposed timeline for the completion of the planning proposal is as follows:

Estimated Completion	Plan Making Steps
(100 days) January 2026	Report planning proposal to Council
(30 Days) February 2026	Gateway determination issued by DPE
(30 Days) March 2026	Amend planning proposal report in accordance with Gateway
(30 Days) April 2026	Commence agency consultation
(30 Days) May 2026	Commence public exhibition
(30 Days) June 2026	Consideration of submissions
(30 Days) July 2026	Post-exhibition review and additional studies
(60 Days) September 2026	Report to Council – consultation and submissions analysis
(30 Days) October 2026	Submission to Department for finalisation (where applicable)
(30 Days) November 2026	Gazettal of LEP amendment

## APPENDIX 1

## NORTH COAST REGIONAL PLAN 2041 - COMPLIANCE TABLE


Objective	Compliance
<b>Goal 1: Liveable, sustainable and resilient</b>	
1. Provide well located homes to meet demand	Not relevant/No Impact
2. Provide for more affordable and low cost housing	Not relevant/No Impact
3. Protect regional biodiversity and areas of high environmental value	<p>The subject land is not mapped on the Biodiversity Values Map and generally is devoid of any significant vegetation.</p> <p>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).</p> <p>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.</p> <p>No significant ecological impacts are anticipated to be associated with the proposal.</p>  <p><i>Figure 3 – Biodiversity/Ecological Mapping</i></p> <p>No significant impact identified.</p>

4. Understand, celebrate and integrate Aboriginal culture	Suitable discussions and imagery is provided within Table 1, Point 4 of this report.  One Aboriginal Sites is recorded within 200 metres of the subject land. Given the distance to the subject no significant implications to this site are anticipated in relation to the proposal.
5. Manage and improve resilience to shocks and stresses, natural hazards and climate change	Refer to discussions provided for Table 1 point 13.
6. Create a circular economy	The proposal is not considered contrary to this objective.
7. Promote renewable energy opportunities	Not relevant/No Impact
8. Support the productivity of agricultural land	The site is zoned RU2 Rural Landscape. However, being 3745m <sup>2</sup> in area and surrounded by small allotments and zonings including R2, E4 and E1 its actual real agricultural production potential is considered dubious. It is not considered the proposal will reduce the productivity of agricultural lands given the particulars of the land in this instance.
9. Sustainably manage and conserve water resources	Not essentially relevant. No impact
10. Sustainably manage the productivity of our natural resources	See discussion for point 8.
<b>Goal 2: Productive and connected</b>	
11. Support cities and centres and coordinate the supply of well-located employment land	It is considered the discussions provided within Table 1 for points 1 & 7 suitably discuss this aspect of the proposal. Please refer to these discussions.
12. Create a diverse visitor economy	Not relevant/No Impact
13. Champion Aboriginal self-determination	No Impact refer to Point 4 within Table 1 also.
14. Deliver new industries of the future	Not relevant/No impact.


15. Improve state and regional connectivity	Not relevant/No Impact
16. Increase active and public transport usage	Not relevant/No Impact
17. Utilise new transport technology	Not relevant/No Impact
<b>Goal 3: Growth Change and Opportunity</b>	
18. Plan for sustainable communities	<p>Part of sustainability relates to embodied energy. One factor/part of embodied energy relates to when a material is transported to its sale point and the distance travelled by the purchaser to collect the timber given there is an associated fuel load that is then embodied within the timber given those resources were required for its transportation.</p> <p>The above essentially dictates if further distances are travelled the more embodied energy is relevant to the subject materials. Therefore, having locally available materials with less travel distances is positive in this respect.</p> <p>In addition to the above many resources are finite where timber is a regenerating material and considered more sustainable if/when effectively managed.</p>
19. Public spaces and green infrastructure support connected and healthy communities	Not essentially relevant.
20. Celebrate local character	As discussed within Table 1 point 8 Lismore has significant association with the timber industry. The majority of older homes in Lismore in and surrounding the CBD are essentially of weatherboard construction. It is considered timber and its availability forms part Lismore's local character.

## APPENDIX 2

## STATE ENVIRONMENTAL PLANNING POLICIES COMPLIANCE TABLE

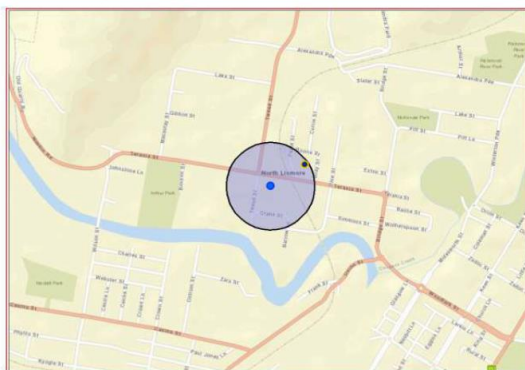
State Environmental Planning Policy	Requirements	Compliance
SEPP (Biodiversity and Conservation) 2021	Applicable, Chapter 3 applies.	<p>No significant environmental implications are anticipated in connection with the proposal. There is small area of Koala Habitat likely not affected by the proposal on the subject lands as provided in the image below.</p>  <p><i>Figure 4 – Koala Habitat Mapping</i></p>
SEPP (Building Sustainability Index: BASIX) 2004	No specific requirement regarding Additional Permitted Use.	Not applicable
SEPP (Exempt and Complying Development Codes) 2008	No specific requirement regarding Additional Permitted Use.	Not applicable
SEPP (Housing) 2021	No new residential component proposed.	Not applicable
SEPP (Industry and Employment) 2021	No signage proposed	Not relevant
SEPP (Primary Production) 2021	The subject lands are not mapped as State Significant Farmlands.	Not relevant.
SEPP (Resilience and Hazards) 2021	Clauses 2.10 and 2.11 identify specific requirements for	The proposal is located within a Coastal Use and Coastal



	<p>Coastal Use and Coastal Environment Areas.</p> <p>Clause 4.6 requires prior to the carrying out of development, consent authorities are to consider whether land contaminated and if the land is contaminated whether it is suitable in its contaminated state or is satisfied the land will be remediated before it is used for that purpose.</p>	<p>Environment Area in a split fashion as depicted below.</p>  <p><b>Figure 5 Coastal Use &amp; Environment Area Map</b></p> <p>No significant implications to the Coastal Use or Coastal Environment Area are identified and the NSW Coastal Design Guidelines 2023 Appendix 1: Assessment checklist as supplied as <b>Appendix 4</b> of this report.</p> <p>The site is not mapped as being potentially contaminated lands on Council's mapping system. Any future development application will address this requirement.</p>
SEPP (Resources and Energy) 2021	No specific requirement regarding Additional Permitted Use.	Not applicable
SEPP (Sustainable Buildings) 2022	No specific requirement regarding Additional Permitted Use.	Not applicable
SEPP (Transport and Infrastructure) 2021	No specific requirement regarding Additional Permitted Use.	Not applicable

### APPENDIX 3

### SECTION 9.1 MINISTERIAL DIRECTIONS COMPLIANCE TABLE

Ministerial Directions	Requirements	Compliance				
1. Planning Systems						
1.1 Implementation of Regional Plans	(1) Planning proposals must be consistent with a Regional Plan released by the Minister for Planning.	See <b>Appendix 1</b> .				
1.2 Development of Aboriginal Land Council land	<p>(1) When preparing a planning proposal to which this direction applies, the planning proposal authority must take into account:</p> <p>(a) any applicable development delivery plan made under the chapter 3 of the State Environmental Planning Policy (Planning Systems) 2021; or</p> <p>(b) if no applicable development delivery plan has been published, the interim development delivery plan published on the Department’s website on the making of this direction.</p>	<p>The subject lands are not identified to be subject to an Aboriginal Land claim on Council’s mapping system.</p> <p>One Aboriginal Sites is recorded within 200 metres 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.</p> <div><p>A search of Heritage NSW AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:</p><table><tr><td>1</td><td>Aboriginal sites are recorded in or near the above location.</td></tr><tr><td>0</td><td>Aboriginal places have been declared in or near the above location. *</td></tr></table></div> <p><b>Figure 6: Extract of Applicants AHIMS search results</b></p>	1	Aboriginal sites are recorded in or near the above location.	0	Aboriginal places have been declared in or near the above location. *
1	Aboriginal sites are recorded in or near the above location.					
0	Aboriginal places have been declared in or near the above location. *					
1.3 Approval and Referral Requirements	<p>(1) A planning proposal to which this direction applies must:</p> <p>(a) minimise the inclusion of provisions that require the concurrence, consultation or referral of development applications to a</p>	The Gateway Determination will determine the duration and extent of public and State Agency consultation requirements.				

	<p>Minister or public authority, and</p> <p>(b) not contain provisions requiring concurrence, consultation or referral of a Minister or public authority unless the relevant planning authority has obtained the approval of:</p> <p>i. the appropriate Minister or public authority, and</p> <p>ii. the Planning Secretary (or an officer of the Department nominated by the Secretary), prior to undertaking community consultation in satisfaction of Schedule 1 to the EP&amp;A Act, and</p> <p>(c) not identify development as designated development unless the relevant planning authority:</p> <p>i. can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary) that the class of development is likely to have a significant impact on the environment, and</p> <p>ii. has obtained the approval of the Planning Secretary (or an officer of the Department nominated by the Secretary) prior to undertaking community</p>	
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	consultation in satisfaction of Schedule 1 to the EP&A Act.	
1.4 Site Specific Provisions	<p>(1) A planning proposal that will amend another environmental planning instrument in order to allow particular development to be carried out must either:</p> <p>(a) allow that land use to be carried out in the zone the land is situated on, or</p> <p>(b) rezone the site to an existing zone already in the environmental planning instrument that allows that land use without imposing any development standards or requirements in addition to those already contained in that zone, or</p> <p>(c) allow that land use on the relevant land without imposing any development standards or requirements in addition to those already contained in the principal environmental planning instrument being amended.</p> <p>(2) A planning proposal must not contain or refer to drawings that show details of the proposed development.</p>	<p>The zoning of the land is not proposed to be altered.</p> <p>The planning proposal seeks to amend the Lismore LEP 2012 to permit Additional Permitted Use.</p>
1.4A Exclusion of Development	(1) In preparing a planning proposal the planning proposal authority must have	No exclusions are sought in relation to Clause 4.6 of the LEP.

Standard from Variation	<p>regard to the Guide to exclusions from clause 4.6 of the Standard Instrument.</p> <p>(2) A planning proposal to which this direction applies must:</p> <p>(a) minimise the exclusion of development standards from variation under clause 4.6 of a Standard Instrument LEP, or an equivalent provision of any other environmental planning instrument; and</p> <p>(b) not propose to exclude a development standard from variation under clause 4.6 of a Standard Instrument LEP, or an equivalent provision of any other environmental planning instrument unless the exclusion is consistent with the criteria in Part 2 of the Guide to exclusions from clause 4.6 of the Standard Instrument.</p>	
<b>3. Biodiversity and Conservation</b>		
3.1 Conservation Zones	<p>(1) A planning proposal must include provisions that facilitate the protection and conservation of environmentally sensitive areas.</p> <p>(2) A planning proposal that applies to land within a conservation zone or land otherwise</p>	<p>The proposal is not located on land identified for conservation/protection purposes within the Lismore LEP 2012.</p> <p>The NSW Design Guidelines Checklist for Planning Proposals is provided at <b>Appendix 4</b> of this document.</p>

	<p>identified for environment conservation/protection purposes in a LEP must not reduce the conservation standards that apply to the land (including by modifying development standards that apply to the land). This requirement does not apply to a change to a development standard for minimum lot size for a dwelling in accordance with Direction 9.2 (2) of “Rural Lands”.</p>	
3.2 Heritage Conservation	<p>(1) A planning proposal must contain provisions that facilitate the conservation of:</p> <p>(a) items, places, buildings, works, relics, moveable objects or precincts of environmental heritage significance to an area, in relation to the historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value of the item, area, object or place, identified in a study of the environmental heritage of the area,</p> <p>(b) Aboriginal objects or Aboriginal places that are protected under the National Parks and Wildlife Act 1974, and</p> <p>(c) Aboriginal areas, Aboriginal objects,</p>	<p>The subject land is not identified as containing an item of heritage significance. The allotment is not located within a heritage conservation area pursuant to the Lismore LEP 2012.</p> <p>The applicant has supplied an AHIMS search as detailed within the discussion provided for direction 1.2 within this table. Further consultation may be required with Heritage NSW, and/or Ngulingah Local Aboriginal Land Council as a per any relevant Gateway condition.</p>

	Aboriginal places or landscapes identified by an Aboriginal heritage survey prepared by or on behalf of an Aboriginal Land Council, Aboriginal body or public authority and provided to the relevant planning authority, which identifies the area, object, place or landscape as being of heritage significance to Aboriginal culture and people.	
3.4 Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPs	(1) A planning proposal that introduces or alters an C2 Environmental Conservation or C3 Environmental Management zone or an overlay and associated clause must apply that proposed C2 Environmental Conservation or C3 Environmental Management zone, or the overlay and associated clause, in line with the Northern Councils E Zone Review Final Recommendations.	The proposal does not involve land zoned C2 or C3 and these zonings are not proposed to be created by the proposal.
3.5 Recreation Vehicle Areas	(1) A planning proposal must not enable land to be developed for the purpose of a recreation vehicle area (within the meaning of the Recreation Vehicles Act 1983):	N/A



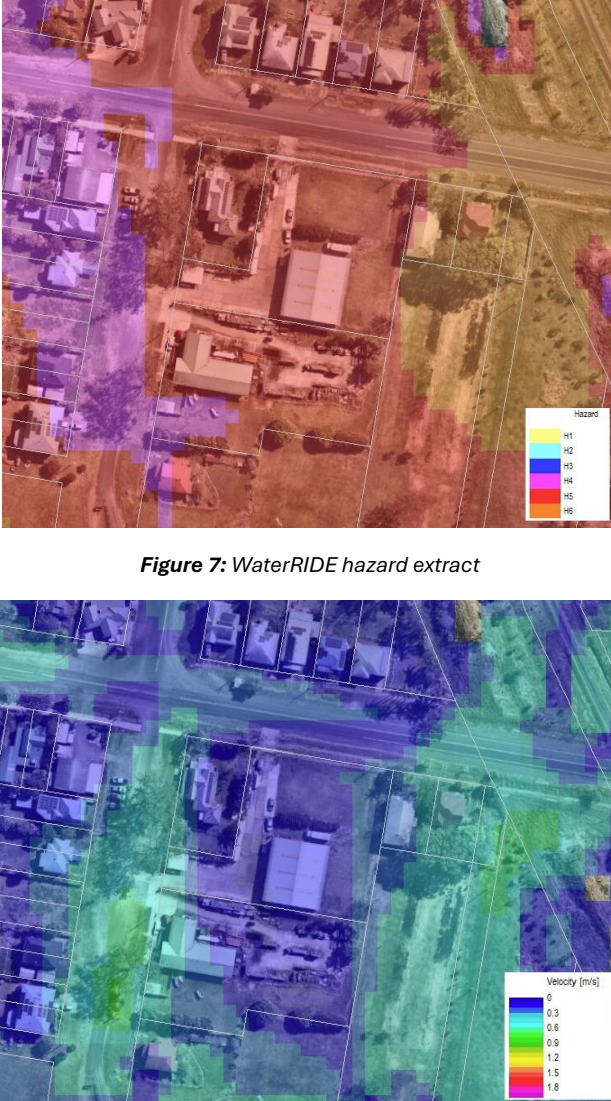
	<p>(a) where the land is within a conservation zone,</p> <p>(b) where the land comprises a beach or a dune adjacent to or adjoining a beach,</p> <p>(c) where the land is not within an area or zone referred to in paragraphs (a) or (b) unless the relevant planning authority has taken into consideration:</p> <p>i. the provisions of the guidelines entitled Guidelines for Selection, Establishment and Maintenance of Recreation Vehicle Areas, Soil Conservation Service of New South Wales, September, 1985, and</p> <p>ii. the provisions of the guidelines entitled Recreation Vehicles Act 1983, Guidelines for Selection, Design, and Operation</p>	
3.6 Strategic Conservation Planning	<p>(1) A planning proposal authority must be satisfied that a planning proposal that applies to avoided land identified under the State Environmental Planning Policy (Biodiversity and Conservation) 2021 demonstrates that it is consistent with:</p> <p>(a) the protection or enhancement of native vegetation,</p>	N/A

	<p>(b) the protection or enhancement of riparian corridors, including native vegetation and water quality,</p> <p>(c) the protection of threatened ecological communities, threatened species and their habitats,</p> <p>(d) the protection or enhancement of koala habitat and corridors, and</p> <p>(e) the protection of matters of national environmental significance.</p> <p>(2) A planning proposal authority must be satisfied that a planning proposal that applies to a strategic conservation area identified under the State Environmental Planning Policy (Biodiversity and Conservation) 2021 demonstrates that it is consistent with:</p> <p>(a) the protection or enhancement of native vegetation,</p> <p>(b) the minimisation of impacts on areas of regionally significant biodiversity, including threatened ecological communities, threatened species and their habitats,</p> <p>(c) the protection or enhancement of koala habitat and corridors,</p>	
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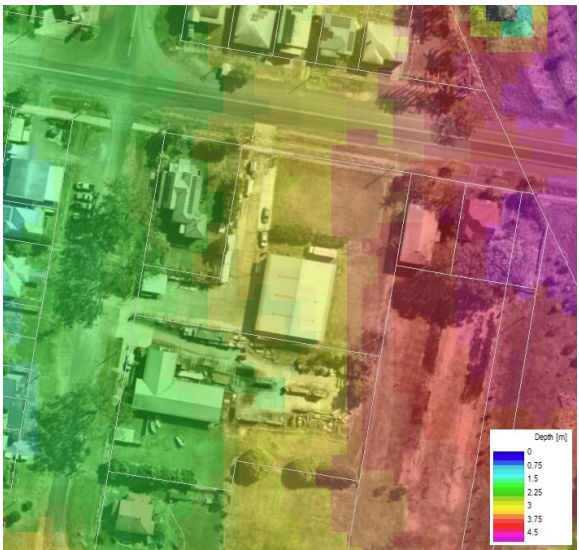
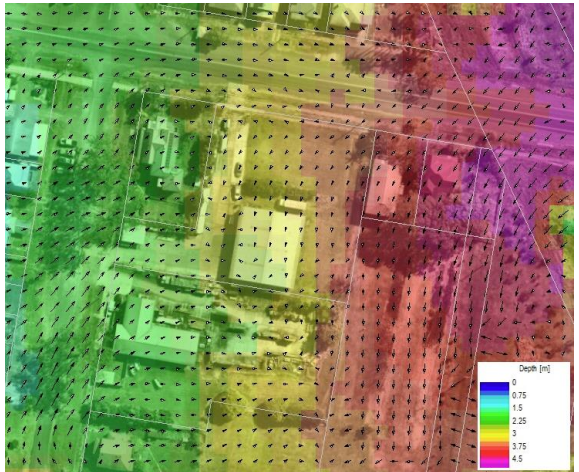
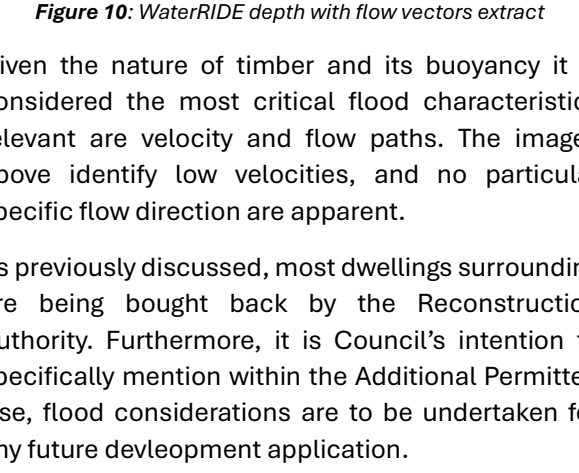
	<p>including habitat connectivity and fauna movement, and links to ecological restoration areas, and</p> <p>(d) the maintenance or enhancement of ecological function.</p> <p>(3) A planning proposal must not rezone land identified as avoided land in the State Environmental Planning Policy (Biodiversity and Conservation) 2021 to:</p> <p>(a) a rural, residential, business, industrial, SP1 Special Activities, SP2 Infrastructure, SP3 Tourist, RE2 Private Recreation, or equivalent zone.</p> <p>(4) A planning proposal must not rezone land identified as a strategic conservation area in the State Environmental Planning Policy (Biodiversity and Conservation) 2021 to:</p> <p>(a) RU4, RU5, RU6, residential, business, industrial, SP1 Special Activities, SP2 Infrastructure, SP3 Tourist, RE2 Private Recreation, or equivalent zone.</p>	
3.10 Water Catchment Protection	<p>(1) When preparing a planning proposal, the planning proposal authority must be satisfied that the</p>	<p>The subject land is located within a designated drinking water catchment on review of Council's mapping system. The proposed additional permitted use is not considered to be problematic in relation to maintaining water quality.</p>

	<p>planning proposal achieves the following:</p> <p>(a) is consistent with the objectives of this direction,</p> <p>(b) is consistent with the Australian and New Zealand Guidelines for Fresh and Marine Water Quality, as published by Water Quality Australia, and any water quality management plan prepared in accordance with those guidelines,</p> <p>(c) includes documentation, prepared by a suitably qualified person(s), indicating whether the planning proposal:</p> <p>i. is likely to have an adverse direct, indirect or cumulative impact on terrestrial, aquatic or migratory animals or vegetation, and any steps taken to minimise such impacts</p> <p>ii. is likely to have an impact on periodic flooding that may affect wetlands and other riverine ecosystems</p> <p>iii. is likely to have an adverse impact on recreational land uses within the regulated catchment</p> <p>(d) identifies and considers the cumulative impact of the planning proposal on water quality (including</p>	
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	<p>groundwater) and flows of natural waterbodies and on the environment more generally, including on land adjacent to or downstream of the area to which this direction applies,</p> <p>(e) identifies how the planning proposal will:</p> <ul style="list-style-type: none"> <li>i. protect and improve environmental values, having regard to maintaining biodiversity, and protecting native vegetation, cultural heritage and water resources (including groundwater),</li> <li>ii. impact the scenic quality of the natural waterbodies and the social, economic and environmental interests of the community,</li> <li>iii. protect and rehabilitate land from current and future urban salinity, and prevent or restore land degradation,</li> </ul> <p>(f) considers any feasible alternatives to the planning proposal.</p> <p>(2) When preparing a planning proposal, the planning proposal authority must:</p> <ul style="list-style-type: none"> <li>(a) consult with the councils of adjacent or downstream local government areas where the planning proposal is likely to have an adverse</li> </ul>	
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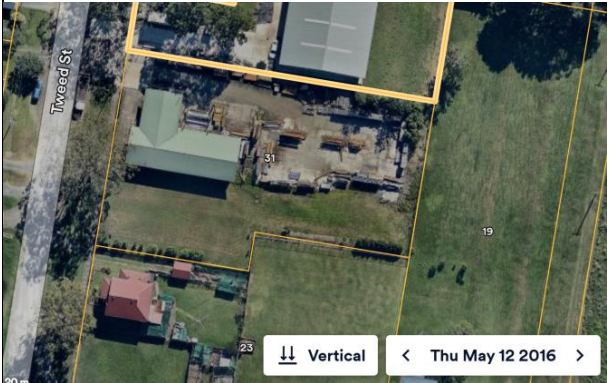
	<p>environmental impact on land in that local government area, and</p> <p>(b) as far as is practicable, give effect to any requests of the adjacent or downstream council.</p>	
<b>4. Resilience and Hazards</b>		
4.1 Floodin g	<p>(1) A planning proposal must include provisions that give effect to and are consistent with:</p> <p>(a) the NSW Flood Prone Land Policy,</p> <p>(b) the principles of the Floodplain Development Manual 2005,</p> <p>(c) the Considering flooding in land use planning guideline 2021, and</p> <p>(d) any adopted flood study and/or floodplain risk management plan prepared in accordance with the principles of the Floodplain Development Manual 2005 and adopted by the relevant council.</p> <p>(2) A planning proposal must not rezone land within the flood planning area from Recreation, Rural, Special Purpose or Conservation Zones to a Residential, Business, Industrial or Special Purpose Zones.</p> <p>(3) A planning proposal must not contain</p>	<p>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.</p>  <p><b>Figure 7: WaterRIDE hazard extract</b></p>




	<p>provisions that apply to the flood planning area which:</p> <p>(a) permit development in floodway areas,</p> <p>(b) permit development that will result in significant flood impacts to other properties,</p> <p>(c) permit development for the purposes of residential accommodation in high hazard areas,</p> <p>(d) permit a significant increase in the development and/or dwelling density of that land,</p> <p>(e) permit development for the purpose of centre-based childcare facilities, hostels, boarding houses, group homes, hospitals, residential care facilities, respite day care centres and seniors housing in areas where the occupants of the development cannot effectively evacuate,</p> <p>(f) permit development to be carried out without development consent except for the purposes of exempt development or agriculture. Dams, drainage canals, levees, still require development consent,</p> <p>(g) are likely to result in a significantly increased requirement for</p>	<p><b>Figure 8: WaterRIDE velocity extract</b></p>  <p><b>Figure 9: WaterRIDE depth extract</b></p>  <p><b>Figure 10: WaterRIDE depth with flow vectors extract</b></p>  <p>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.</p> <p>As previously discussed, most dwellings surrounding are being bought back by the Reconstruction Authority. Furthermore, it is Council's intention to specifically mention within the Additional Permitted Use, flood considerations are to be undertaken for any future development application.</p> <p>Ariel imagery has been analysed where conveniently it is clearly evident the allotment to the south has</p>
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	<p>government spending on emergency management services, flood mitigation and emergency response measures, which can include but are not limited to the provision of road infrastructure, flood mitigation infrastructure and utilities, or</p> <p>(h) permit hazardous industries or hazardous storage establishments where hazardous materials cannot be effectively contained during the occurrence of a flood event.</p> <p>(4) A planning proposal must not contain provisions that apply to areas between the flood planning area and probable maximum flood to which Special Flood Considerations apply which:</p> <p>(a) permit development in floodway areas,</p> <p>(b) permit development that will result in significant flood impacts to other properties,</p> <p>(c) permit a significant increase in the dwelling density of that land,</p> <p>(d) permit the development of centre-based childcare facilities, hostels, boarding houses, group homes, hospitals, residential care facilities,</p>	<p>significant amounts of stacked lumber prior to the 2022 significant flood event.</p>  <p><b>Figure 11 Images Pre 2022 Flood</b></p>  <p><b>Figure 12 Images Pre 2022 Flood</b></p> <p>After the very significant flood event of 2022 the outcome is represented in the image below illustrating timber moved in this event.</p> 
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	<p>respite day care centres and seniors housing in areas where the occupants of the development cannot effectively evacuate,</p> <p>(e) are likely to affect the safe occupation of and efficient evacuation of the lot, or</p> <p>(f) are likely to result in a significantly increased requirement for government spending on emergency management services, and flood mitigation and emergency response measures, which can include but not limited to road infrastructure, flood mitigation infrastructure and utilities.</p> <p>(5) For the purposes of preparing a planning proposal, the flood planning area must be consistent with the principles of the Floodplain Development Manual 2005 or as otherwise determined by a Floodplain Risk Management Study or Plan adopted by the relevant council.</p>	<p><b>Figure 13 Images after 2022 Flood</b></p>  <p><b>Figure 14 Images after 2022 Flood</b></p> <p>Given the significance of the 2022 event. It is considered rational to review the images from the 2017 flood event.</p> <p>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.</p> <p>The images below identify the timbers stored do not appear to have been significantly moved in this occurrence.</p>  <p><b>Figure 15 Images prior to 2017 Flood</b></p>
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		 <p><b>Figure 16 Images after 2017 Flood</b></p> <p>Significant assumptions are made in relation to the images above in particular to the 2017 Flood given the dates of photographic capture are not close to the event. Furthermore, if materials were washed away it is highly probable if still within the immediate vicinity, they were likely to be salvaged. However, under this scenario it is unlikely the buoyant material was travelling at a significant velocity if this is the case.</p> <p>The images above lend to support for the application even though some risks are evident.</p> <p>If one to equate the amount of fencing and decking and the like across the flood plain in comparison to the stored material in relation to proportions, it would be assumed the material stored represents a low percentage of material holistically.</p>
4.2 Coastal Management	<p>(1) A planning proposal must include provisions that give effect to and are consistent with:</p> <p>(a) the objects of the Coastal Management Act 2016 and the objectives of the relevant coastal management areas;</p> <p>(b) the NSW Coastal Management Manual and associated Toolkit;</p>	<p>The proposal is located within a Coastal Use and Coastal Environment Area in a split fashion as depicted within the SEPP Resilience and Hazards discussions within Appendix 2 of this report.</p> <p>An image is provided below for context identifying the subject allotment is separated from the Wilson River by 233 metres</p>



<p>(c) NSW Coastal Design Guidelines 2003; and</p> <p>(d) any relevant Coastal Management Program that has been certified by the Minister, or any Coastal Zone Management Plan under the Coastal Protection Act 1979 that continues to have effect under clause 4 of Schedule 3 to the Coastal Management Act 2016, that applies to the land.</p> <p>(2) A planning proposal must not rezone land which would enable increased development or more intensive land-use on land:</p> <p>(a) within a coastal vulnerability area identified by chapter 2 of the State Environmental Planning Policy (Resilience and Hazards) 2021; or</p> <p>(b) that has been identified as land affected by a current or future coastal hazard in a local environmental plan or development control plan, or a study or assessment undertaken:</p> <p>i. by or on behalf of the relevant planning authority and the planning proposal authority, or</p> <p>ii. by or on behalf of a public authority and</p>	 <p><b>Figure 17</b> Images of distance to river</p> <p>No significant implications to the Coastal Use or Coastal Environment Area are identified and the NSW Coastal Design Guidelines 2023 Appendix 1 is supplied at Appendix 4 of this report.</p>
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	<p>provided to the relevant planning authority and the planning proposal authority.</p> <p>(3) A planning proposal must not rezone land which would enable increased development or more intensive land-use on land within a coastal wetlands and littoral rainforests area identified by chapter 2 of the State Environmental Planning Policy (Resilience and Hazards) 2021.</p> <p>(4) A planning proposal for a local environmental plan may propose to amend the following maps, including increasing or decreasing the land within these maps, under chapter 2 of the State Environmental Planning Policy (Resilience and Hazards) 2021:</p> <p>(a) Coastal wetlands and littoral rainforests area map;</p> <p>(b) Coastal vulnerability area map;</p> <p>(c) Coastal environment area map; and</p> <p>(d) Coastal use area map.</p> <p>Such a planning proposal must be supported by evidence in a relevant Coastal Management Program that has been certified</p>	
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	by the Minister, or by a Coastal Zone Management Plan under the Coastal Protection Act 1979 that continues to have effect under clause 4 of Schedule 3 to the Coastal Management Act 2016.	
4.3 Planning for Bushfire Protection	<p>(1) In the preparation of a planning proposal the relevant planning authority must consult with the Commissioner of the NSW Rural Fire Service following receipt of a gateway determination under section 3.34 of the Act, and prior to undertaking community consultation in satisfaction of clause 4, Schedule 1 to the EP&amp;A Act, and take into account any comments so made.</p> <p>(2) A planning proposal must:</p> <p>(a) have regard to Planning for Bushfire Protection 2019,</p> <p>(b) introduce controls that avoid placing inappropriate developments in hazardous areas, and</p> <p>(c) ensure that bushfire hazard reduction is not prohibited within the Asset Protection Zone (APZ).</p> <p>(3) A planning proposal must, where development is</p>	The subject land is not mapped as being bushfire prone land.

	<p>proposed, comply with the following provisions, as appropriate:</p> <p>(a) provide an Asset Protection Zone (APZ) incorporating at a minimum:</p> <p>i. an Inner Protection Area bounded by a perimeter road or reserve which circumscribes the hazard side of the land intended for development and has a building line consistent with the incorporation of an APZ, within the property, and</p> <p>ii. an Outer Protection Area managed for hazard reduction and located on the bushland side of the perimeter road,</p> <p>(b) for infill development (that is development within an already subdivided area), where an appropriate APZ cannot be achieved, provide for an appropriate performance standard, in consultation with the NSW Rural Fire Service. If the provisions of the planning proposal permit Special Fire Protection Purposes (as defined under section 100B of the Rural Fires Act 1997), the APZ provisions must be complied with,</p> <p>(c) contain provisions for two-way access roads</p>	
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	<p>which links to perimeter roads and/or to fire trail networks,</p> <p>(d) contain provisions for adequate water supply for firefighting purposes,</p> <p>(e) minimise the perimeter of the area of land interfacing the hazard which may be developed,</p> <p>(f) introduce controls on the placement of combustible materials in the Inner Protection Area</p>	
4.4 Remediation of Contaminated Land	<p>(1) A planning proposal authority must not include in a particular zone (within the meaning of the local environmental plan) any land to which this direction applies if the inclusion of the land in that zone would permit a change of use of the land, unless:</p> <p>(a) the planning proposal authority has considered whether the land is contaminated, and</p> <p>(b) if the land is contaminated, the planning proposal authority is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for all the purposes for which land in the zone concerned is permitted to be used, and</p>	<p>The subject allotment is not mapped as a Potential Contaminated Site on Council's mapping system.</p> <p>The Additional Permitted Use sought is not a residential, educational, recreational or childcare use, or for the purposes of a hospital.</p>

	<p>(c) if the land requires remediation to be made suitable for any purpose for which land in that zone is permitted to be used, the planning proposal authority is satisfied that the land will be so remediated before the land is used for that purpose. In order to satisfy itself as to paragraph 1(c), the planning proposal authority may need to include certain provisions in the local environmental plan.</p> <p>(2) Before including any land to which this direction applies in a particular zone, the planning proposal authority is to obtain and have regard to a report specifying the findings of a preliminary investigation of the land carried out in accordance with the contaminated land planning guidelines.</p>	
4.5 Acid Sulfate Soils	<p>(1) The relevant planning authority must consider the Acid Sulfate Soils Planning Guidelines adopted by the Planning Secretary when preparing a planning proposal that applies to any land identified on the Acid Sulfate Soils Planning Maps as having a probability of acid sulfate soils being present.</p>	N/A. The land is not mapped as containing Acid Sulfate Soils on Council's mapping system.

	<p>(2) When a relevant planning authority is preparing a planning proposal to introduce provisions to regulate works in acid sulfate soils, those provisions must be consistent with:</p> <p>(a) the Acid Sulfate Soils Model LEP in the Acid Sulfate Soils Planning Guidelines adopted by the Planning Secretary, or</p> <p>(b) other such provisions provided by the Planning Secretary that are consistent with the Acid Sulfate Soils Planning Guidelines.</p> <p>(3) A relevant planning authority must not prepare a planning proposal that proposes an intensification of land uses on land identified as having a probability of containing acid sulfate soils on the Acid Sulfate Soils Planning Maps unless the relevant planning authority has considered an acid sulfate soils study assessing the appropriateness of the change of land use given the presence of acid sulfate soils. The relevant planning authority must provide a copy of any such study to the Planning Secretary prior to undertaking community consultation in satisfaction of clause</p>	
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	<p>4 of Schedule 1 to the Act.</p> <p>(4) Where provisions referred to under 2(a) and 2(b) above of this direction have not been introduced and the relevant planning authority is preparing a planning proposal that proposes an intensification of land uses on land identified as having a probability of acid sulfate soils on the Acid Sulfate Soils Planning Maps, the planning proposal must contain provisions consistent with 2(a) and 2(b).</p>	
<p>4.5</p> <p>Mine Subsidence and Unstable Land</p>	<p>(1) When preparing a planning proposal that would permit development on land that is within a declared mine subsidence district, a relevant planning authority must:</p> <p>(a) consult Subsidence Advisory NSW to ascertain:</p> <p>i. if Subsidence Advisory NSW has any objection to the draft local environmental plan, and the reason for such an objection, and</p> <p>ii. the scale, density and type of development that is appropriate for the potential level of subsidence, and</p>	N/A

	<p>(b) incorporate provisions into the draft Local Environmental Plan that are consistent with the recommended scale, density and type of development recommended under 1(a)(ii), and</p> <p>(c) include a copy of any information received from Subsidence Advisory NSW with the statement to the Planning Secretary (or an officer of the Department nominated by the Secretary prior to undertaking community consultation in satisfaction of Schedule 1 to the Act.</p> <p>(2) A planning proposal must not permit development on land that has been identified as unstable as referred to in the application section of this direction.</p>	
<b>5. Transport and Infrastructure</b>		
5.1 Integrating Land Use and Transport	<p>(1) A planning proposal must locate zones for urban purposes and include provisions that give effect to and are consistent with the aims, objectives and principles of:</p> <p>(a) Improving Transport Choice – Guidelines for planning and development (DUAP 2001), and</p>	N/A

	(b) The Right Place for Business and Services – Planning Policy (DUAP 2001).	
5.2 Reserving Land for Public Purposes	<p>(1) A planning proposal must not create, alter or reduce existing zonings or reservations of land for public purposes without the approval of the relevant public authority and the Planning Secretary (or an officer of the Department nominated by the Secretary).</p> <p>(2) When a Minister or public authority requests a relevant planning authority to reserve land for a public purpose in a planning proposal and the land would be required to be acquired under Division 3 of Part 2 of the Land Acquisition (Just Terms Compensation) Act 1991, the relevant planning authority must:</p> <p>(a) reserve the land in accordance with the request, and</p> <p>(b) include the land in a zone appropriate to its intended future use or a zone advised by the Planning Secretary (or an officer of the Department nominated by the Secretary), and</p> <p>(c) identify the relevant acquiring authority for the land.</p>	N/A

	<p>(3) When a Minister or public authority requests a relevant planning authority to include provisions in a planning proposal relating to the use of any land reserved for a public purpose before that land is acquired, the relevant planning authority must:</p> <p>(a) include the requested provisions, or</p> <p>(b) take such other action as advised by the Planning Secretary (or an officer of the Department nominated by the Secretary) with respect to the use of the land before it is acquired.</p> <p>(4) When a Minister or public authority requests a relevant planning authority to include provisions in a planning proposal to rezone and/or remove a reservation of any land that is reserved for public purposes because the land is no longer designated by that public authority for acquisition, the relevant planning authority must rezone and/or remove the relevant reservation in accordance with the request.</p>	
5.3 Development Near Regulated Airports and	(1) In the preparation of a planning proposal that sets controls for development of land	The subject allotment is located 2.7 kilometres from Lismore Airport and is not considered to pose any implications to air space operations.



Defence Airfields	<p>near a regulated airport, the relevant planning authority must:</p> <p>(a) consult with the lessee/operator of that airport;</p> <p>(b) take into consideration the operational airspace and any advice from the lessee/operator of that airport;</p> <p>(c) for land affected by the operational airspace, prepare appropriate development standards, such as height controls.</p> <p>(d) not allow development types that are incompatible with the current and future operation of that airport.</p> <p>(2) In the preparation of a planning proposal that sets controls for development of land near a core regulated airport, the relevant planning authority must:</p> <p>(a) consult with the Department of the Commonwealth responsible for airports and the lessee/operator of that airport;</p> <p>(b) for land affected by the prescribed airspace (as defined in clause 6(1) of the Airports (Protection of Airspace) Regulation 1996, prepare appropriate</p>	
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	<p>development standards, such as height controls.</p> <p>(c) not allow development types that are incompatible with the current and future operation of that airport.</p> <p>(d) obtain permission from that Department of the Commonwealth, or their delegate, where a planning proposal seeks to allow, as permissible with consent, development that would constitute a controlled activity as defined in section 182 of the Airports Act 1996. This permission must be obtained prior to undertaking community consultation in satisfaction of Schedule 1 to the EP&amp;A Act.</p> <p>(3) In the preparation of a planning proposal that sets controls for the development of land near a defence airfield, the relevant planning authority must:</p> <p>(a) consult with the Department of Defence if:</p> <p>i. the planning proposal seeks to exceed the height provisions contained in the Defence Regulations 2016 – Defence Aviation Areas for that airfield; or</p> <p>ii. no height provisions exist in the Defence</p>	
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	<p>Regulations 2016 – Defence Aviation Areas for the airfield and the proposal is within 15km of the airfield.</p> <p>(b) for land affected by the operational airspace, prepare appropriate development standards, such as height controls.</p> <p>(c) not allow development types that are incompatible with the current and future operation of that airfield.</p> <p>(4) A planning proposal must include a provision to ensure that development meets Australian Standard 2021 – 2015, Acoustic-Aircraft Noise Intrusion – Building siting and construction with respect to interior noise levels, if the proposal seeks to rezone land:</p> <p>(a) for residential purposes or to increase residential densities in areas where the Australian Noise Exposure Forecast (ANEF) is between 20 and 25; or</p> <p>(b) for hotels, motels, offices or public buildings where the ANEF is between 25 and 30; or</p> <p>(c) for commercial or industrial purposes where the ANEF is above 30.</p>	
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	(5) A planning proposal must not contain provisions for residential development or to increase residential densities within the 20 Australian Noise Exposure Concept (ANEC)/ANEF contour for Western Sydney Airport.	
5.4 Shooting Ranges	<p>(1) A planning proposal must not seek to rezone land adjacent to and/ or adjoining an existing shooting range that has the effect of:</p> <p>(a) permitting more intensive land uses than those which are permitted under the existing zone; or</p> <p>(b) permitting land uses that are incompatible with the noise emitted by the existing shooting range</p>	N/A, there is no shooting range adjacent to and/or adjoining the subject allotment.
5.5 High pressure dangerous goods pipelines	<p>(1) A planning proposal authority must consider risks to the integrity of relevant pipelines, human health and the environment when preparing a planning proposal that would permit development for one or more of the specified uses in the application area of relevant pipelines.</p> <p>(2) When considering the risks in (1), the planning proposal authority must consider the pipeline guidelines.</p>	N/A

6. Housing		
6.1 Residential Zones	<p>(1) A planning proposal must include provisions that encourage the provision of housing that will:</p> <p>(a) broaden the choice of building types and locations available in the housing market, and</p> <p>(b) make more efficient use of existing infrastructure and services, and</p> <p>(c) reduce the consumption of land for housing and associated urban development on the urban fringe, and</p> <p>(d) be of good design.</p> <p>(2) A planning proposal must, in relation to land to which this direction applies:</p> <p>(a) contain a requirement that residential development is not permitted until land is adequately serviced (or arrangements satisfactory to the council, or other appropriate authority, have been made to service it), and</p> <p>(b) not contain provisions which will reduce the permissible residential density of land.</p>	N/A

<p>6.2 Caravan Parks and Manufactured Home Estates</p>	<p>(1) In identifying suitable zones, locations and provisions for caravan parks in a planning proposal, the relevant planning authority must:</p> <p>(a) retain provisions that permit development for the purposes of a caravan park to be carried out on land, and</p> <p>(b) retain the zonings of existing caravan parks, or in the case of a new principal LEP zone the land in accordance with an appropriate zone under the Standard Instrument (Local Environmental Plans) Order 2006 that would facilitate the retention of the existing caravan park.</p> <p>(2) In identifying suitable zones, locations and provisions for manufactured home estates (MHEs) in a planning proposal, the relevant planning authority must:</p> <p>(a) take into account the categories of land set out in Schedule 6 of State Environmental Planning Policy (Housing) 2021 as to where MHEs should not be located,</p> <p>(b) take into account the principles listed in clause 125 of State Environmental Planning Policy (Housing) 2021</p>	<p>N/A.</p>
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	<p>(which relevant planning authorities are required to consider when assessing and determining the development and subdivision proposals), and</p> <p>(c) include provisions that the subdivision of MHEs by long term lease of up to 20 years or under the Community Land Development Act 1989 be permissible with consent.</p>	
<b>7: Industry and Employment</b>		
7.1 Business and Industrial Zones	<p>(1) A planning proposal must:</p> <p>(a) give effect to the objectives of this direction,</p> <p>(b) retain the areas and locations of existing business and industrial zones,</p> <p>(c) not reduce the total potential floor space area for employment uses and related public services in business zones,</p> <p>(d) not reduce the total potential floor space area for industrial uses in industrial zones, and</p> <p>(e) ensure that proposed new employment areas are in accordance with a strategy that is approved by the Planning Secretary.</p>	N/A. The proposal does not involve land within an existing or proposed Employment Zone.

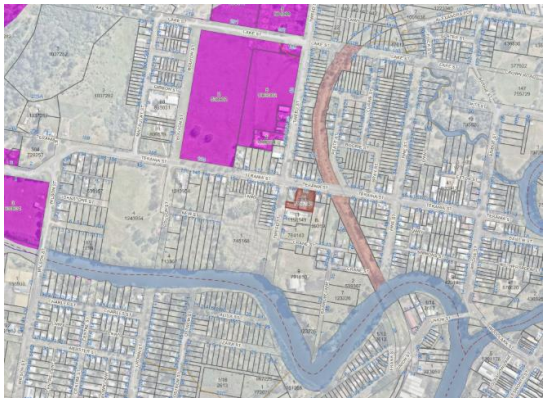


8: Resources and Energy		
8.1 Mining, Petroleum Production and Extractive Industries	<p>(1) In the preparation of a planning proposal affected by this direction, the relevant planning authority must:</p> <p>(a) consult the Secretary of the Department of Primary Industries (DPI) to identify any:</p> <p>i. resources of coal, other minerals, petroleum or extractive material that are of either State or regional significance, and</p> <p>ii. existing mines, petroleum production operations or extractive industries occurring in the area subject to the planning proposal, and</p> <p>(b) seek advice from the Secretary of DPI on the development potential of resources identified under (1)(a)(i), and</p> <p>(c) identify and take into consideration issues likely to lead to land use conflict between other land uses and:</p> <p>i. development of resources identified under (1)(a)(i), or</p> <p>ii. existing development identified under (1)(a)(ii).</p> <p>(2) Where a planning proposal prohibits or restricts development of resources identified under (1)(a)(i), or proposes land uses that</p>	N/A. The proposal does not prohibit mining, and the Additional Permitted Use is not considered to present a use that would substantially limit future resource extraction.

	<p>may create land use conflicts identified under (1)(c), the relevant planning authority must:</p> <p>(a) provide the Secretary of DPI with a copy of the planning proposal and notification of the relevant provisions,</p> <p>(b) allow the Secretary of DPI a period of 40 days from the date of notification to provide in writing any objections to the terms of the planning proposal, and</p> <p>(c) include a copy of any objection and supporting information received from the Secretary of DPI with the statement to the Planning Secretary (or an officer of the Department nominated by the Secretary before undertaking community consultation in satisfaction of Schedule 1 to the Act.</p>	
<b>9: Primary Production</b>		
9.1 Rural Zones	<p>(1) A planning proposal must:</p> <p>(a) not rezone land from a rural zone to a residential, business, industrial, village or tourist zone.</p>	<p>Direction 1(a) only is applicable given Lismore is not listed as an LGA where 1 (b) applies.</p> <p>The proposal does not relate to rezoning of the land and adheres to the requirements of the direction.</p>
9.2 Rural Lands	<p>(1) A planning proposal must:</p> <p>(a) be consistent with any applicable strategic plan, including regional and district plans</p>	<p>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.</p>

<p>endorsed by the Planning Secretary, and any applicable local strategic planning statement</p> <p>(b) consider the significance of agriculture and primary production to the State and rural communities</p> <p>(c) identify and protect environmental values, including but not limited to, maintaining biodiversity, the protection of native vegetation, cultural heritage, and the importance of water resources</p> <p>(d) consider the natural and physical constraints of the land, including but not limited to, topography, size, location, water availability and ground and soil conditions</p> <p>(e) promote opportunities for investment in productive, diversified, innovative and sustainable rural economic activities</p> <p>(f) support farmers in exercising their right to farm</p> <p>(g) prioritise efforts and consider measures to minimise the fragmentation of rural land and reduce the risk of land use conflict,</p>	<p>No significant environmental implications are identified.</p> <p>No additional land fragmentation or alterations to the minimum lot size is relevant.</p> <p>No significant land use conflict is identified with the proposed additional permitted use.</p>
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	<p>particularly between residential land uses and other rural land use</p> <p>(h) consider State significant agricultural land identified in chapter 2 of the State Environmental Planning Policy (Primary Production) 2021 for the purpose of ensuring the ongoing viability of this land</p> <p>(i) consider the social, economic and environmental interests of the community.</p> <p>(2) A planning proposal that changes the existing minimum lot size on land within a rural or conservation zone must demonstrate that it:</p> <p>(a) is consistent with the priority of minimising rural land fragmentation and land use conflict, particularly between residential and other rural land uses</p> <p>(b) will not adversely affect the operation and viability of existing and future rural land uses and related enterprises, including supporting infrastructure and facilities that are essential to rural industries or supply chains</p> <p>(c) where it is for rural residential purposes:</p>	
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	<p>i. is appropriately located taking account of the availability of human services, utility infrastructure, transport and proximity to existing centres</p> <p>ii. is necessary taking account of existing and future demand and supply of rural residential land.</p> <p><b>Note:</b> where a planning authority seeks to vary an existing minimum lot size within a rural or conservation zone, it must also do so in accordance with the Rural Subdivision Principles in clause 5.16 of the relevant Local Environmental Plan.</p>	
<p>9.4 Farmland of State and Regional Significance on the NSW Far North Coast</p>	<p>(1) A planning proposal must not:</p> <p>(a) rezone land identified as “State Significant Farmland” for urban or rural residential purposes.</p> <p>(b) rezone land identified as “Regionally Significant Farmland” for urban or rural residential purposes.</p> <p>(c) rezone land identified as “significant non-contiguous farmland” for urban or rural residential purposes.</p>	<p>The planning proposal is not for rezoning. Complies. In addition, 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.</p>  <p><b>Figure 18</b> Site in relation to mapped Regionally Significant Farmlands</p>

#### Appendix 4

#### Coastal Design Guidelines 2023 – Assessment Checklist for Planning Proposals

# NSW Coastal Design Guidelines 2023



## Appendix 1: Assessment checklist for planning proposals

Hierarchy of coastal management areas:

1. CWLRA = coastal wetlands and littoral rainforests area
2. CVA = coastal vulnerability area
3. CEA = coastal environment area
4. CUA = coastal use area

**Note:** Requirements relating to coastal hazards must be considered for all coastal hazard and risk areas, regardless of which relevant coastal management area(s) these fall within. 'Coastal hazard and risk areas' mean any mapped coastal vulnerability areas and/or areas affected by (or projected to be affected by) coastal hazards that have been identified in a state environmental planning policy, local environmental plan, development control plan, coastal management program, coastal hazard policy or study adopted by council.

Outcome A. Protect and enhance coastal environmental values			
Requirement	Relevant coastal management area(s)	Applicable to planning proposal (Y/N)	Planning proposal is consistent with guidelines (Y/N) If 'No', justify this
<b>Outcome A.1 Protect coastal ecosystems</b>			
<b>A.1a</b> Avoid development on undeveloped headlands and significant coastal landforms.	CVA, CEA	Y	Y
<b>A.1b</b> Do not increase development or intensify land uses where there is existing development on headlands and significant coastal landforms.	CVA, CEA	Y	Y
<b>A.1c</b> Identify, protect and enhance sensitive coastal ecosystems including coastal wetlands, littoral rainforests and other coastal threatened ecological communities that may be affected by development.	CWLRA, CEA	Y	Y
<b>A.1d</b> Maintain and protect the presence of beaches, rock platforms, coastal dunes, riparian vegetation and the natural features of foreshores, including along estuaries and coastal lakes.	CWLRA, CVA, CEA	Y	Y
<b>A.1e</b> Use environmental buffers and limit the number of access points and pathways to protect coastal ecosystems. In some cases, it may not be appropriate to allow public access to areas with highly sensitive ecosystems or animal populations.	CWLRA, CEA, CUA	Y	Y



Outcome A. Protect and enhance coastal environmental values			
Requirement	Relevant coastal management area(s)	Applicable to planning proposal (Y/N)	Planning proposal is consistent with guidelines (Y/N) If 'No', justify this
<b>A.1f</b> Consider if the planning proposal is needed or if development zones could be better located to minimise effects on biodiversity.	CWLRA, CEA, CUA	Y	Y
<b>A.1g</b> Avoid development that may disturb, expose or drain areas of Class 1 and Class 2 acid sulfate soils.	CWLRA, CEA, CUA	Y	Y
<b>A.1h</b> Consider direct and indirect effects of development, including any necessary infrastructure, on water quality, water quantity and hydrological flows of waterways and groundwater.	CEA, CUA	Y	Y
Outcome A.2 Protect coastal wetlands and littoral rainforests			
<b>A.2a</b> Identify coastal wetlands and littoral rainforests, including areas that could be rehabilitated or restored in the future, and do not increase development or intensify land uses in these areas.	CWLRA	N	
<b>A.2b</b> Allow for the adaptive management of stormwater run-off so that the quality of water leaving the site is better than pre-development quality to lessen effects on coastal wetlands or other sensitive receiving environments.	CWLRA, CEA, CUA	Y	Y
<b>A.2c</b> Provide environmental buffers and riparian corridors that enable the long-term management and protection of areas of biodiversity and ecosystem integrity.	CWLRA, CVA, CEA, CUA	Y	Y
<b>A.2d</b> Identify and protect areas that allow for landward migration pathways for coastal wetlands to respond to climate change.	CWLRA, CEA	Y	Y
<b>A.2e</b> Exclude land uses that affect the natural state of coastal wetlands and littoral rainforests or that will make it harder to rehabilitate these ecosystems in the future.	CWLRA	Y	Y
Outcome A.3 Protect marine parks and aquatic reserves			
<b>A.3a</b> Avoid development and land uses that affect the environmental, economic, social and cultural values of marine parks and aquatic reserves.	CEA, CUA	Y	Y
<b>A.3b</b> Protect the ecological health of marine parks and aquatic reserves, including providing for riparian vegetation and buffers in their catchments.	CEA, CUA	Y	Y

## Outcome B. Ensure the built environment is appropriate for the coast and local context

Requirement	Relevant coastal management area(s)	Applicable to planning proposal (Y/N)	Planning proposal is consistent with guidelines (Y/N) If 'No', justify this
<b>Outcome B.1 Respond to and protect elements that make the place special</b>			
<b>B.1a</b> Integrate development within the natural topography of the site and ensure land use, building scale and height respond sympathetically to coastal landforms.	CWLRA, CVA, CEA, CUA	Y	Y
<b>B.1b</b> Ensure the intended form and footprint of development does not dominate coastal elements, including foreshores, public spaces and other areas of natural beauty.	CWLRA, CVA, CEA, CUA	Y	Y
<b>B.1c</b> Incorporate adaptive, water-sensitive urban design into the development footprint to reduce run-off and manage water quality within receiving environments.	CWLRA, CEA, CUA	Y	Y
<b>B.1d</b> Ensure that lot sizes, building heights and density are appropriate for the coastal settlement, and complement the existing or desired local character, supported by place-based strategies.	CEA, CUA	Y	Y
<b>B.1e</b> Avoid development that would harm geological features and geoheritage.	CEA, CUA	Y	Y
<b>Outcome B.2 Ensure urban development complements coastal scenic values</b>			
<b>B.2a</b> Limit ribbon development and urban sprawl wherever possible. In certain locations, place-based strategies may support increased development density and building heights as a better response to urban growth.	CEA, CUA	Y	Y
<b>B.2b</b> Use greenbelts to create, maintain and mark out separation between settlements.	CEA, CUA	Y	Y
<b>B.2c</b> Consider effects on scenic values and maintain publicly accessible views to significant landmarks.	CEA, CUA	Y	Y
<b>B.2d</b> Ensure that building heights consider the effect on views from different vantage points.	CEA, CUA	Y	Y
<b>B.2e</b> Retain or create views from public spaces. Prioritise this over creating views from private property.	CEA, CUA	Y	Y
<b>B.2f</b> Provide for active transport links along foreshores, including along estuaries and coastal lakes, and between settlements to increase public access and amenity.	CWLRA, CVA, CEA, CUA	Y	Y

Outcome C. Protect and enhance the social and cultural values of the coastal zone			
Requirement	Relevant coastal management area(s)	Applicable to planning proposal (Y/N)	Planning proposal is consistent with guidelines (Y/N) If 'No', justify this
<b>Outcome C.1 Protect and promote heritage values</b>			
<b>C.1a</b> Ensure development does not harm heritage values or sites.	CWLRA, CVA, CEA, CUA	Y	Y
<b>C.1b</b> Work collaboratively with local Aboriginal people before and throughout the planning proposal process.	CWLRA, CVA, CEA, CUA	Y	collaboration to be undertaken if required by Gateway
<b>C.1c</b> With permission and guidance from local Traditional Custodians, identify and emphasise significant features of coastal land and sea Country.	CWLRA, CVA, CEA, CUA	Y	collaboration to be undertaken if required by Gateway
<b>C.1d</b> With permission and guidance from local Traditional Custodians, identify and protect sacred and significant areas through the appropriate siting of development.	CWLRA, CVA, CEA, CUA		collaboration to be undertaken if required by Gateway
<b>C.1e</b> Ensure land use, building type, scale and height respond to heritage items and areas.	CEA, CUA	Y	Y
<b>Outcome C.2 Provide public access to significant coastal assets</b>			
<b>C.2a</b> Protect and, where practical, improve, public amenity, access to and use of beaches, foreshores, rock platforms, geoheritage sites and headlands, unless you must restrict access for public safety or for environmental or cultural protection. In doing so, consider both current and projected future coastal hazards.	CVA, CEA	Y	Y
<b>C.2b</b> Identify opportunities to maintain and improve existing public access to beaches, foreshores, coastal waters and coastal lakes that support active and passive recreation activities, where this does not interfere with existing coastal industries.	CWLRA, CVA, CEA, CUA	Y	Y
<b>C.2c</b> Consolidate access points and consider alternative access to protect sacred and significant Aboriginal cultural areas.	CWLRA, CVA, CEA, CUA	Y	Y
<b>C.2d</b> Maintain and improve foreshore access and connections to existing or proposed networks of public open spaces. This includes waterways, riparian areas, bushland and parks for active and passive recreation.	CWLRA, CVA, CEA, CUA	Y	Y
<b>C.2e</b> Consider opportunities to protect and improve habitat connectivity through settlements, such as those described in the <i>Greener Places Design Guide</i> .	CWLRA, CEA, CUA	Y	Y

Outcome C. Protect and enhance the social and cultural values of the coastal zone			
Requirement	Relevant coastal management area(s)	Applicable to planning proposal (Y/N)	Planning proposal is consistent with guidelines (Y/N) If 'No', justify this
<b>C.2f</b> Avoid development on coastal dunes and foreshore reserves unless it is for essential public purposes, such as surf life-saving club buildings. Any building or structure located on dunes must be of lightweight construction and relocatable.	CVA, CEA	Y	Y
<b>C.2g</b> Define the boundaries of development sites with a public edge – for example, a pedestrian pathway or public laneway.	CEA, CUA	Y	Y
<b>C.2h</b> Prevent the privatisation of coastal open space by ensuring development next to foreshores is set back, maintains public access and accessibility, and provides links and connections to other public accessways.	CEA, CUA	Y	Y
Outcome C.3 Protect public amenity			
<b>C.3a</b> Avoid development that will overshadow the beach, foreshore or public domain. Apply the standard that there must be no overshadowing before 4 pm (midwinter) and 7 pm (Eastern Daylight Saving Time).	CEA, CUA	Y	Y
<b>C.3b</b> Protect the amenity of public spaces from buildings, structures or land uses that may be visually and/or acoustically intrusive or create wind funnels.	CEA, CUA	Y	Y

Outcome D. Support sustainable coastal economies			
Requirement	Relevant coastal management area(s)	Applicable to planning proposal (Y/N)	Planning proposal is consistent with guidelines (Y/N) If 'No', justify this
<b>Outcome D.1 Support sustainable industries and recreational activities that depend on the coast</b>			
<b>D.1a</b> Ensure that development will not harm sustainable coastal industries needing waterfront access, or recreational use of the coastal environment.	CEA, CUA	Y	Y
<b>D.1b</b> Protect and improve essential facilities such as access ramps and jetties for sustainable coastal industries needing waterfront access.	CEA, CUA	Y	Y
<b>D.1c</b> Ensure access ramps, jetties, pontoons, groynes and other structures do not impede navigation on the water or harm coastal landforms or impair processes such as surf breaks.	CWLRA, CVA, CEA, CUA	Y	Y
<b>D.1d</b> Ensure that the proposal considers how development in a waterway may affect the land.	CEA, CUA	Y	Y
<b>Outcome D.2 Promote green infrastructure</b>			
<b>D.2a</b> Do not allow development that is likely to significantly reduce connectivity of existing green infrastructure.	CEA, CUA	Y	Y
<b>D.2b</b> Provide for diverse green infrastructure that can support the changing needs of current and future communities, and provide tourism and recreational opportunities.	CEA, CUA	Y	Y

Outcome E. Respond to coastal hazards			
Requirement	Relevant coastal management area(s)	Applicable to planning proposal (Y/N)	Planning proposal is consistent with guidelines (Y/N) If 'No', justify this
<b>Outcome E.1 Respond to coastal processes</b>			
<b>E.1a</b> Planning proposals that affect land within a coastal hazard and risk area must not alter coastal processes in a way that harms the natural environment or other land.	CWLRA, CVA, CEA, CUA	Y	Y
<b>E.1b</b> Exclude development in areas affected by a current or projected future coastal hazard that is likely to increase the risk of coastal hazards on that land or other land.	CWLRA, CVA, CEA, CUA	Y	Flooding is a consideration. A full assessment provided within the Planning Report identifies velocities are low and the hazard levels
<b>E.1c</b> Locate or consolidate development in areas with little or no exposure to current and projected future coastal hazards, to ensure public safety and prevent risks to life.	CWLRA, CVA, CEA, CUA	Y	As above
<b>E.1d</b> Do not increase development potential or intensify land uses in a coastal hazard or risk area.	CWLRA, CVA, CEA, CUA	Y	The proposal is not essentially considered to elevate development potential given other similar uses are
<b>Outcome E.2 Account for natural hazard risks</b>			
<b>E.2a</b> Identify areas on and near the proposal that are affected by current or projected future coastal hazards. Ensure that the proposal is compatible with any identified threat or risk.	CWLRA, CVA, CEA, CUA	Y	Y
<b>E.2b</b> Account for potential interaction between coastal hazards and other current and future natural hazards. This includes flooding, bushfires, landslip, heatwaves, severe storms, east coast lows and cyclones. Refer to the <i>Strategic Guide to Planning for Natural Hazards</i> .	CWLRA, CVA, CEA, CUA	Y	See comment for E.1b
<b>E.2c</b> Manage natural hazard risk within the development site. Avoid using public space or adjoining land to lessen risk.	CWLRA, CVA, CEA, CUA	Y	The additional use is recommended to be accompanied by the requirement Council is to be satisfied
<b>Outcome E.3 Account for climate change</b>			
<b>E.3a</b> Demonstrate that the proposal applies a 100-year planning horizon for the full range of climate change projections for coastal hazards. This approach recognises that sea level is projected to continue to rise for centuries because of climate change.	CWLRA, CVA, CEA, CUA	Y	1:500 year event specified as requirement for Council to be satisfied to account for climate change.
<b>E.3b</b> Consider how climate change could affect the risk profile of existing natural hazards and create new vulnerabilities and exposure for the proposal in the future.	CWLRA, CVA, CEA, CUA	Y	Y

Outcome E. Respond to coastal hazards			
Requirement	Relevant coastal management area(s)	Applicable to planning proposal (Y/N)	Planning proposal is consistent with guidelines (Y/N) If 'No', justify this
<b>Outcome E.4 Provide sustainable defences to coastal hazards</b>			
<b>E.4a</b> Reduce exposure to coastal hazards by protecting, restoring or improving natural defences. This includes coastal dunes, vegetation, coastal floodplains and coastal wetlands, where suitable.	CWLRA, CVA, CEA, CUA	Y	Y
<b>E.4b</b> If natural defences are not possible, reduce exposure to coastal hazards without significantly degrading: <ul style="list-style-type: none"> <li>• biological diversity and ecosystem integrity</li> <li>• ecological, biophysical, geological and geomorphological coastal processes</li> <li>• beach and foreshore amenity, or the social and cultural value of these areas</li> <li>• public safety and access to, or use of, beaches or headlands.</li> </ul>	CWLRA, CVA, CEA, CUA	Y	Y
<b>Outcome E.5 Protect essential infrastructure</b>			
<b>E.5a</b> Locate and design essential infrastructure to reduce vulnerability to current and projected future coastal hazards. Consider the effects of climate change over at least a 100-year planning horizon.	CWLRA, CVA, CEA, CUA	Y	Y
<b>E.5b</b> Where exposure to coastal hazards cannot be avoided, prepare adaptation plans for essential service infrastructure. These plans should be consistent with any applicable coastal management program.	CWLRA, CVA, CEA, CUA	Y	Y
<b>E.5c</b> Consult local Aboriginal land management experts and emergency management agencies on how to strategically locate access routes and other essential infrastructure.	CWLRA, CVA, CEA, CUA	Y	Consultation will occur in accordance with any gateway requirement.
<b>Outcome E.6 Change land uses to manage legacy issues and avoid creating new ones</b>			
<b>E.6a</b> Ensure the proposal will not require coastal management interventions to remain viable over its expected lifespan.	CWLRA, CVA, CEA, CUA	Y	Y
<b>E.6b</b> Consider the potential legacy effects of the proposal and if the proposed land uses or development will create a social, environmental, economic or cultural burden for future generations.	CWLRA, CVA, CEA, CUA	Y	Much of the dwellings in the area have been bought back by the Reconstruction Authority. Master/Precinct planning is set to occur in early 2026. The area is
<b>E.6c</b> Consider if the proposed change of land use could remove redundant legacy infrastructure or reduce existing legacy effects.	CWLRA, CVA, CEA, CUA	Y	Y



**Attachment 2: Damages & Designs****Damage Number DM00737****Properties Proposed for Partial Acquisition:***9 Rose Road (DP 755726 Lot 99)**74 Rose Road (DP 572841 Lot 2)*

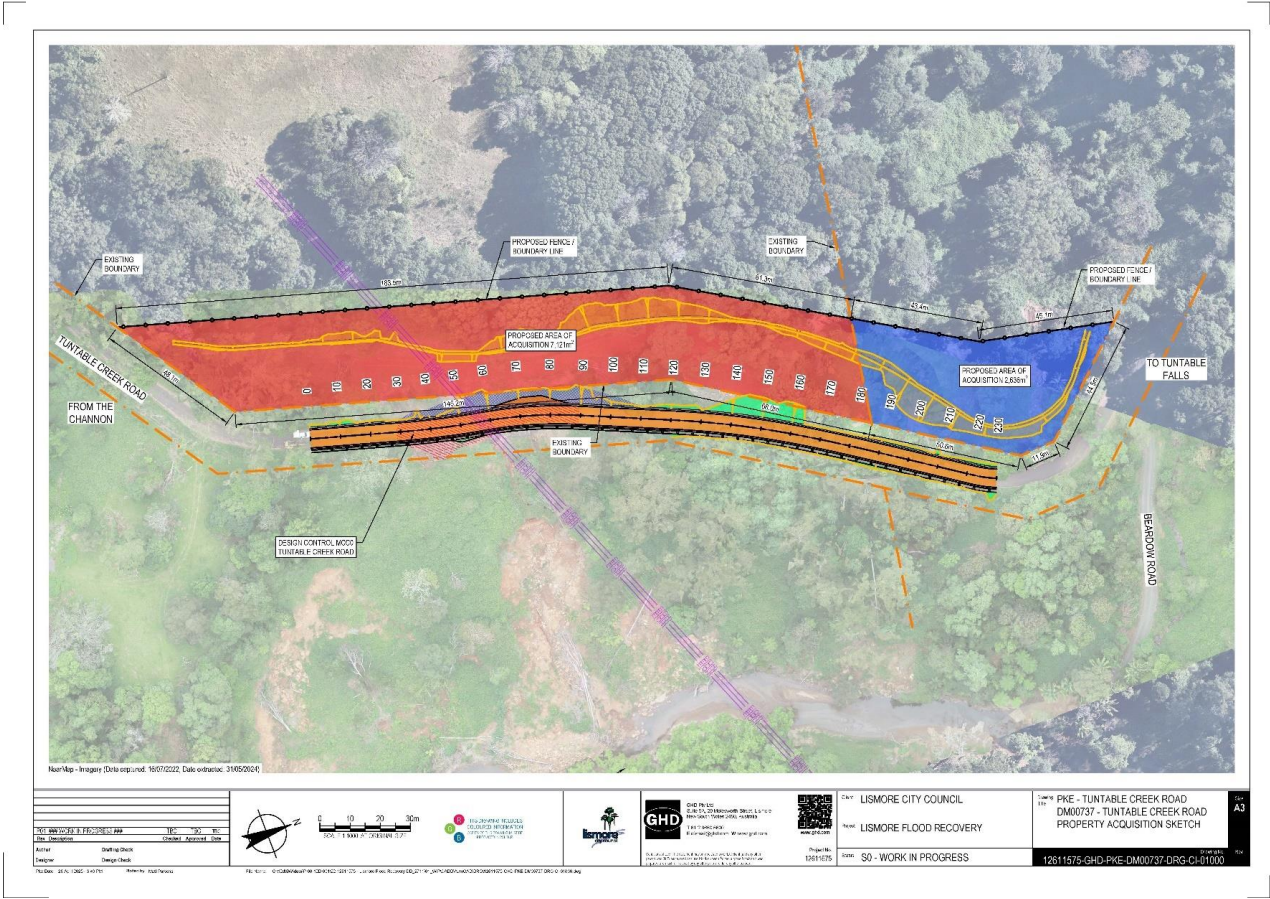


**Site Images:**





Proposed Restoration Design:



**Damage Number DM00828**

Property Proposed for Partial Acquisition:



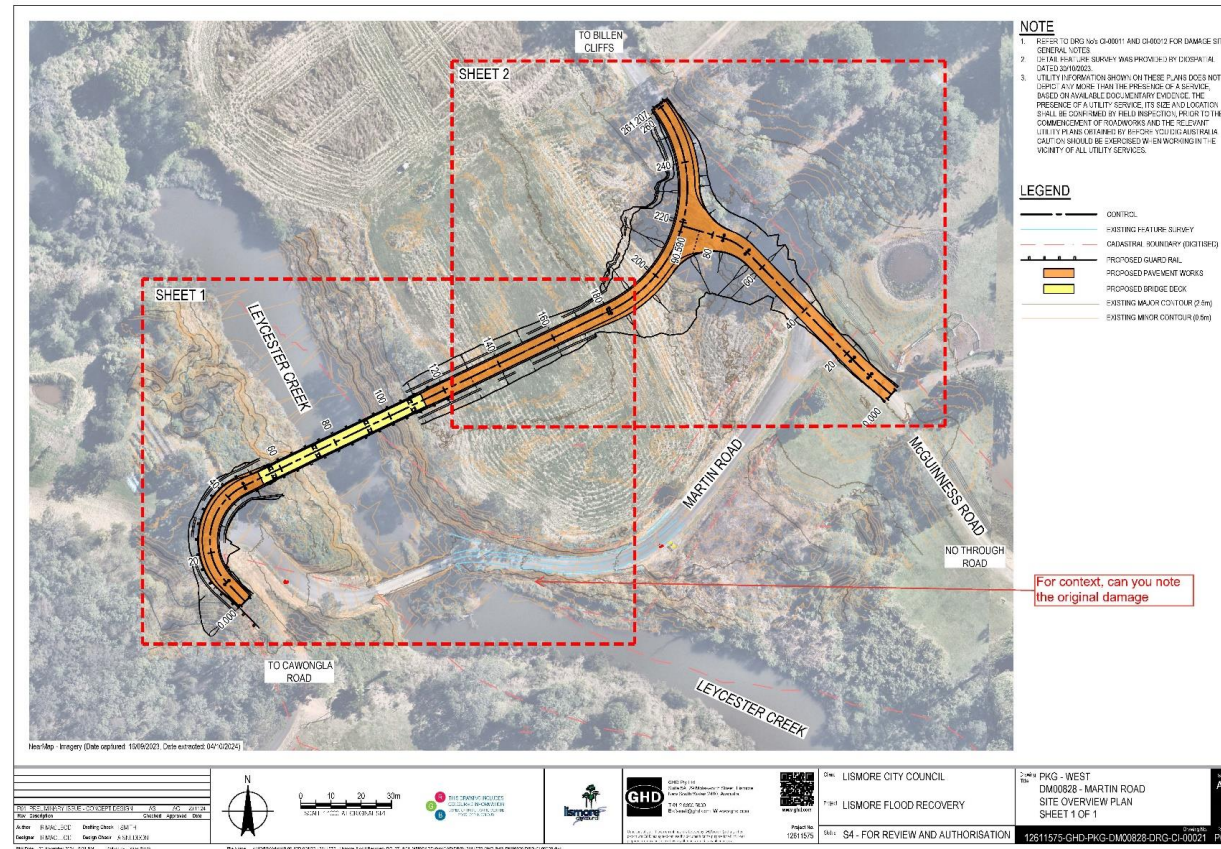
63 Martin Road, Larnook (DP 632815 Lot 1)



**Site Images:**



**Proposed Restoration Design:**



**Damage Number DM00987**

Property Proposed for Partial Acquisition:



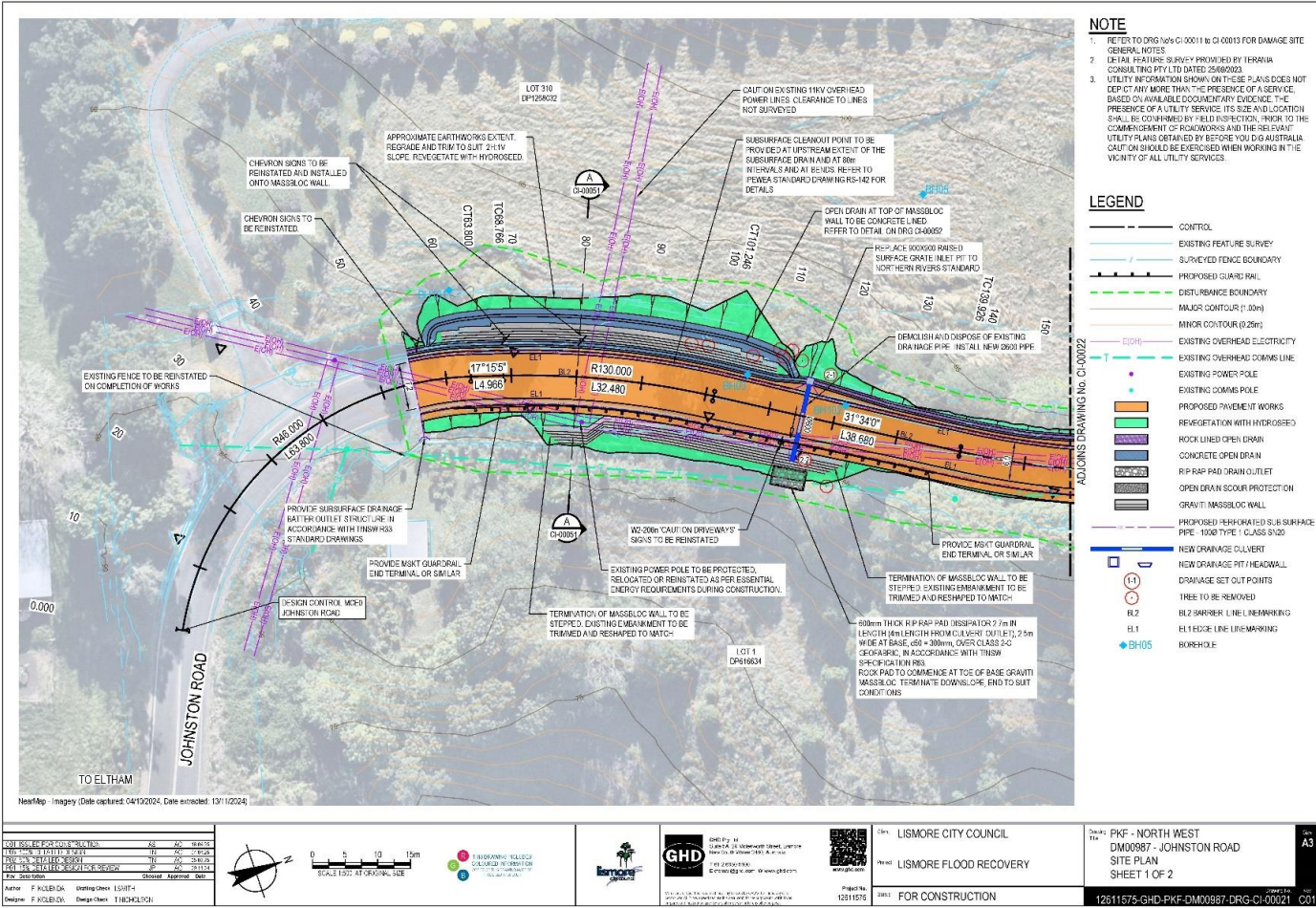
96 Johnston Road, Clunes (DP 616634 Lot 1)

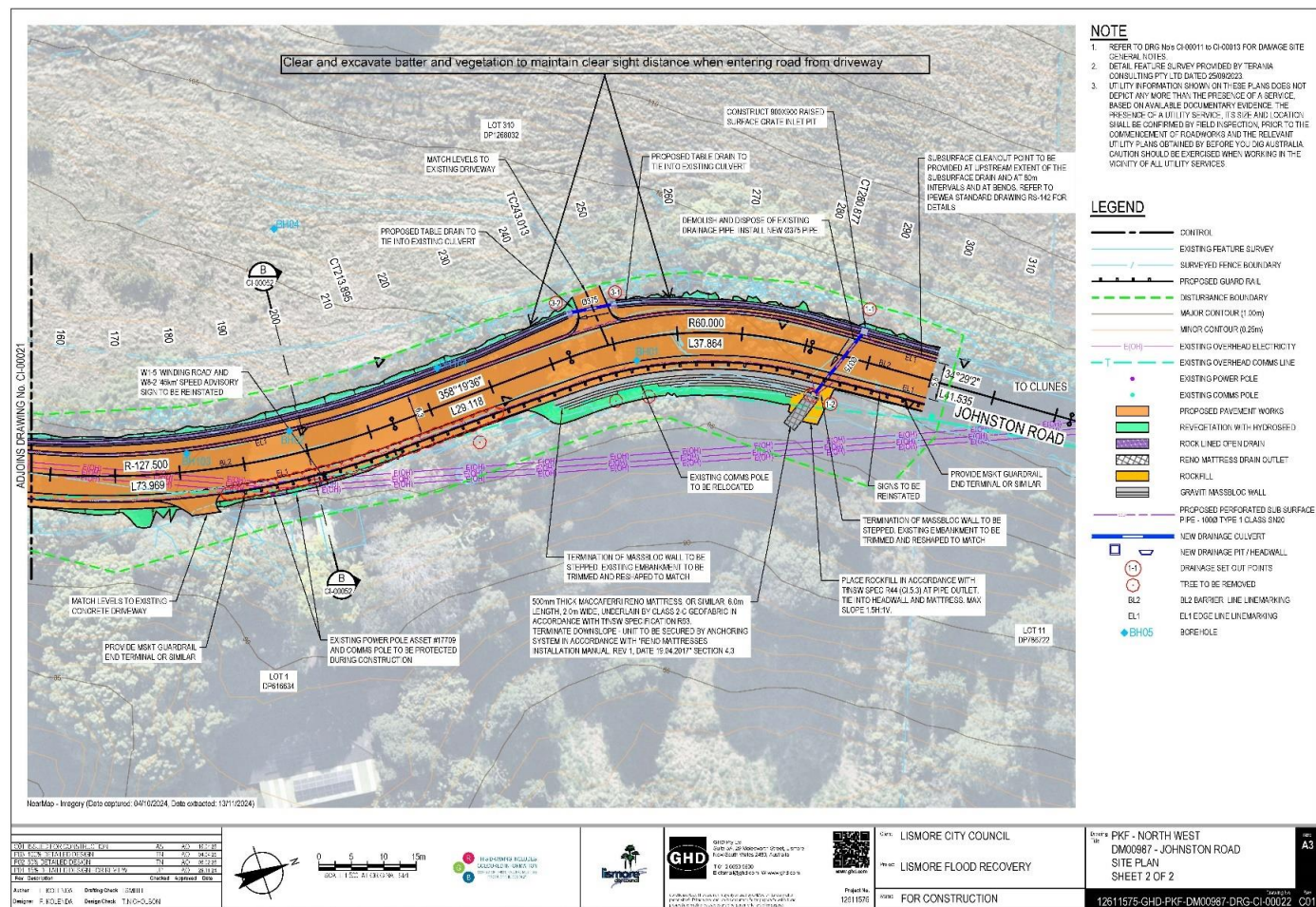


**Site Images:**



Proposed Restoration Design:





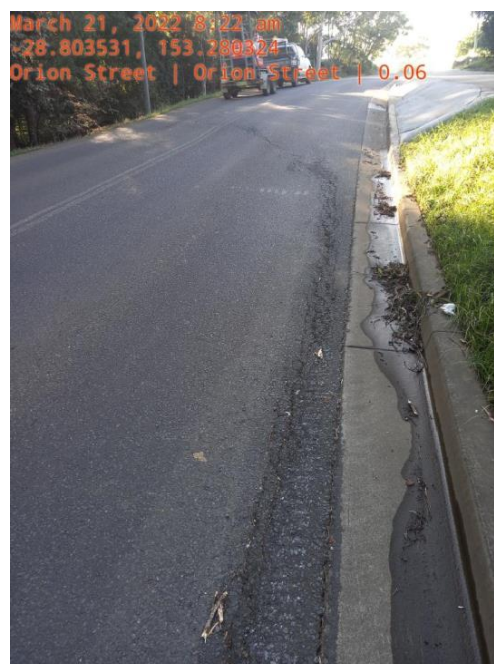


**Damage Number DP00135**

Property Proposed for Partial Acquisition:

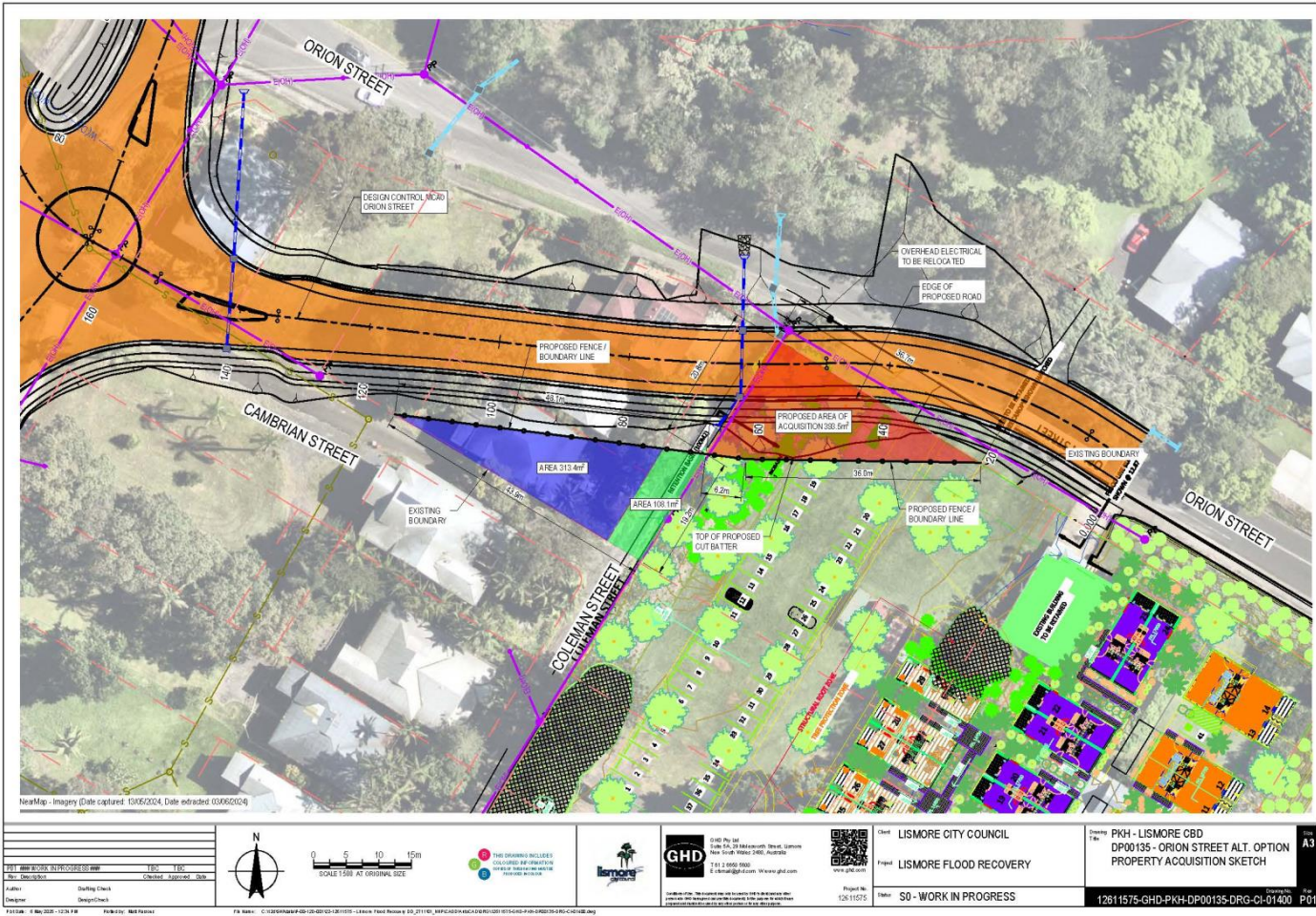


9 Orion Street, Lismore (DP 783218 Lot 1), 1 Coleman Street (DP 536704 Lot 1),  
3 Coleman Street (DP 705753 Lot 1), 5 Coleman Street (DP 744465 Lot 3),  
2 Cambrian Street (DP 542561 Lot 8), 4 Cambrian Street (DP 536743 Lot 5)

**Site Images:**



Proposed Restoration Design:





Lismore City Council

# CODE OF MEETING PRACTICE

Date of Adoption:

Version DRAFT 2.0

## Version Control

VERSION	DESCRIPTION	APPROVAL	APPROVAL DATE
DRAFT	Code of Meeting Practice – Council Meeting August 2022		
DRAFT	Code of Meeting Practice – Public Exhibition Draft		
ADOPTED	Code of Meeting Practice – Adopted	Council	11 October 2022
DRAFT	Code of Meeting Practice – Public Exhibition Draft 3.16(a)		
1.1	Code of Meeting Practice – Adopted October 2023 clause 3.16(a)	Council	10 October 2023
1.2	Code of Meeting Practice – Adopted November 2023 clause 4.1	Council	21 November 2023
DRAFT	Code of Meeting Practice – Public Exhibition Draft 3.10(a) & 3.14(a)		
DRAFT 1.3	Code of Meeting Practice – Public Exhibition Draft New council term		
1.3	Code of Meeting Practice – Adopted February 2025	Council	11 February 2025
DRAFT 1.4	Code of Meeting Practice – Public Exhibition Draft Change to 18.3		
DRAFT 2.0	Code of Meeting Practice – Public Exhibition Comply with new Model Code		



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## 1 INTRODUCTION

Lismore City Council's Code of Meeting Practice (the Code) is based on the Model Code of Meeting Practice for Local Councils in NSW (the Model Meeting Code) is made under section 360 of the *Local Government Act 1993* (the Act) and the *Local Government (General) Regulation 2021* (the Regulation).

The Code applies to all meetings of councils and committees of council of which all the members are councillors (committees of council). Council committees whose members include persons other than councillors may adopt their own rules for meetings unless the council determines otherwise.

Councils must adopt a code of meeting practice that incorporates the mandatory provisions of the Model Meeting Code. This Code meets those requirements.

The Code may also incorporate the non-mandatory provisions of the Model Meeting Code and other supplementary provisions. However, a code of meeting practice adopted by a council must not contain provisions that are inconsistent with the mandatory provisions of the Model Meeting Code. This Code meets those requirements. Provisions used throughout the Code are shown below:

Provision	Explanation	Identified by:
Mandatory	Provisions which must be included in the Code	No symbol
Optional	Provisions suggested by OLG which may be included in the Code	◆
Supplementary	Additional provisions drafted by Council to meet organisational needs.	♠

A council and a committee of the council of which all the members are councillors must conduct its meetings in accordance with the code of meeting practice adopted by the council.

## 2 MEETING PRINCIPLES

2.1 Council and committee meetings should be:

*Transparent:* Decisions are made in a way that is open and accountable.

*Informed:* Decisions are made based on relevant, quality information.

*Inclusive:* Decisions respect the diverse needs and interests of the local community.

*Principled:* Decisions are informed by the principles prescribed under Chapter 3 of the Act.

*Trusted:* The community has confidence that councillors and staff act ethically and make decisions in the interests of the whole community.

*Respectful:* Councillors, staff and meeting attendees treat each other with respect.

*Effective:* Meetings are well organised, effectively run and skillfully chaired.

*Orderly:* Councillors, staff and meeting attendees behave in a way that contributes to the orderly conduct of the meeting.

**Note: The Office of Local Government has issued a guideline on free speech in local government in NSW. The Guideline provides practical guidance to councils on what free speech means in the context of NSW local government, including in relation to council meetings. The Guidelines have been issued under section 23A of the Act meaning councils must consider them when exercising their functions at meetings.**

### 3 BEFORE THE MEETING

#### Timing of ordinary council meetings

- 3.1 The council shall, by resolution, set the frequency, time, date and place of its ordinary meetings.

**Note: Under section 365 of the Act, councils are required to meet at least ten (10) times each year, each time in a different month unless the Minister for Local Government has approved a reduction in the number of times that a council is required to meet each year under section 365A.**

#### Extraordinary meetings

- 3.2 If the mayor receives a request in writing, signed by at least two (2) councillors, the mayor must call an extraordinary meeting of the council to be held as soon as practicable, but in any event, no more than fourteen (14) days after receipt of the request. The mayor can be one of the two councillors requesting the meeting.

**Note: Clause 3.2 reflects section 366 of the Act.**

- 3.3 The mayor may call an extraordinary meeting without the need to obtain the signature of two (2) councillors.

#### Notice to the public of council meetings

- 3.4 The council must give notice to the public of the time, date and place of each of its meetings, including extraordinary meetings and of each meeting of committees of the council.

**Note: Clause 3.4 reflects section 9(1) of the Act.**

- 3.5 For the purposes of clause 3.4, notice of a meeting of the council and of a committee of council is to be published before the meeting takes place. The notice must be published on the council's website, and in such other manner that the council is satisfied is likely to bring notice of the meeting to the attention of as many people as possible.

- 3.6 For the purposes of clause 3.4, notice of more than one (1) meeting may be given in the same notice.

#### Notice to councillors of ordinary council meetings

- 3.7 The general manager must send to each councillor, at least three (3) days before each meeting of the council, a notice specifying the time, date and place at which the meeting is to be held, and the business proposed to be considered at the meeting.

**Note: Clause 3.7 reflects section 367(1) of the Act.**

- 3.8 The notice and the agenda for, and the business papers relating to, the meeting may be given to councillors in electronic form, but only if all councillors have facilities to access the notice, agenda and business papers in that form.

**Note: Clause 3.8 reflects section 367(3) of the Act.**

**Notice to councillors of extraordinary meetings**

- 3.9 Notice of less than three (3) days may be given to councillors of an extraordinary meeting of the council in cases of emergency.

**Note: Clause 3.9 reflects section 367(2) of the Act.**

**Giving notice of business to be considered at council meetings**

- 3.10 A councillor may give notice of any business they wish to be considered by the council at its next ordinary meeting by way of a notice of motion. To be included on the agenda of the meeting, the notice of motion must be in writing and must be submitted eleven\* (11) business days before the meeting is to be held.
- ♠ (a) A councillor may submit no more than three (3) notices of motion to be considered at each Ordinary meeting of the Council.
- 3.11 A councillor may, in writing to the general manager, request the withdrawal of a notice of motion submitted by them prior to its inclusion in the agenda and business paper for the meeting at which it is to be considered.

**Questions with notice**

- 3.12 A councillor may, by way of a notice submitted under clause 3.10, ask a question for response by the general manager about the performance or operations of the council.
- ♠ (a) A councillor may submit no more than three (3) questions with notice for response at each Ordinary meeting of the Council.
- 3.13 A councillor is not permitted to ask a question with notice under clause 3.12 that would constitute an act of disorder.
- 3.14 The general manager or their nominee may respond to a question with notice submitted under clause 3.12 by way of a report included in the business papers for the relevant meeting of the council or orally at the meeting:
- ♠ (a) Any response provided to a question with notice submitted under clause 3.16 will be included in the minutes of the meeting. In the case of an oral response a transcript of the response is to be included on the minutes.

**Agenda and business papers for ordinary meetings**

- 3.15 The general manager must cause the agenda for a meeting of the council or a committee of the council to be prepared as soon as practicable before the meeting.
- ♠ Subject to unforeseen circumstances, the General Manager will endeavour to cause the business paper to be provided to Councillors no later than 1 week prior to the scheduled Ordinary Council meeting.
- 3.16 The general manager must ensure that the agenda for an ordinary meeting of the council states:
- (a) all matters to be dealt with arising out of the proceedings of previous meetings of the council, and
  - (b) if the mayor is the chairperson – any matter or topic that the chairperson proposes, at the time when the agenda is prepared, to put to the meeting, and
  - (c) all matters, including matters that are the subject of staff reports and reports of committees, to be considered at the meeting, and
  - (d) any business of which due notice has been given under clause 3.10.

- 3.17 Nothing in clause 3.16 limits the powers of the mayor to put a mayoral minute to a meeting under clause 9.7.
- 3.18 The general manager must not include in the agenda for a meeting of the council any business of which due notice has been given if, in the opinion of the general manager, the business is, or the implementation of the business would be, unlawful. The general manager must report, without giving details of the item of business, any such exclusion to the next meeting of the council.
- 3.19 Where the agenda includes the receipt of information or discussion of other matters that, in the opinion of the general manager, is likely to take place when the meeting is closed to the public, the general manager must ensure that the agenda of the meeting:
- (a) identifies the relevant item of business and indicates that it is of such a nature (without disclosing details of the information to be considered when the meeting is closed to the public), and
  - (b) states the grounds under section 10A(2) of the Act relevant to the item of business.

**Note: Clause 3.19 reflects section 9(2A)(a) of the Act.**

- 3.20 The general manager must ensure that the details of any item of business which, in the opinion of the general manager, is likely to be considered when the meeting is closed to the public, are included in a business paper provided to councillors for the meeting concerned. Such details must not be included in the business papers made available to the public and must not be disclosed by a councillor or by any other person to another person who is not authorised to have that information.

#### **Availability of the agenda and business papers to the public**

- 3.21 Copies of the agenda and the associated business papers, such as correspondence and reports for meetings of the council and committees of council, are to be published on the council's website, and must be made available to the public for inspection, or for taking away by any person free of charge at the offices of the council, at the relevant meeting and at such other venues determined by the council.

**Note: Clause 3.21 reflects section 9(2) and (4) of the Act.**

- 3.22 Clause 3.21 does not apply to the business papers for items of business that the general manager has identified under clause 3.19 as being likely to be considered when the meeting is closed to the public.

**Note: Clause 3.22 reflects section 9(2A)(b) of the Act.**

- 3.23 For the purposes of clause 3.21, copies of agendas and business papers must be published on the council's website and made available to the public at a time that is as close as possible to the time they are available to councillors.

**Note: Clause 3.23 reflects section 9(3) of the Act.**

- 3.24 A copy of an agenda, or of an associated business paper made available under clause 3.24, may in addition be given or made available in electronic form unless the council determines otherwise.

**Note: Clause 3.24 reflects section 9(5) of the Act.**

#### **Agenda and business papers for extraordinary meetings**

- 3.25 The council must ensure that the agenda for an extraordinary meeting of the council deals only with the matters stated in the notice of the meeting.

- 3.26 Nothing in clause 3.25 limits the powers of the mayor to put a mayoral minute to an extraordinary meeting without notice under clause 9.7.
- 3.27 Despite clause 3.25, business may be considered at an extraordinary meeting of the council at which all councillors are present, even though due notice has not been given of the business, if the council resolves to deal with the business on the grounds that it is urgent and requires a decision by the council before the next scheduled ordinary meeting of the council. A resolution adopted under this clause must state the reasons for the urgency.
- 3.28 A motion moved under clause 3.27 can be moved without notice but only after the business notified in the agenda for the extraordinary meeting has been dealt with. Despite any other provision of this code, only the mover of a motion moved under clause 3.27, and the chairperson, if they are not the mover of the motion, can speak to the motion before it is put.
- 3.29 If all councillors are not present at the extraordinary meeting, the council may only deal with business at the meeting that councillors have not been given due notice of, where a resolution is adopted in accordance with clause 3.27 and the chairperson also rules that the business is urgent and requires a decision by the council before the next scheduled ordinary meeting.
- 3.30 A motion of dissent cannot be moved against a ruling of the chairperson under clause 3.29 on whether a matter is urgent.

#### **Prohibition of pre-meeting briefing sessions**

- 3.31 Briefing sessions must not be held to brief councillors on business listed on the agenda for meetings of the council or committees of the council.

**Note: The prohibition on the holding of briefing sessions under clause 3.31 reflects the intent of Chapter 4, Part 1 of the Act which requires business of the council to be conducted openly and transparently at a formal meeting of which due notice has been given and to which the public has access. Pre-meeting briefing sessions are inconsistent with the principles of transparency, accountability and public participation and have the potential to undermine confidence in the proper and lawful decision-making processes of the council.**

- 3.32 Nothing in clause 3.31 prevents a councillor from requesting information from the general manager about a matter to be considered at a meeting, provided the information is also available to the public. Information requested under this clause must be provided in a way that does not involve any discussion of the information.

## **4 PUBLIC FORUMS**

### **Public Access Session – Addressing Council on an Agenda Item**

- 4.1 The council may hold a public forum prior to meetings of the council and committees of the council for the purpose of hearing oral submissions from members of the public on items of business to be considered at the meeting. Public forums may also be held prior to meetings of other committees of the council. Public Access will begin one (1) hour before the scheduled start of the meeting.
- 4.2 The council may determine the rules under which public forums are to be conducted and when they are to be held.
- 4.3 The provisions of this code requiring the livestreaming of meetings also apply to public forums.

- 4.4 ♠ Public forums may be held by audio-visual link at the discretion of the mayor .
- 4.5 ♠ Public forums are to be chaired by the mayor or their nominee.
- 4.6 ♠ To speak at public access, a person must first make an application to the council in the approved form. Applications to speak at the public forum must be received by 4pm the day before the Council meeting and must identify the item of business on the agenda of the council meeting the person wishes to speak on, and whether they wish to speak 'for' or 'against' the item.
- 4.7 ♠ A person may apply to speak on no more than three (3) items of business on the agenda of the council meeting.
- 4.8 ♠ Legal representatives acting on behalf of others are not to be permitted to speak at a public forum unless they identify their status as a legal representative when applying to speak at a public forum.
- 4.9 ♠ The general manager or their delegate may refuse an application to speak at a public forum. The general manager or their delegate must give reasons in writing for a decision to refuse an application.
- 4.10 ♠ No more than two (2) speakers are to be permitted to speak 'for' and two (2) speakers 'against' each item of business on the agenda for the council meeting.
- 4.11 ♠ If more than the permitted number of speakers apply to speak 'for' or 'against' any item of business, the general manager or their delegate may request the speakers to nominate from among themselves the persons who are to address the council on the item of business. If the speakers are not able to agree on whom to nominate to address the council, the general manager or their delegate is to determine who will address the council at public access.
- 4.12 ♠ If more than the permitted number of speakers apply to speak 'for' or 'against' any item of business, the general manager or their delegate may, in consultation with the mayor or the mayor's nominated chairperson, increase the number of speakers permitted to speak on an item of business, where they are satisfied that it is necessary to do so to allow the council to hear a fuller range of views on the relevant item of business.
- 4.13 ♠ Approved speakers at a public access are to register with the council any written, visual or audio material to be presented in support of their address to the council at the public forum, and to identify any equipment needs by 4pm the day before the scheduled start time of the Council meeting. The general manager or their delegate may refuse to allow such material to be presented.
- 4.14 ♠ The general manager or their delegate is to determine the order of speakers at public access. There will be a maximum of ten (10) speakers at any one public access session.
- 4.15 ♠ Each speaker will be allowed three (3) minutes to address the council. This time is to be strictly enforced by the chairperson.
- 4.16 ♠ Speakers at public access must not digress from the item on the agenda of the council meeting they have applied to address the council on. If a speaker digresses to irrelevant matters, the chairperson is to direct the speaker not to do so. If a speaker fails to observe a direction from the chairperson, the speaker will not be further heard.
- 4.17 ♠ A councillor (including the chairperson) may, through the chairperson, ask questions of a speaker following their address at public access. Questions put to a speaker must be direct, succinct and without argument.



- 4.18 ♠ Speakers are under no obligation to answer a question put under clause 4.17. Answers by the speaker, to each question are to be limited to one (1) minute.
- 4.19 ♠ Speakers at public access cannot ask questions of the council, councillors, or council staff.
- 4.20 ♠ The general manager or their nominee may, with the concurrence of the chairperson, address the council for up to four (4) minutes in response to an address to the council at a public forum after the address and any subsequent questions and answers have been finalised.
- 4.21 ♠ Where an address made at a public forum raises matters that require further consideration by council staff, the general manager may recommend that the council defer consideration of the matter pending the preparation of a further report on the matters.
- 4.22 ♠ When addressing the council, speakers at a public forum must comply with this code and all other relevant council codes, policies, and procedures. Speakers must refrain from engaging in disorderly conduct, publicly alleging breaches of the council's code of conduct or making other potentially defamatory statements.
- 4.23 ♠ If the chairperson considers that a speaker at a public forum has engaged in conduct of the type referred to in clause 4.22, the chairperson may request the person to refrain from the inappropriate behaviour and to withdraw and unreservedly apologise for any inappropriate comments. Where the speaker fails to comply with the chairperson's request, the chairperson may immediately require the person to stop speaking.
- 4.24 ♠ Clause 4.23 does not limit the ability of the chairperson to deal with disorderly conduct by speakers at public forums in accordance with the provisions of Part 15 of this code.
- 4.25 ♠ Where a speaker engages in conduct of the type referred to in clause 4.22, the general manager or their delegate may refuse further applications from that person to speak at public forums for such a period as the general manager or their delegate considers appropriate.
- 4.26 ♠ Councillors (including the mayor) must declare and manage any conflicts of interest they may have in relation to any item of business that is the subject of an address at a public forum, in the same way that they are required to do so at a council or committee meeting. The council is to maintain a written record of all conflict of interest declarations made at public forums and how the conflict of interest was managed by the councillor who made the declaration.

## 5 COMING TOGETHER

### Attendance by councillors at meetings

- 5.1 All councillors must make reasonable efforts to attend meetings of the council and of committees of the council of which they are members.

**Note: A councillor may not attend a meeting as a councillor (other than the first meeting of the council after the councillor is elected or a meeting at which the councillor takes an oath or makes an affirmation of office) until they have taken an oath or made an affirmation of office in the form prescribed under section 233A of the Act.**

- 5.2 The council may determine standards of dress for councillors when attending meetings.
- 5.3 A councillor cannot participate in a meeting of the council or of a committee of the council unless personally present at the meeting, unless permitted to attend the meeting by audio-visual link under this code.
- 5.4 Omitted (*applies to joint organisations*)



- 5.5 Where a councillor is unable to attend one or more meetings of the council or committees of the council, the councillor should submit an apology for the meetings they are unable to attend, state the reasons for their absence from the meetings and request that the council grant them a leave of absence from the relevant meetings.
- 5.6 The council must not act unreasonably when considering whether to grant a councillor's request for a leave of absence.
- 5.7 Where a councillor makes an apology under clause 5.5, the council must determine by resolution whether to grant the councillor a leave of absence for the meeting for the purposes of section 234(1)(d) of the Act. If the council resolves not to grant a leave of absence for the meeting, it must state the reasons for its decision in its resolution.
- 5.8 A councillor's civic office will become vacant if the councillor is absent from three (3) consecutive ordinary meetings of the council without prior leave of the council, or leave granted by the council at any of the meetings concerned, unless the holder is absent because they have been suspended from office under the Act, or because the council has been suspended under the Act, or as a consequence of a compliance order under section 438HA.

**Note: Clause 5.8 reflects section 234(1)(d) of the Act.**

### **The quorum for a meeting**

- 5.9 The quorum for a meeting of the council is a majority of the councillors of the council who hold office at that time and are not suspended from office.

**Note: Clause 5.9 reflects section 368(1) of the Act.**

- 5.10 Clause 5.9 does not apply if the quorum is required to be determined in accordance with directions of the Minister in a performance improvement order issued in respect of the council.

**Note: Clause 5.10 reflects section 368(2) of the Act.**

- 5.11 A meeting of the council must be adjourned if a quorum is not present:
- a) at the commencement of the meeting where the number of apologies received for the meeting indicates that there will not be a quorum for the meeting, or
  - b) within half an hour after the time designated for the holding of the meeting, or
  - c) at any time during the meeting.
- 5.12 In either case, the meeting must be adjourned to a time, date and place fixed:
- a) by the chairperson, or
  - b) in the chairperson's absence, by the majority of the councillors present, or
  - c) failing that, by the general manager.
- 5.13 The general manager must record in the council's minutes the circumstances relating to the absence of a quorum (including the reasons for the absence of a quorum) at or arising during a meeting of the council, together with the names of the councillors present.
- 5.14 Where, prior to the commencement of a meeting, it becomes apparent that a quorum may not be present at the meeting, or that the health, safety or welfare of councillors, council staff and members of the public may be put at risk by attending the meeting because of a natural disaster or a public health emergency, the mayor may, in consultation with the general manager and, as far as is practicable, with each councillor, cancel the meeting. Where a meeting is cancelled, notice of the cancellation must be published on the council's website and in such other manner that the council is satisfied is likely to bring notice of the cancellation to the attention of as many people as possible.

- 5.15 Where a meeting is cancelled under clause 5.14, the business to be considered at the meeting may instead be considered, where practicable, at the next ordinary meeting of the council or at an extraordinary meeting called under clause 3.3.

### **Meetings held by audio-visual**

- 5.16 A meeting of the council or a committee of the council may be held by audio-visual link where the mayor determines that the meeting should be held by audio-visual link because of a natural disaster or a public health emergency. The mayor may only make a determination under this clause where they are satisfied that attendance at the meeting may put the health and safety of councillors and staff at risk. The mayor must make a determination under this clause in consultation with the general manager and, as far as is practicable, with each councillor.
- 5.17 Where the mayor determines under clause 5.16 that a meeting is to be held by audio-visual link, the general manager must:
- (a) give written notice to all councillors that the meeting is to be held by audio-visual link, and
  - (b) take all reasonable steps to ensure that all councillors can participate in the meeting by audio-visual link, and
  - (c) cause a notice to be published on the council's website and in such other manner the general manager is satisfied will bring it to the attention of as many people as possible, advising that the meeting is to be held by audio-visual link and providing information about where members of the public may view the meeting
- 5.18 This code applies to a meeting held by audio-visual link under clause 5.16 in the same way it would if the meeting was held in person.

**Note: Where a council holds a meeting by audio-visual link under clause 5.16, it is still required under section 10 of the Act to provide a physical venue for members of the public to attend in person and observe the meeting.**

### **Attendance by councillors at meetings by audio-visual link**

- 5.19 Councillors may attend and participate in meetings of the council and committees of the council by audio-visual link with the approval of the council or the relevant committee where they are prevented from attending the meeting in person because of ill-health or other medical reasons or because of unforeseen caring responsibilities.
- 5.20 Clause 5.19 does not apply to meetings at which a mayoral election is to be held.
- 5.21 A request by a councillor for approval to attend a meeting by audio-visual link must be made in writing to the general manager prior to the meeting in question and must provide reasons why the councillor will be prevented from attending the meeting in person.
- 5.22 Councillors may request approval to attend more than one meeting by audio-visual link. Where a councillor requests approval to attend more than one meeting by audio-visual link, the request must specify the meetings the request relates to in addition to the information required under clause 5.21.
- 5.23 The council must comply with the Health Privacy Principles prescribed under the *Health Records and Information Privacy Act 2002* when collecting, holding, using and disclosing health information in connection with a request by a councillor to attend a meeting by audio-visual link.

- 5.24 A councillor who has requested approval to attend a meeting of the council or a committee of the council by audio-visual link may participate in the meeting by audio-visual link until the council or committee determines whether to approve their request and is to be taken as present at the meeting. The councillor may participate in a decision in relation to their request to attend the meeting by audio-visual link.
- 5.25 A decision whether to approve a request by a councillor to attend a meeting of the council or a committee of the council by audio-visual link must be made by a resolution of the council or the committee concerned. The resolution must state the meetings the resolution applies to.
- 5.26 If the council or committee refuses a councillor's request to attend a meeting by audio-visual link, their link to the meeting is to be terminated.
- 5.27 A decision whether to approve a councillor's request to attend a meeting by audio-visual link is at the council's or the relevant committee's discretion. The council and committees of the council must act reasonably when considering requests by councillors to attend meetings by audio-visual link.
- 5.28 The council and committees of the council may refuse a councillor's request to attend a meeting by audio-visual link where the council or committee is satisfied that the councillor has failed to appropriately declare and manage conflicts of interest, observe confidentiality or to comply with this code on one or more previous occasions they have attended a meeting of the council or a committee of the council by audio-visual link.
- 5.29 This code applies to a councillor attending a meeting by audio-visual link in the same way it would if the councillor was attending the meeting in person. Where a councillor is permitted to attend a meeting by audio-visual link under this code, they are to be taken as attending the meeting in person for the purposes of the code and will have the same voting rights as if they were attending the meeting in person.
- 5.30 A councillor must give their full attention to the business and proceedings of the meeting when attending a meeting by audio-visual link. The councillor's camera must be on at all times during the meeting except as may be otherwise provided for under this code.
- 5.31 A councillor must be appropriately dressed when attending a meeting by audio-visual link and must ensure that no items are within sight of the meeting that are inconsistent with the maintenance of order at the meeting or that are likely to bring the council or the committee into disrepute.

### **Entitlement of the public to attend council meetings**

- 5.32 Everyone is entitled to attend a meeting of the council and committees of the council. The council must ensure that all meetings of the council and committees of the council are open to the public.

**Note: Clause 5.32 reflects section 10(1) of the Act.**

- 5.33 Clause 5.32 does not apply to parts of meetings that have been closed to the public under section 10A of the Act.

- 5.34 A person (whether a councillor or another person) is not entitled to be present at a meeting of the council or a committee of the council if expelled from the meeting:

- a) by a resolution of the meeting, or
- b) by the person presiding at the meeting if the council has, by resolution, authorised the person presiding to exercise the power of expulsion.

**Note: Clause 5.34 reflects section 10(2) of the Act.**

- 5.35 On the adoption of this code and at the commencement of each council term, the council must determine whether to authorise the person presiding at a meeting to exercise a power of expulsion.

**Note: If adopted, clauses 15.15 and 15.16 confer a standing authorisation on all chairpersons of meetings of the council and committees of the council to expel persons from meetings. If adopted, clause 15.15 authorises chairpersons to expel any person, including a councillor, from a council or committee meeting. Alternatively, if adopted, clause 15.16 authorises chairpersons to expel persons other than councillors from a council or committee meeting.**

### **Livestreaming of meetings**

- 5.36 Each meeting of the council or a committee of the council is to be recorded by means of an audio or audio-visual device.
- 5.37 At the start of each meeting of the council or a committee of the council, the chairperson must inform the persons attending the meeting that:
- (a) the meeting is being recorded and made publicly available on the council's website, and
  - (b) persons attending the meeting should refrain from making any defamatory statements.
- 5.38 The recording of a meeting is to be made publicly available on the council's website at the same time as the meeting is taking place.
- 5.39 The recording of a meeting is to be made publicly available on the council's website for at least 12 months after the meeting or for the balance of the council's term, whichever is the longer period.
- 5.40 Clauses 5.36 - 5.39 do not apply to any part of a meeting that has been closed to the public in accordance with section 10A of the Act.

**Note: Clauses 5.36 – 5.40 reflect section 236 of the Regulation.**

- 5.41 Recordings of meetings may be disposed of in accordance with the State Records Act 1998.

### **Attendance of the general manager and other staff at meetings**

- 5.42 The general manager is entitled to attend, but not to vote at, a meeting of the council or a meeting of a committee of the council of which all of the members are councillors.

**Note: Clause 5.42 reflects section 376(1) of the Act.**

- 5.43 The general manager is entitled to attend a meeting of any other committee of the council and may, if a member of the committee, exercise a vote.

**Note: Clause 5.43 reflects section 376(2) of the Act.**

- 5.44 The general manager may be excluded from a meeting of the council or a committee while the council or committee deals with a matter relating to the standard of performance of the general manager or the terms of employment of the general manager.

**Note: Clause 5.44 reflects section 376(3) of the Act.**

- 5.45 The attendance of other council staff at a meeting, (other than as members of the public) shall be determined by the general manager in consultation with the mayor.

## 6 THE CHAIRPERSON

### The chairperson at meetings

- 6.1 The mayor, or at the request of or in the absence of the mayor, the deputy mayor (if any) presides at meetings of the council.

**Note: Clause 6.1 reflects section 369(1) of the Act.**

- 6.2 If the mayor and the deputy mayor (if any) are absent, a councillor elected to chair the meeting by the councillors present presides at a meeting of the council.

**Note: Clause 6.2 reflects section 369(2) of the Act.**

### Election of the chairperson in the absence of the mayor and deputy mayor

- 6.3 If no chairperson is present at a meeting of the council at the time designated for the holding of the meeting, the first business of the meeting must be the election of a chairperson to preside at the meeting.

- 6.4 The election of a chairperson must be conducted:

- a) by the general manager or, in their absence, an employee of the council designated by the general manager to conduct the election, or
- b) by the person who called the meeting or a person acting on their behalf if neither the general manager nor a designated employee is present at the meeting, or if there is no general manager or designated employee.

- 6.5 If, at an election of a chairperson, two (2) or more candidates receive the same number of votes and no other candidate receives a greater number of votes, the chairperson is to be the candidate whose name is chosen by lot.

- 6.6 For the purposes of clause 6.5, the person conducting the election must:

- a) arrange for the names of the candidates who have equal numbers of votes to be written on similar slips, and
- b) then fold the slips so as to prevent the names from being seen, mix the slips and draw one of the slips at random.

- 6.7 The candidate whose name is on the drawn slip is the candidate who is to be the chairperson.

- 6.8 Any election conducted under clause 6.3, and the outcome of the vote, are to be recorded in the minutes of the meeting.

### Chairperson to have precedence

- 6.9 When the chairperson rises or speaks during a meeting of the council:

- a) any councillor then speaking or seeking to speak must cease speaking and, if standing, immediately resume their seat, and
- b) every councillor present must be silent to enable the chairperson to be heard without interruption.

## 7 MODES OF ADDRESS

- 7.1 Where physically able to, councillors and staff should stand when the mayor enters the chamber and when addressing the meeting.

- 7.2 If the chairperson is the mayor, they are to be addressed as 'Mr Mayor', 'Madam Mayor' or 'Mayor'.

- 7.3 If the chairperson is the deputy mayor, they are to be addressed as 'Mr Deputy Mayor', or 'Madam Deputy Mayor' or 'Deputy Mayor'.

7.4 Where the chairperson is not the mayor, they are to be addressed as either 'Mr Chairperson' or 'Madam Chairperson' or 'Chair'.

7.5 A councillor is to be addressed as 'Councillor [surname]'.

7.6 A council officer is to be addressed by Mr/Ms/Mx/Mrs [surname].

## **8 ORDER OF BUSINESS FOR ORDINARY COUNCIL MEETINGS**

8.1 At a meeting of the council, the general order of business is as fixed by resolution of the council.

8.2 The order of business as fixed under clause 8.1 may be altered for a particular meeting of the council if a motion to that effect is passed at that meeting. Such a motion can be moved without notice.

**Note: If adopted, Part 13 allows council to deal with items of business by exception.**

8.3 Despite any other provision of this code, only the mover of a motion referred to in clause 8.2 and the chairperson, if they are not the mover of the motion, can speak to the motion before it is put.

**Note: Part 13 allows council to deal with items of business by exception.**

## **9 CONSIDERATION OF BUSINESS AT COUNCIL MEETINGS**

### **Business that can be dealt with at a council meeting**

9.1 The council must not consider business at a meeting of the council:

- a) unless a councillor has given notice of the business, as required by clause 3.10, and
- b) unless notice of the business has been sent to the councillors in accordance with clause 3.7 in the case of an ordinary meeting or clause 3.9 in the case of an extraordinary meeting called in an emergency.

9.2 Clause 9.1 does not apply to the consideration of business at a meeting, if the business:

- a) is already before, or directly relates to, a matter that is already before the council, or
- b) is the election of a chairperson to preside at the meeting, or
- c) is a matter or topic put to the meeting by way of a mayoral minute, or
- d) is a motion for the adoption of recommendations of a committee of the council.

9.3 Despite clause 9.1, business may be considered at a meeting of the council at which all councillors are present even though due notice has not been given of the business to councillors, if the council resolves to deal with the business on the grounds that it is urgent and requires a decision by the council before the next scheduled ordinary meeting. A resolution adopted under this clause must state the reasons for the urgency.

9.4 A motion moved under clause 9.3 can be moved without notice. Despite any other provision of this code, only the mover of a motion referred to in clause 9.3 and the chairperson, if they are not the mover of the motion, can speak to the motion before it is put.

9.5 If all councillors are not present at a meeting, the council may only deal with business at the meeting that councillors have not been given due notice of, where a resolution is adopted in accordance with clause 9.3, and the chairperson also rules that the business is urgent and requires a decision by the council before the next scheduled ordinary meeting.



- 9.6 A motion of dissent cannot be moved against a ruling by the chairperson under clause 9.5.

### **Mayoral minutes**

- 9.7 The mayor may, by minute signed by the mayor, put to the meeting without notice any matter or topic that the mayor determines should be considered at the meeting.
- 9.8 A mayoral minute, when put to a meeting, takes precedence over all business on the council's agenda for the meeting. The mayor may move the adoption of a mayoral minute without the motion being seconded.
- 9.9 A recommendation made in a mayoral minute put by the mayor is, so far as it is adopted by the council, a resolution of the council.

### **Staff reports**

- 9.10 A recommendation made in a staff report is, so far as it is adopted by the council, a resolution of the council.

### **Reports of committees of council**

- 9.11 The recommendations of a committee of the council are, so far as they are adopted by the council, resolutions of the council.
- 9.12 If in a report of a committee of the council distinct recommendations are made, the council may make separate decisions on each recommendation.

### **Questions**

- 9.13 A question must not be asked at a meeting of the council unless it concerns a matter on the agenda of the meeting or notice has been given of the question in accordance with clauses 3.10 and 3.12, unless the council determines otherwise in accordance with this code.
- 9.14 A councillor may, through the chairperson, put a question to another councillor about a matter on the agenda.
- 9.15 A councillor may, through the mayor, ask the general manager about a matter on the agenda. The general manager may request another council employee to answer the question.
- 9.16 A councillor or council employee to whom a question is put is entitled to be given reasonable notice of the question and, in particular, sufficient notice to enable reference to be made to other persons or to information. Where a councillor or council employee to whom a question is put is unable to respond to the question at the meeting at which it is put, they may take it on notice and report the response to the next meeting of the council.
- 9.17 Councillors must put questions directly, succinctly, respectfully and without argument.
- 9.18 The chairperson must not permit discussion on any reply to, or refusal to reply to, a question put to a councillor or council employee.

## **10 RULES OF DEBATE**

### **Motions to be seconded**

- 10.1 Unless otherwise specified in this code, a motion or an amendment cannot be debated unless or until it has been seconded.

**Notices of motion**

- 10.2 A councillor who has submitted a notice of motion under clause 3.10 is to move the motion the subject of the notice of motion at the meeting at which it is to be considered.
- 10.3 If a councillor who has submitted a notice of motion under clause 3.10 wishes to withdraw it they may request its withdrawal at any time. If the notice of motion is withdrawn after the agenda and business paper for the meeting at which it is to be considered have been sent to councillors, the chairperson is to note the withdrawal of the notice of motion at the meeting unless the council determines to consider the notice of motion at the meeting.
- 10.4 In the absence of a councillor who has placed a notice of motion on the agenda for a meeting of the council:
- a) any other councillor may, with the leave of the chairperson, move the motion at the meeting, or
  - b) the chairperson may defer consideration of the motion until the next meeting of the council.

**Chairperson's duties with respect to motions**

- 10.5 It is the duty of the chairperson at a meeting of the council to receive and put to the meeting any lawful motion that is brought before the meeting.
- 10.6 The chairperson must rule out of order any motion or amendment to a motion that is unlawful or the implementation of which would be unlawful.
- 10.7 Before ruling out of order a motion or an amendment to a motion under clause 10.6, the chairperson is to give the mover an opportunity to clarify or amend the motion or amendment.

**Amendments to motions**

- 10.8 An amendment to a motion must be moved and seconded before it can be debated.
- 10.9 An amendment to a motion must relate to the matter being dealt with in the original motion before the council and must not be a direct negative of the original motion. An amendment to a motion which does not relate to the matter being dealt with in the original motion, or which is a direct negative of the original motion, must be ruled out of order by the chairperson.
- 10.10 The mover of an amendment is to be given the opportunity to explain any uncertainties in the proposed amendment before a seconder is called for.
- 10.11 If an amendment has been lost, a further amendment can be moved to the motion to which the lost amendment was moved, and so on, but no more than one (1) motion and one (1) proposed amendment can be before council at any one time.
- 10.12 While an amendment is being considered, debate must only occur in relation to the amendment and not the original motion. Debate on the original motion is to be suspended while the amendment to the original motion is being debated.
- 10.13 If the amendment is carried, it becomes the motion and is to be debated. If the amendment is lost, debate is to resume on the original motion.
- 10.14 An amendment may become the motion without debate or a vote where it is accepted by the councillor who moved the original motion.



**Limitations on the number and duration of speeches**

- 10.15 A councillor who, during a debate at a meeting of the council, moves an original motion, has the right to speak on each amendment to the motion and a right of general reply to all observations that are made during the debate in relation to the motion, and any amendment to it at the conclusion of the debate before the motion (whether amended or not) is finally put.
- 10.16 A councillor, other than the mover of an original motion, has the right to speak once on the motion and once on each amendment to it.
- 10.17 A councillor must not, without the consent of the council, speak more than once on a motion or an amendment, or for longer than five (5) minutes at any one time.
- 10.18 Despite clause 10.17, the chairperson may permit a councillor who claims to have been misrepresented or misunderstood to speak more than once on a motion or an amendment, and for longer than five (5) minutes on that motion or amendment to enable the councillor to make a statement limited to explaining the misrepresentation or misunderstanding.
- 10.19 Despite clauses 10.15 and 10.16, a councillor may move that a motion or an amendment be now put:
- a) if the mover of the motion or amendment has spoken in favour of it and no councillor expresses an intention to speak against it, or
  - b) if at least two (2) councillors have spoken in favour of the motion or amendment and at least two (2) councillors have spoken against it.
- 10.20 The chairperson must immediately put to the vote, without debate, a motion moved under clause 10.19. A seconder is not required for such a motion.
- 10.21 If a motion that the original motion or an amendment be now put is passed, the chairperson must, without further debate, put the original motion or amendment to the vote immediately after the mover of the original motion has exercised their right of reply under clause 10.15.
- 10.22 If a motion that the original motion or an amendment be now put is lost, the chairperson must allow the debate on the original motion or the amendment to be resumed.
- 10.23 All councillors must be heard without interruption and all other councillors must, unless otherwise permitted under this code, remain silent while another councillor is speaking.
- 10.24 Once the debate on a matter has concluded and a matter has been dealt with, the chairperson must not allow further debate on the matter.
- 10.25 Clause 10.24 does not prevent a further motion from being moved on the same item of business where the original motion is lost provided the motion is not substantially the same as the one that is lost.

**Participation by non-voting representatives in joint organisation board meetings**

- 10.26 Omitted

**11 VOTING****Voting entitlements of councillors**

- 11.1 Each councillor is entitled to one (1) vote.

**Note: Clause 11.1 reflects section 370(1) of the Act.**

- 11.2 The person presiding at a meeting of the council has, in the event of an equality of votes, a second or casting vote.

**Note: Clause 11.2 reflects section 370(2) of the Act.**

- 11.3 Where the chairperson declines to exercise, or fails to exercise, their second or casting vote, in the event of an equality of votes, the motion being voted upon is lost.

- 11.4 Omitted (*applies to joint organisations*)

### **Voting at council meetings**

- 11.5 A councillor who is present at a meeting of the council but who fails to vote on a motion put to the meeting is taken to have voted against the motion.

- 11.6 Omitted (not required as clause 11.11 is adopted)

- 11.7 Omitted (not required as clause 11.11 is adopted)

- 11.8 Omitted (not required as clause 11.11 is adopted)

- 11.9 Omitted (not required as clause 11.11 is adopted)

- 11.10 Voting at a meeting, including voting in an election at a meeting, is to be by open means (such as on the voices, by show of hands or by a visible electronic voting system). However, the council may resolve that the voting in any election by councillors for mayor or deputy mayor is to be by secret ballot.

- 11.11 ♦ All voting at council meetings, (including meetings that are closed to the public), must be recorded in the minutes of meetings with the names of councillors who voted for and against each motion or amendment, (including the use of the casting vote), being recorded.

**Note: If clause 11.11 is adopted, clauses 11.6 – 11.9 and clause 11.15 may be omitted.**

### **Voting on planning decisions**

- 11.12 The council or a council committee must not make a final planning decision without receiving a staff report containing an assessment and recommendation in relation to the matter put before the council for a decision.

- 11.13 Where the council or a council committee makes a planning decision that is inconsistent with the recommendation made in a staff report, it must provide reasons for its decision and why it did not adopt the staff recommendation.

- 11.14 The general manager must keep a register containing, for each planning decision made at a meeting of the council or a council committee (including, but not limited to a committee of the council), the names of the councillors who supported the decision and the names of any councillors who opposed (or are taken to have opposed) the decision.

- 11.15 Omitted (not required as clause 11.11 is adopted)

- 11.16 Each decision recorded in the register is to be described in the register or identified in a manner that enables the description to be obtained from another publicly available document.

- 11.17 Clauses 11.14–11.16 apply also to meetings that are closed to the public.

**Note: Clauses 11.14–11.17 reflect section 375A of the Act.**

**Note: The requirements of clause 11.14 may be satisfied by maintaining a register of the minutes of each planning decision.**

## 12 COMMITTEE OF THE WHOLE

- 12.1 The council may resolve itself into a committee to consider any matter before the council.

**Note: Clause 12.1 reflects section 373 of the Act.**

- 12.2 All the provisions of this code relating to meetings of the council, so far as they are applicable, extend to and govern the proceedings of the council when in committee of the whole, except the provisions limiting the number and duration of speeches and encouraging councillors and staff to stand when addressing the meeting.

**Note: Clauses 10.15–10.25 limit the number and duration of speeches.**

**Note: Clause 7.1 encourages councillors and staff to stand when addressing the meeting where they can.**

- 12.3 The general manager or, in the absence of the general manager, an employee of the council designated by the general manager, is responsible for reporting to the council the proceedings of the committee of the whole. It is not necessary to report the proceedings in full, but any recommendations of the committee must be reported.
- 12.4 The council must ensure that a report of the proceedings (including any recommendations of the committee) is recorded in the council's minutes. However, the council is not taken to have adopted the report until a motion for adoption has been made and passed.

## 13 DEALING WITH ITEMS BY EXCEPTION

- 13.1 ♦ The council or a committee of council may, at any time, resolve to adopt multiple items of business on the agenda together by way of a single resolution where it considers it necessary to expedite the consideration of business at a meeting.
- 13.2 ♦ Before the council or committee resolves to adopt multiple items of business on the agenda together under clause 13.1, the chairperson must list the items of business to be adopted and ask councillors to identify any individual items of business listed by the chairperson that they intend to vote against the recommendation made in the business paper or that they wish to speak on.
- 13.3 ♦ The council or committee must not resolve to adopt any item of business under clause 13.1 that a councillor has identified as being one they intend to vote against the recommendation made in the business paper or to speak on.
- 13.4 ♦ Where the consideration of multiple items of business together under clause 13.1 involves a variation to the order of business for the meeting, the council or committee must resolve to alter the order of business in accordance with clause 8.2.
- 13.5 ♦ A motion to adopt multiple items of business together under clause 13.1 must identify each of the items of business to be adopted and state that they are to be adopted as recommended in the business paper.
- 13.6 ♦ Items of business adopted under clause 13.1 are to be taken to have been adopted unanimously.
- 13.7 ♦ Councillors must ensure that they declare and manage any conflicts of interest they may have in relation to items of business considered together under clause 13.1.

**14 CLOSURE OF COUNCIL MEETINGS TO THE PUBLIC****Grounds on which meetings can be closed to the public**

- 14.1 The council or a committee of the council may close to the public so much of its meeting as comprises the discussion or the receipt of any of the following types of matters:
- a) personnel matters concerning particular individuals (other than councillors),
  - b) the personal hardship of any resident or ratepayer,
  - c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business,
  - d) commercial information of a confidential nature that would, if disclosed:
    - i. prejudice the commercial position of the person who supplied it, or
    - ii. confer a commercial advantage on a competitor of the council, or
    - iii. reveal a trade secret,
  - e) information that would, if disclosed, prejudice the maintenance of law,
  - f) matters affecting the security of the council, councillors, council staff or council property,
  - g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege,
  - h) information concerning the nature and location of a place or an item of Aboriginal significance on community land,
  - i) alleged contraventions of the council's code of conduct.

**Note: Clause 14.1 reflects section 10A(1) and (2) of the Act.**

- 14.2 The council or a committee of the council may also close to the public so much of its meeting as comprises a motion to close another part of the meeting to the public.

**Note: Clause 14.2 reflects section 10A(3) of the Act.**

**Matters to be considered when closing meetings to the public**

- 14.3 A meeting is not to remain closed during the discussion of anything referred to in clause 14.1:
- a) except for so much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security, and
  - b) if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret – unless the council or committee concerned is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest.

**Note: Clause 14.3 reflects section 10B(1) of the Act.**

- 14.4 A meeting is not to be closed during the receipt and consideration of information or advice referred to in clause 14.1(g) unless the advice concerns legal matters that:
- a) are substantial issues relating to a matter in which the council or committee is involved, and
  - b) are clearly identified in the advice, and
  - c) are fully discussed in that advice.
  - d) are subject to legal professional privilege.

**Note: Clause 14.4 reflects section 10B(2) of the Act.**

- 14.5 If a meeting is closed during the discussion of a motion to close another part of the meeting to the public (as referred to in clause 14.2), the consideration of the motion must not include any consideration of the matter or information to be discussed in that other part of the meeting other than consideration of whether the matter concerned is a matter referred to in clause 14.1.

**Note: Clause 14.5 reflects section 10B(3) of the Act.**

- 14.6 For the purpose of determining whether the discussion of a matter in an open meeting would be contrary to the public interest, it is irrelevant that:
- a) a person may misinterpret or misunderstand the discussion, or
  - b) the discussion of the matter may:
    - i. cause embarrassment to the council or committee concerned, or to councillors or to employees of the council, or
    - ii. cause a loss of confidence in the council or committee

**Note: Clause 14.6 reflects section 10B(4) of the Act.**

- 14.7 In deciding whether part of a meeting is to be closed to the public, the council or committee concerned must consider any relevant guidelines issued by the Departmental Chief Executive of the Office of Local Government.

**Note: Clause 14.7 reflects section 10B(5) of the Act.**

**Notice of likelihood of closure not required in urgent cases**

- 14.8 Part of a meeting of the council, or of a committee of the council, may be closed to the public while the council or committee considers a matter that has not been identified in the agenda for the meeting under clause 3.21 as a matter that is likely to be considered when the meeting is closed, but only if:
- a) it becomes apparent during the discussion of a particular matter that the matter is a matter referred to in clause 14.1, and
  - b) the council or committee, after considering any representations made under clause 14.9, resolves that further discussion of the matter:
    - i. should not be deferred (because of the urgency of the matter), and
    - ii. should take place in a part of the meeting that is closed to the public.

**Note: Clause 14.8 reflects section 10C of the Act.**

**Representations by members of the public**

- 14.9 The council, or a committee of the council, may allow members of the public to make representations to or at a meeting, before any part of the meeting is closed to the public, as to whether that part of the meeting should be closed.

**Note: Clause 14.9 reflects section 10A(4) of the Act.**

- 14.10 A representation under clause 14.9 is to be made after the motion to close the part of the meeting is moved and seconded.
- 14.11 Despite clauses 14.9 and 14.10, the council may resolve to close the meeting to the public in accordance with this Part to hear a representation from a member of the public as to whether the meeting should be closed to consider an item of business where the representation involves the disclosure of information relating to a matter referred to in clause 14.1.

- 14.12 Where the matter has been identified in the agenda of the meeting under clause 3.21 as a matter that is likely to be considered when the meeting is closed to the public, in order to make representations under clause 14.9, members of the public must first make an application to the council in a manner determined by the council.
- a) ♣ Applications must be received by 4pm the day before the meeting at which the matter is to be considered.
  - b) ♣ No more than four (4) speakers are to be permitted to make representation under clause 14.9

#### **Expulsion of non-councillors from meetings closed to the public**

- 14.13 If a meeting or part of a meeting of the council or a committee of the council is closed to the public in accordance with section 10A of the Act and this code, any person who is not a councillor and who fails to leave the meeting when requested, may be expelled from the meeting as provided by section 10(2)(a) or (b) of the Act.
- 14.14 If any such person, after being notified of a resolution or direction expelling them from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by the council or person presiding, may, by using only such force as is necessary, remove the first-mentioned person from that place and, if necessary restrain that person from re-entering that place for the remainder of the meeting.

**Note: Failure to comply with a direction to leave a meeting is an offence under section 660 of the Act carrying a maximum penalty of 20 penalty units.**

#### **Obligations of councillors attending meetings by audio-visual link**

- 14.15 Councillors attending a meeting by audio-visual link must ensure that no other person is within sight or hearing of the meeting at any time that the meeting is closed to the public under section 10A of the Act.

#### **Information to be disclosed in resolutions closing meetings to the public**

- 14.16 The grounds on which part of a meeting is closed must be stated in the decision to close that part of the meeting and must be recorded in the minutes of the meeting. The grounds must specify the following:
- a) the relevant provision of section 10A(2) of the Act,
  - b) the matter that is to be discussed during the closed part of the meeting,
  - c) the reasons why the part of the meeting is being closed, including (if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret) an explanation of the way in which discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

**Note: Clause 14.16 reflects section 10D of the Act.**

#### **Resolutions passed at closed meetings to be made public**

- 14.17 If the council passes a resolution during a meeting, or a part of a meeting, that is closed to the public, the chairperson must make the resolution public as soon as practicable after the meeting, or the relevant part of the meeting, has ended, and the resolution must be recorded in the publicly available minutes of the meeting.
- 14.18 Resolutions passed during a meeting, or a part of a meeting that is closed to the public must be made public by the chairperson under clause 14.21 during a part of the meeting that is livestreamed where practicable.



- 14.19 The general manager must cause business papers for items of business considered during a meeting, or part of a meeting, that is closed to public, to be published on the council's website as soon as practicable after the information contained in the business papers ceases to be confidential.
- 14.20 The general manager must consult with the council and any other affected persons before publishing information on the council's website under clause 14.19 and provide reasons for why the information has ceased to be confidential.

## **15 KEEPING ORDER AT MEETINGS**

### **Points of order**

- 15.1 A councillor may draw the attention of the chairperson to an alleged breach of this code by raising a point of order. A point of order does not require a seconder.
- 15.2 A point of order must be taken immediately it is raised. The chairperson must suspend the business before the meeting and permit the councillor raising the point of order to state the provision of this code they believe has been breached. The chairperson must then rule on the point of order – either by upholding it or by overruling it.

### **Questions of order**

- 15.3 The chairperson, without the intervention of any other councillor, may call any councillor to order whenever, in the opinion of the chairperson, it is necessary to do so.
- 15.4 A councillor who claims that another councillor has committed an act of disorder, or is out of order, may call the attention of the chairperson to the matter.
- 15.5 The chairperson must rule on a question of order immediately after it is raised but, before doing so, may invite the opinion of the council.
- 15.6 The chairperson's ruling must be obeyed unless a motion dissenting from the ruling is passed.

### **Motions of dissent**

- 15.7 A councillor can, without notice, move to dissent from a ruling of the chairperson on a point of order or a question of order. If that happens, the chairperson must suspend the business before the meeting until a decision is made on the motion of dissent.
- 15.8 If a motion of dissent is passed, the chairperson must proceed with the suspended business as though the ruling dissented from had not been given. If, as a result of the ruling, any motion or business has been rejected as out of order, the chairperson must restore the motion or business to the agenda and proceed with it in due course.
- 15.9 Despite any other provision of this code, only the mover of a motion of dissent and the chairperson can speak to the motion before it is put. The mover of the motion does not have a right of general reply.

**Acts of disorder**

- 15.10 A councillor commits an act of disorder if the councillor, at a meeting of the council or a committee of the council:
- a) contravenes the Act, the Regulation or this code, or
  - b) assaults or threatens to assault another councillor or person present at the meeting, or
  - c) moves or attempts to move a motion or an amendment that has an unlawful purpose or that deals with a matter that is outside the jurisdiction of the council or the committee, or addresses or attempts to address the council or the committee on such a motion, amendment or matter, or
  - d) uses offensive or disorderly words, or
  - e) makes gestures or otherwise behaves in a way that is sexist, racist, homophobic or otherwise discriminatory, or, if the behaviour occurred in the Legislative Assembly, would be considered disorderly, or,
  - f) imputes improper motives to or unfavourably personally reflects upon any other council official, or a person present at the meeting, except by a motion, or
  - g) says or does anything that would promote disorder at the meeting or is otherwise inconsistent with maintaining order at the meeting.

**Note: Clause 15.10 reflects section 182 of the Regulation.**

**Note: The Legislative Assembly's Speaker's Guidelines state that "Members are not to use language, make gestures, or behave in any way in the Chamber that is sexist, racist, homophobic or otherwise exclusionary or discriminatory. Such conduct may be considered offensive and disorderly, in accordance with Standing Order 74".**

- 15.11 The chairperson may require a councillor:
- a) to apologise without reservation for an act of disorder referred to in clauses 15.10(a), (b), (d), (e), or (g), or
  - b) to withdraw a motion or an amendment referred to in clause 15.10(c) and, where appropriate, to apologise without reservation, or
  - c) to retract and apologise without reservation for any statement that constitutes an act of disorder referred to in clauses 15.10(d), (e), (f) or (g).

**Note: Clause 15.11 reflects section 233 of the Regulation.**

- 15.12 A failure to comply with a requirement under clause 15.11 constitutes a fresh act of disorder for the purposes of clause 15.10.
- 15.13 Where a councillor fails to take action in response to a requirement by the chairperson to remedy an act of disorder under clause 15.11 at the meeting at which the act of disorder occurred, the chairperson may require the councillor to take that action at each subsequent meeting until such time as the councillor complies with the requirement. If the councillor fails to remedy the act of disorder at a subsequent meeting, they may be expelled from the meeting under clause 15.18.

**How disorder at a meeting may be dealt with**

- 15.14 If disorder occurs at a meeting of the council, the chairperson may adjourn the meeting for a period of not more than fifteen (15) minutes and leave the chair. The council, on reassembling, must, on a question put from the chairperson, decide without debate whether the business is to be proceeded with or not. This clause applies to disorder arising from the conduct of members of the public as well as disorder arising from the conduct of councillors.

**Expulsion from meetings**

15.15 Omitted– use 15.16

15.16 ♦ All chairpersons of meetings of the council and committees of the council are authorised under this code to expel any person other than a councillor, from a council or committee meeting, for the purposes of section 10(2)(b) of the Act. Councillors may only be expelled by resolution of the council or the committee of the council.

**Note: Councils may use either clause 15.15 or clause 15.16.**

15.17 ♦ Clause 15.16 does not limit the ability of the council or a committee of the council to resolve to expel a person, including a councillor, from a council or committee meeting, under section 10(2)(a) of the Act.

15.18 A councillor may, as provided by section 10(2)(a) or (b) of the Act, be expelled from a meeting of the council for having failed to comply with a requirement under clause 15.11 or clause 15.13. The expulsion of a councillor from the meeting for that reason does not prevent any other action from being taken against the councillor for the act of disorder concerned.

**Note: Clause 15.18 reflects section 233(2) of the Regulation.**

15.19 A member of the public may, as provided by section 10(2)(a) or (b) of the Act, be expelled from a meeting of the council for engaging in or having engaged in disorderly conduct at the meeting.

15.20 Members of the public attending a meeting of the council:  
 a) must remain silent during the meeting unless invited by the chairperson to speak,  
 b) must not bring flags, signs or protest symbols to the meeting, and  
 c) must not disrupt the meeting.

15.21 Without limiting clause 15.19, a contravention of clause 15.20 or an attempt to contravene that clause, constitutes disorderly conduct for the purposes of clause 15.19. Members of the public may, as provided by section 10(2) of the Act, be expelled from a meeting for a breach of clause 15.20.

15.22 Where a councillor or a member of the public is expelled from a meeting, the expulsion and the name of the person expelled, if known, are to be recorded in the minutes of the meeting.

15.23 If a councillor or a member of the public fails to leave the place where a meeting of the council is being held immediately after they have been expelled, a police officer, or any person authorised for the purpose by the council or person presiding, may, by using such force as is reasonably necessary, remove the councillor or member of the public from that place and, if necessary, restrain the councillor or member of the public from re-entering that place for the remainder of the meeting.

**Note: Failure to comply with a direction to leave a meeting is an offence under section 660 of the Act carrying a maximum penalty of 20 penalty units.**

**How disorder by councillors attending meetings by audio-visual link may be dealt with**

15.24 Where a councillor is attending a meeting by audio-visual link, the chairperson or a person authorised by the chairperson may mute the councillor's audio link to the meeting for the purposes of enforcing compliance with this code.

15.25 If a councillor attending a meeting by audio-visual link is expelled from a meeting for an act of disorder, the chairperson of the meeting or a person authorised by the chairperson, may terminate the councillor's audio-visual link to the meeting.

**Use of mobile phones and the unauthorised recording of meetings**

- 15.26 Councillors, council staff and members of the public must ensure that mobile phones are turned to silent during meetings of the council and committees of the council.
- 15.27 A person must not live stream or use an audio recorder, video camera, mobile phone or any other device to make a recording of the proceedings of a meeting of the council or a committee of the council without the prior authorisation of the council or the committee.
- 15.28 Without limiting clause 15.19, a contravention of clause 15.27 or an attempt to contravene that clause, constitutes disorderly conduct for the purposes of clause 15.19. Any person who contravenes or attempts to contravene clause 15.27, may as provided for under section 10(2) of the Act, be expelled from the meeting
- 15.29 If any such person, after being notified of a resolution or direction expelling them from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by the council or person presiding, may, by using only such force as is reasonably necessary, remove the first-mentioned person from that place and, if necessary, restrain that person from re-entering that place for the remainder of the meeting.

**Note: Failure to comply with a direction to leave a meeting is an offence under section 660 of the Act carrying a maximum penalty of 20 penalty units.**

**16 CONFLICTS OF INTEREST**

- 16.1 All councillors and, where applicable, all other persons, must declare and manage any conflicts of interest they may have in matters being considered at meetings of the council and committees of the council in accordance with the council's code of conduct. All declarations of conflicts of interest and how the conflict of interest was managed by the person who made the declaration must be recorded in the minutes of the meeting at which the declaration was made.
- 16.2 Councillors attending a meeting by audio-visual link must declare and manage any conflicts of interest they may have in matters being considered at the meeting in accordance with the council's code of conduct. Where a councillor has declared a conflict of interest in a matter being discussed at the meeting, the councillor's audio-visual link to the meeting must be suspended or terminated and the councillor must not be in sight or hearing of the meeting at any time during which the matter is being considered or discussed by the council or committee, or at any time during which the council or committee is voting on the matter.

**17 DECISIONS OF THE COUNCIL****Council decisions**

- 17.1 A decision supported by a majority of the votes at a meeting of the council at which a quorum is present is a decision of the council.

**Note: Clause 17.1 reflects section 371 of the Act in the case of councils and section 400T(8) in the case of joint organisations.**

- 17.2 Decisions made by the council must be accurately recorded in the minutes of the meeting at which the decision is made.

**Rescinding or altering council decisions**

- 17.3 A resolution passed by the council may not be altered or rescinded except by a motion to that effect of which notice has been given in accordance with this code.

**Note: Clause 17.3 reflects section 372(1) of the Act.**

- 17.4 If a notice of motion to rescind a resolution is given at the meeting at which the resolution is carried, the resolution must not be carried into effect until the motion of rescission has been dealt with.

**Note: Clause 17.4 reflects section 372(2) of the Act.**

- 17.5 If a motion has been lost, a motion having the same effect must not be considered unless notice of it has been duly given in accordance with this code.

**Note: Clause 17.5 reflects section 372(3) of the Act.**

- 17.6 A notice of motion to alter or rescind a resolution, and a notice of motion which has the same effect as a motion which has been lost, must be signed by three (3) councillors if less than three (3) months has elapsed since the resolution was passed, or the motion was lost.

**Note: Clause 17.6 reflects section 372(4) of the Act.**

- 17.7 If a motion to alter or rescind a resolution has been lost, or if a motion which has the same effect as a previously lost motion is lost, no similar motion may be brought forward within three (3) months of the meeting at which it was lost. This clause may not be evaded by substituting a motion differently worded, but in principle the same.

**Note: Clause 17.7 reflects section 372(5) of the Act.**

- 17.8 The provisions of clauses 17.5–17.7 concerning lost motions do not apply to motions of adjournment.

**Note: Clause 17.8 reflects section 372(7) of the Act.**

- 17.9 A notice of motion submitted in accordance with clause 17.6 may only be withdrawn under clause 3.11 with the consent of all signatories to the notice of motion.

- 17.10 ♦ A notice of motion to alter or rescind a resolution relating to a development application must be submitted to the general manager no later than 1 day after the meeting at which the resolution was adopted.

- 17.11 A motion to alter or rescind a resolution of the council may be moved on the report of a committee of the council and any such report must be recorded in the minutes of the meeting of the council.

**Note: Clause 17.11 reflects section 372(6) of the Act.**

- 17.12 Omitted (*not mandatory*)

- 17.13 Omitted (*not mandatory*)

- 17.14 Omitted (*not mandatory*)

### **Recommitting resolutions to correct an error**

- 17.15 ♦ Despite the provisions of this Part, a councillor may, with the leave of the chairperson, move to recommit a resolution adopted at the same meeting:

- (a) to correct any error, ambiguity or imprecision in the council's resolution, or
- (b) to confirm the voting on the resolution.

- 17.16 ♦ In seeking the leave of the chairperson to move to recommit a resolution for the purposes of clause 17.15(a), the councillor is to propose alternative wording for the resolution.

- 17.17 ♦ The chairperson must not grant leave to recommit a resolution for the purposes of clause 17.15(a), unless they are satisfied that the proposed alternative wording of the resolution would not alter the substance of the resolution previously adopted at the meeting.
- 17.18 ♦ A motion moved under clause 17.15 can be moved without notice. Despite any other provision of this code, only the mover of a motion referred to in clause 17.15 and the chairperson, if they are not the mover of the motion, can speak to the motion before it is put.
- 17.19 ♦ A motion of dissent cannot be moved against a ruling by the chairperson under clause 17.15.
- 17.20 ♦ A motion moved under clause 17.15 with the leave of the chairperson cannot be voted on unless or until it has been seconded.

## 18 TIME LIMITS ON COUNCIL MEETINGS

- 18.1 ♦ Meetings of the council and committees of the council are to conclude no later than 5 hours after it begins♣. If the business of the meeting is unfinished after 5 hours the council or the committee may, by resolution, extend the time of the meeting by a maximum of 30 minutes. ♣
- 18.2 ♦ If the business of the meeting is unfinished after 5 hours\* and the council does not resolve to extend the meeting, or if the meeting is unfinished after a 30 minute extension the chairperson must either:
- defer consideration of the remaining items of business on the agenda to the next ordinary meeting of the council, or
  - adjourn to the Thursday following the meeting at 6pm to extend no later than 9pm and defer consideration of the remaining items of business on the agenda to the next ordinary meeting of the council if the business of the meeting is still unfinished.
- 18.3 ♦ Clause 18.2 does not limit the ability of the council or a committee of the council to resolve to adjourn a meeting at any time. The resolution adjourning the meeting must fix the time, date and place that the meeting is to be adjourned to.
- 18.4 ♦ Where a meeting is adjourned under clause 18.2 or 18.3, the general manager must:
- individually notify each councillor of the time, date and place at which the meeting will reconvene, and
  - publish the time, date and place at which the meeting will reconvene on the council's website and in such other manner that the general manager is satisfied is likely to bring notice of the time, date and place of the reconvened meeting to the attention of as many people as possible.

## 19 AFTER THE MEETING

### Minutes of meetings

- 19.1 The council is to keep full and accurate minutes of the proceedings of meetings of the council.

**Note: Clause 19.1 reflects section 375(1) of the Act.**

- 19.2 At a minimum, the general manager must ensure that the following matters are recorded in the council's minutes:
- the names of councillors attending a council meeting and whether they attended the meeting in person or by audio-visual link,
  - details of each motion moved at a council meeting and of any amendments moved to it,
  - the names of the mover and seconder of the motion or amendment,
  - whether the motion or amendment was passed or lost, and
  - such other matters specifically required under this code.



- 19.3 The minutes of a council meeting must be confirmed at a subsequent meeting of the council.

**Note: Clause 19.3 reflects section 375(2) of the Act.**

- 19.4 Any debate on the confirmation of the minutes is to be confined to whether the minutes are a full and accurate record of the meeting they relate to.

- 19.5 When the minutes have been confirmed, they are to be signed by the person presiding at the subsequent meeting.

**Note: Clause 19.5 reflects section 375(2) of the Act.**

- 19.6 The confirmed minutes of a meeting may be amended to correct typographical or administrative errors after they have been confirmed. Any amendment made under this clause must not alter the substance of any decision made at the meeting.

- 19.7 The confirmed minutes of a council meeting must be published on the council's website. This clause does not prevent the council from also publishing unconfirmed minutes of its meetings on its website prior to their confirmation.

#### **Access to correspondence and reports laid on the table at, or submitted to, a meeting**

- 19.8 The council and committees of the council must, during or at the close of a meeting, or during the business day following the meeting, give reasonable access to any person to inspect correspondence and reports laid on the table at, or submitted to, the meeting.

**Note: Clause 19.8 reflects section 11(1) of the Act.**

- 19.9 Clause 19.8 does not apply if the correspondence or reports relate to a matter that was received or discussed or laid on the table at, or submitted to, the meeting when the meeting was closed to the public.

**Note: Clause 19.9 reflects section 11(2) of the Act.**

- 19.10 Clause 19.8 does not apply if the council or the committee resolves at the meeting, when open to the public, that the correspondence or reports are to be treated as confidential because they relate to a matter specified in section 10A(2) of the Act.

**Note: Clause 19.10 reflects section 11(3) of the Act.**

- 19.11 Correspondence or reports to which clauses 19.9 and 19.10 apply are to be marked with the relevant provision of section 10A(2) of the Act that applies to the correspondence or report.

#### **Implementation of decisions of the council**

- 19.12 The general manager is to implement, without undue delay, lawful decisions of the council.

**Note: Clause 19.12 reflects section 335(b) of the Act.**

## **20 COUNCIL COMMITTEES**

### **Application of this Part**

- 20.1 This Part only applies to committees of the council whose members are all councillors.

**Council committees whose members are all councillors**

- 20.2 The council may, by resolution, establish such committees as it considers necessary.
- 20.3 A committee of the council is to consist of the mayor and such other councillors as are elected by the councillors or appointed by the council.
- 20.4 The quorum for a meeting of a committee of the council is to be:
- a) such number of members as the council decides, or
  - b) if the council has not decided a number – a majority of the members of the committee.

**Functions of committees**

- 20.5 The council must specify the functions of each of its committees when the committee is established but may from time to time amend those functions.

**Notice of committee meetings**

- 20.6 The general manager must send to each councillor, regardless of whether they are a committee member, at least three (3) days before each meeting of the committee, a notice specifying:
- a) the time, date and place of the meeting, and
  - b) the business proposed to be considered at the meeting.
- 20.7 Notice of less than three (3) days may be given of a committee meeting called in an emergency.

**Non-members entitled to attend committee meetings**

- 20.8 A councillor who is not a member of a committee of the council is entitled to attend, and to speak at a meeting of the committee. However, the councillor is not entitled:
- a) to give notice of business for inclusion in the agenda for the meeting, or
  - b) to move or second a motion at the meeting, or
  - c) to vote at the meeting.

**Chairperson and deputy chairperson of council committees**

- 20.9 The chairperson of each committee of the council must be:
- a) the mayor, or
  - b) if the mayor does not wish to be the chairperson of a committee, a member of the committee elected by the council, or
  - c) if the council does not elect such a member, a member of the committee elected by the committee.
- 20.10 The council may elect a member of a committee of the council as deputy chairperson of the committee. If the council does not elect a deputy chairperson of such a committee, the committee may elect a deputy chairperson.
- 20.11 If neither the chairperson nor the deputy chairperson of a committee of the council is able or willing to preside at a meeting of the committee, the committee must elect a member of the committee to be acting chairperson of the committee.
- 20.12 The chairperson is to preside at a meeting of a committee of the council. If the chairperson is unable or unwilling to preside, the deputy chairperson (if any) is to preside at the meeting, but if neither the chairperson nor the deputy chairperson is able or willing to preside, the acting chairperson is to preside at the meeting.

**Procedure in committee meetings**

- 20.13 Subject to any specific requirements of this code, each committee of the council may regulate its own procedure. The provisions of this code are to be taken to apply to all committees of the council.
- 20.14 Whenever the voting on a motion put to a meeting of the committee is equal, the chairperson of the committee is to have a casting vote as well as an original vote unless the council or the committee determines otherwise in accordance with clause 20.13.
- 20.15 Omitted (*applies to joint organisations*)
- 20.16 Voting at a council committee meeting is to be by open means (such as on the voices, by show of hands or by a visible electronic voting system).

**Mayoral minutes**

- 20.17 The provisions of this code relating to mayoral minutes also apply to meetings of committees of the council in the same way they apply to meetings of the council.

**Closure of committee meetings to the public**

- 20.18 The provisions of the Act and Part 14 of this code apply to the closure of meetings of committees of the council to the public in the same way they apply to the closure of meetings of the council to the public.
- 20.19 If a committee of the council passes a resolution, or makes a recommendation, during a meeting, or a part of a meeting that is closed to the public, the chairperson must make the resolution or recommendation public as soon as practicable after the meeting or part of the meeting has ended, and report the resolution or recommendation to the next meeting of the council. The resolution or recommendation must also be recorded in the publicly available minutes of the meeting.
- 20.20 Resolutions passed during a meeting, or a part of a meeting that is closed to the public must be made public by the chairperson under clause 20.19 during a part of the meeting that is livestreamed where practicable.
- 20.21 The general manager must cause business papers for items of business considered during a meeting, or part of a meeting, that is closed to public, to be published on the council's website as soon as practicable after the information contained in the business papers ceases to be confidential.
- 20.22 The general manager must consult with the committee and any other affected persons before publishing information on the council's website under clause 20.21 and provide reasons for why the information has ceased to be confidential.

**Disorder in committee meetings**

- 20.23 The provisions of the Act, the Regulation, and this code relating to the maintenance of order in council meetings apply to meetings of committees of the council in the same way as they apply to meetings of the council.

**Minutes of council committee meetings**

- 20.24 Each committee of the council is to keep full and accurate minutes of the proceedings of its meetings. At a minimum, a committee must ensure that the following matters are recorded in the committee's minutes:
- a) the names of councillors attending a meeting and whether they attended the meeting in person or by audio-visual link,
  - b) details of each motion moved at a meeting and of any amendments moved to it,
  - c) the names of the mover and seconder of the motion or amendment,
  - d) whether the motion or amendment was passed or lost, and
  - e) such other matters specifically required under this code.
- 20.25 All voting at meetings of committees of the council (including meetings that are closed to the public), must be recorded in the minutes of meetings with the names of councillors who voted for and against each motion or amendment, (including the use of the casting vote), being recorded.
- 20.26 The minutes of meetings of each committee of the council must be confirmed at a subsequent meeting of the committee.
- 20.27 Any debate on the confirmation of the minutes is to be confined to whether the minutes are a full and accurate record of the meeting they relate to.
- 20.28 When the minutes have been confirmed, they are to be signed by the person presiding at that subsequent meeting.
- 20.29 The confirmed minutes of a meeting may be amended to correct typographical or administrative errors after they have been confirmed. Any amendment made under this clause must not alter the substance of any decision made at the meeting.
- 20.30 The confirmed minutes of a meeting of a committee of the council must be published on the council's website. This clause does not prevent the council from also publishing unconfirmed minutes of meetings of committees of the council on its website prior to their confirmation.

**21 IRREGULARITIES**

- 21.1 Proceedings at a meeting of a council or a council committee are not invalidated because of:
- a) a vacancy in a civic office, or
  - b) a failure to give notice of the meeting to any councillor or committee member, or
  - c) any defect in the election or appointment of a councillor or committee member, or
  - d) a failure of a councillor or a committee member to declare a conflict of interest, or to refrain from the consideration or discussion of, or vote on, the relevant matter, at a council or committee meeting in accordance with the council's code of conduct, or
  - e) a failure to comply with this code.

**Note: Clause 21.1 reflects section 374 of the Act.**

## 22 DEFINITIONS

the Act	means the <i>Local Government Act 1993</i>
act of disorder	means an act of disorder as defined in clause 15.10 of this code
amendment	in relation to an original motion, means a motion moving an amendment to that motion
audio recorder	any device capable of recording speech
audio-visual link	means a facility that enables audio and visual communication between persons at different places
business day	means any day except Saturday or Sunday or any other day the whole or part of which is observed as a public holiday throughout New South Wales
chairperson	in relation to a meeting of the council – means the person presiding at the meeting as provided by section 369 of the Act and clauses 6.1 and 6.2 of this code, and  in relation to a meeting of a committee – means the person presiding at the meeting as provided by clause 20.9 of this code
this code	means the council's adopted code of meeting practice
committee of the council	means a committee established by the council in accordance with clause 20.2 of this code (being a committee consisting only of councillors) or the council when it has resolved itself into committee of the whole under clause 12.1
council official	includes councillors, members of staff of a council, administrators, council committee members, delegates of council and any other person exercising functions on behalf of the council
day	means calendar day
division	means a request by two councillors under clause 11.7 of this code requiring the recording of the names of the councillors who voted both for and against a motion
livestream	a video broadcast of a meeting transmitted across the internet concurrently with the meeting
open voting	means voting on the voices or by a show of hands or by a visible electronic voting system or similar means

planning decision	means a decision made in the exercise of a function of a council under the <i>Environmental Planning and Assessment Act 1979</i> including any decision relating to a development application, an environmental planning instrument, a development control plan or a development contribution plan under that Act, but not including the making of an order under Division 9.3 of Part 9 of that Act
performance improvement order	means an order issued under section 438A of the Act
quorum	means the minimum number of councillors or committee members necessary to conduct a meeting
the Regulation	means the <i>Local Government (General) Regulation 2021</i>
year	means the period beginning 1 July and ending the following 30 June



# 2025 Model Meeting Code - FAQ

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## Implementation of the 2025 Model Meeting Code

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### When must the 2025 Model Meeting Code be adopted?

- Councils must adopt a code of meeting practice that incorporates the mandatory provisions of the 2025 Model Meeting Code no later than 31 December 2025.

### What happens if the 2025 Model Meeting Code is not adopted by 31 December 2025?

- Transitional provisions in the Local Government (General) Regulation 2021 (the Regulation) provide that if a council does not adopt a code of meeting practice that incorporates the mandatory provisions of the 2025 Model Meeting Code by 31 December 2025, then from 1 January 2026, any provision of the council's code of meeting practice that is inconsistent with a mandatory provision of the 2025 Model Meeting Code will be automatically overridden by the relevant mandatory provision of the 2025 Model Meeting Code.

### Are councils required to adopt the non-mandatory provisions of the 2025 Model Meeting Code?

- No. The non-mandatory provisions of the 2025 Model Meeting Code cover areas of meeting practice that are common to most councils but where there may be a need for some variation in practice between councils based on local circumstances. The non-mandatory provisions also operate to set a benchmark based on what OLG sees as best practice for the relevant area of practice.
- Councils are free to omit the non-mandatory provisions or to adapt them to meet their needs.

### Can councils include supplementary provisions in their adopted code of meeting practice?

- Yes. There is nothing to prevent councils from including supplementary provisions in their adopted code of meeting practice to meet their needs, provided the supplementary provisions are not inconsistent with the mandatory provisions of the 2025 Model Meeting Code.

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**Are joint organisations and county councils required to adopt the 2025 Model Meeting Code?**

- Yes. The 2025 Model Meeting Code also applies to meetings of the boards of joint organisations and county councils.
- The provisions of the 2025 Model Meeting Code that are specific to meetings of boards of joint organisations are indicated in blue font.
- In adopting the 2025 Model Meeting Code, joint organisations should adapt it to substitute the terms “board” for “council”, “chairperson” for “mayor”, “voting representative” for “councillor” and “executive officer” for “general manager”.
- In adopting the 2025 Model Meeting Code, county councils should adapt it to substitute the term “chairperson” for “mayor” and “member” for “councillor”.

**What consultation must councils do before adopting a code of meeting practice?**

- Under section 361 of the *Local Government Act 1993* (the Act), before adopting a new code of meeting practice, councils must first exhibit a draft of the code of meeting practice for at least 28 days and provide members of the community at least 42 days in which to comment on the draft code.
- This requirement does not apply to joint organisations.

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**What are the key changes?**

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A key focus of the changes made to the 2025 Model Meeting Code is to ensure meetings are conducted in a dignified and orderly way befitting to a chamber of democracy and to promote community confidence in councils and their decisions.

The following is a summary of the key changes. It is not an exhaustive list of all the changes that have been made.

**Extraordinary meetings**

- The mayor may now call an extraordinary meeting without the need to obtain the signature of two councillors.

**Dealing with urgent business at meetings**

- The process for dealing with urgent business at both ordinary and extraordinary meetings has been simplified.
- Business may be considered at a meeting at which all councillors are present, even though due notice has not been given of the business, if the council resolves

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to deal with the business on the grounds that it is urgent and requires a decision by the council before the next scheduled ordinary meeting of the council. The resolution must state the reasons for the urgency.

- If all councillors are not present at the meeting, the chairperson must also rule that the business is urgent and requires a decision by the council before the next scheduled ordinary meeting.

**Prohibition on pre-meeting briefing sessions**

- The 2025 Model Meeting Code prohibits briefing sessions being held to brief councillors on business listed on the agenda for meetings of the council or committees of the council.
- The prohibition on briefing sessions does not prevent a councillor from requesting information from the general manager about a matter to be considered at a meeting, provided the information is also available to the public. The information must be provided in a way that does not involve any discussion of the information.

**Public forums**

- The public forum provisions are now mandatory but leave it to councils to determine whether to hold public forums before council and committee meetings.
- Councils are also free to determine the rules under which public forums are to be conducted and when they are to be held. OLG will be issuing model best practice public forum rules that councils can use if they choose to.
- Public forums must be livestreamed.

**Councillors' attendance at meetings by audio-visual link**

- The provisions governing attendance by councillors at meetings by audio-visual link have been made mandatory and the option to attend meetings by audio-visual link has been restricted to where councillors are prevented from attending a meeting in person because of ill-health or other medical reasons or because of unforeseen caring responsibilities.

**Absences from council meetings**

- Changes have been made to the provisions governing absences from meetings.
- Where councillors are unable to attend one or more meetings of the council or committees of the council, the new provisions encourage them to:
  - submit an apology for the meetings they are unable to attend,
  - state the reasons for their absence from the meetings, and

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- request that the council grant them a leave of absence from the relevant meetings.
- Where a councillor makes an apology, the council must determine by resolution whether to grant the councillor a leave of absence for the meeting. Councils are required to act reasonably when deciding whether to grant a leave of absence to a councillor. To ensure accountability, if the council resolves not to grant a leave of absence for the meeting, it must state the reasons for its decision in its resolution.

**Livestreaming meetings**

- As of 1 January 2026, councils are required to livestream their meetings using an audio-visual recording.
- Recordings of meetings must be published on the council's website for the balance of the council's term or for 12 months, whichever is the later date.
- OLG will be issuing updated guidance on the livestreaming of meetings.

**New rules of etiquette at meetings**

- Councils may determine standards of dress for councillors when attending meetings.
- Where physically able to, councillors and staff are encouraged to stand when the mayor enters the chamber and when addressing the meeting.
- The 2025 Model Meeting Code prescribes modes of address.

**Mayoral minutes**

- The restrictions on mayoral minutes under the previous code have been removed. A mayoral minute may be put to a meeting without notice on any matter or topic that the mayor determines should be considered at the meeting.

**Rules of debate**

- The rules of debate have been simplified and the rules governing the foreshadowing of motions and amendments have been removed. It remains open to councillors to foreshadow that they intend to move an amendment during the debate, but there are no longer formal rules governing this.
- An amendment has been made to clarify that there is nothing to prevent a further motion from being moved at a meeting on the same item of business where the original motion is lost, provided the motion is not substantially the same as the one that was lost.

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- Councils will no longer have the option of reducing the duration of speeches to less than 5 minutes. However, councils continue to have other options to expedite business at meetings such as moving that a motion be put where the necessary conditions have been satisfied and to resolve to deal with items by exception.

**Voting on planning decisions**

- Consistent with the Independent Commission Against Corruption's (ICAC) recommendations, a council or a council committee must not make a final planning decision at a meeting without receiving a staff report containing an assessment and recommendation in relation to the matter put before the council for a decision.
- Where the council or a council committee makes a planning decision that is inconsistent with the recommendation made in a staff report, it must provide reasons for its decision and why it did not adopt the staff recommendation.

**Representations by the public on the closure of meetings**

- In the interests of simplifying the code, the rules governing representations by the public on the closure of meetings have been removed. However, there is nothing to prevent councils from adopting their own rules on this. OLG will be issuing model best practice rules for public representations that councils can use if they choose to.

**Making information considered at closed meetings public**

- Consistent with ICAC's recommendation, the general manager must publish business papers for items of business considered during meetings that have been closed to public on the council's website as soon as practicable after the information contained in the business papers ceases to be confidential.
- Before publishing this information, the general manager must consult with the council and any other affected persons and provide reasons for why the information has ceased to be confidential.

**Dealing with disorder**

- Councils will be required to determine on the adoption of the new code and at the commencement of each council term, whether to authorise the person presiding at a meeting to exercise a power of expulsion.
- The definition of acts of disorder by councillors have changed. The following constitute acts of disorder under the Regulation and the 2025 Model Meeting Code:

## 2025 Model Meeting Code - FAQ



- contravening the Act, the Regulation, or the council's code of meeting practice,
  - assaulting, or threatening to assault, another councillor or person present at the meeting,
  - moving or attempting to move a motion or an amendment that has an unlawful purpose, or deals with a matter that is outside the jurisdiction of the council or committee or addressing or attempting to address the council or committee on or such a motion, amendment or matter,
  - using offensive or disorderly words,
  - making gestures or otherwise behaving in a way that is sexist, racist, homophobic or otherwise discriminatory, or if the behaviour occurred in the Legislative Assembly, would be considered disorderly,
  - imputing improper motives, or unfavourably personally reflecting, on another council official or a person present at the meeting, or
  - saying or doing anything that would promote disorder at the meeting or is otherwise inconsistent with maintaining order at the meeting.
- Where a councillor fails to remedy an act of disorder at the meeting at which it occurs, they can be required to do so at each subsequent meeting until they remedy the act of disorder. On each occasion the councillor fails to comply with a direction by the chairperson to remedy an act of disorder, they can be expelled from the meeting and each subsequent meeting until they comply.
- Members of the public can be expelled from meetings for engaging in disorderly conduct. Disorderly conduct includes:
  - speaking at meetings without being invited to,
  - bringing flags, signs or protest symbols to meetings,
  - disrupting meetings,
  - making unauthorised recordings of meetings.
- The 2025 Model Meeting Code notes that failure by a councillor or members of the public to leave a meeting when expelled is an offence under section 660 of the Act. Section 660 provides that a person who wilfully obstructs a council, councillor, employee of a council or a duly authorised person in the exercise of any function under the Act, or Regulation is guilty of an offence. An offence under section 660 carries a maximum fine of \$2,100.



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**Committees**

- Meetings of committees of a council whose membership comprises only of councillors must be conducted in accordance with the council's adopted meeting code. Such committees will no longer have the option of determining that rules under the council's meeting code do not apply to them.



## POLICY MANUAL

<b>Policy title:</b>	<b>Volunteer Program</b>
<b>Policy number:</b>	<b>1.2.25</b>
<b>Objective:</b>	<b>To provide clear directives and guidelines to both volunteers and Council staff on their roles, responsibilities and expectations to the Volunteer Program</b>
<b>Link to community vision/service:</b>	<b>An inclusive and aware community/community participation in decision making; and Safety and wellbeing of the community</b>
<b>Program Area:</b>	<b>Integrated Planning</b>
<b>Policy created: 16/3/15</b>	<b>Council reviewed: 13/10/15</b>
<b>Last reviewed by staff: Review due 13/10/16</b>	<b>TRIM Ref: ED15/14699</b>

### DEFINITION

Volunteering is time willingly given for the common good and without financial gain. Volunteering is always a matter of choice and is never exploitative or used to replace paid employment. A volunteer seeks to enhance the services already delivered by Council. They do not seek to replace the core activities of Council staff, nor is it recruitment program for new employees however; volunteers who demonstrate exceptional standards of work may be encouraged to apply for an externally advertised position, should one arise. They will not however, be guaranteed a position or be considered an internal applicant.

### OBJECTIVE

The objective of this policy is:

1. To provide the opportunity for community members to fully participate in community life and develop their skills, interests and expertise.
2. For Council to partner with the community so that a high quality and depth of programming and services can be provided to the community.
3. To ensure that the health, safety and wellbeing of volunteers is protected in the workplace.
4. To ensure that Council's financial interests are assured.

**SCOPE**

This Volunteer Program Policy applies to:

- Individuals aged 9-90 years who wish to volunteer with Council;
- All Councillors (including the Mayor) and all Council staff who wish to volunteer their time;
- Ongoing regular volunteering;
- Episodic or reactive volunteering, such as place making;
- Brokered volunteering, where Council partners with other agencies around the supply of volunteers; and
- Virtual volunteering, where volunteers work online.

This Policy does not apply to:

- Individuals under the age of 9 or over the age of 90 who wish to volunteer with Council;
- Individuals or community organisations conducting projects on Council owned land that have not been given permission by Council;
- Individuals that have not been officially appointed as a volunteer by Council or brokered through an agency by Council;
- Work experience placements; and
- Section 355 Management Committees.

**LEGAL FRAMEWORK**

Council has a firm commitment to establish and maintain a high quality system of managing volunteers and has consulted the following legal documents in the development of this Policy:

- *Anti-Discrimination Act 1977.*
- *Child Protection (Working with Children) Act 2012.*
- *Game and Feral Animal Control Act 2002.*
- *Local Government Act 1993.*
- *Pesticides Act 1999.*
- *Privacy and Personal Information Protection Act 1998.*
- *Public Interests Disclosures Act 1994.*
- *Work Health and Safety Act 2011.*
- *Work Health and Safety Regulation 2011.*

This Policy complies with the *National Standards for Volunteer Involvement* sanctioned by Volunteering Australia.

**RELATED DOCUMENTS**

This Policy needs to be read in conjunction with the following documents:

- Volunteer Program Procedure (Our Ref: ED15/17630)
- Handbook for Volunteers (Our Ref: ED15/29265)
- Corporate Procedure 1.2.77 Grievance and Complaint Handling (Our Ref: Informer)
- WHS Volunteer Program Protocol (Our Ref: ED13/24860)
- Electronic Volunteers Register (Our Ref: EF15/303)
- Forms / Templates as follows:

TITLE	OUR REF
Volunteer Program Approval for out-of-pocket expenses	ED15/30637
Volunteer Program Attendance (Sign In / Out) Register	ED15/30642
Volunteer Program Engagement Agreement	ED15/30629
Volunteer Program Evaluation Form	ED15/30656
Volunteer Program Exit Interview	ED15/30639
Volunteer Program Incident Report	ED14/22776
Volunteer Program Induction Checklist	ED15/30647
Volunteer Program Interview Questions	ED15/30643
Volunteer Program Job Description	ED15/30622
Volunteer Program Post Training Evaluation Form	ED15/30653
Volunteer Program Registration Form	ED15/30632
Volunteer Program Risk Assessment - Generic	ED15/27428

### IMPLEMENTATION

The community will be made aware of this Policy via the applicable Council Business Paper, through the Community Panels and via Council's website. Councillors, Executive Committee and Program Managers will be notified of this Policy through internal communication systems and a Councillor briefing, and it will form part of Council's training for any staff who supervise volunteers.

### REVIEW

Any review of this Policy will incorporate relevant legislation, documentation released from relevant agencies and best practice guidelines.

The Coordinator People Services is responsible for future reviews of this Policy.

This Policy is to be reviewed on an annual basis from the date of endorsement by Council

A review of this Policy can be initiated at any time at the discretion of the General Manager.

### PRINCIPLES OF VOLUNTEERING

Council will uphold and work to the following principles of volunteering:

- Volunteering benefits the community and the volunteer.
- Volunteer work is unpaid.
- Volunteering is always a matter of choice.
- Volunteering is not compulsorily work undertaken to receive government allowances.
- Volunteering is a legitimate way in which citizens can participate in community life and connect with each other.
- Volunteering is a way for individuals or groups to address environmental, community and social needs.
- Volunteering is an activity performed in the government or not-for-profit sector only.
- Volunteering is not a substitute for paid work.
- Volunteering respects the rights, dignity and culture of others.
- Volunteering promotes human rights and equality.

***VOLUNTEER RIGHTS***

Volunteers are not covered by an industry award or workplace agreement however, they do have rights. Council must do everything in its power to ensure that a volunteer's rights are not violated and act quickly to correct and manage any violations, or any perceived violations.

A volunteer has the right to:

- Work in a healthy and safe environment in accordance with relevant Work Health and Safety legislation.
- Be engaged in accordance with Equal Opportunity and Anti-discrimination legislation.
- Be adequately covered by insurance.
- Be given accurate and transparent information about Council.
- Be reimbursed for genuine out-of-pocket expenses incurred on behalf of the organisation.
- Be provided a copy of Council's Volunteer Policy, Procedure, Code of Conduct and any other document that affects their engagement.
- Not undertake the work of Council staff during industrial disputes.
- Be clear of their volunteer role and duties.
- Be provided with an orientation, training and site induction.
- Have access to a grievance/complaints procedure.
- Have their confidential and personal information dealt with in accordance with relevant privacy legislation.
- Be formally recognised that they make a valuable contribution to community life both socially and economically.

***VOLUNTEERS RESPONSIBILITIES***

Volunteers are required to:

- Understand Council's Policies, Procedures and Code of Conduct relating to activities that they are engaged in.
- Understand the principles of volunteering and why they want to volunteer for Council.
- Understand the rules, guidelines and values of Council and be prepared to comply with them as outlined in Council's Volunteer Handbook and any other documentation provided by Council staff.
- Ask questions should they not understand any information or documentation provided by Council staff.
- Complete all forms required by Council, including attendance register (sign in / out sheets).
- Be dependable and reliable, arrive on time and notify the volunteer supervisor if unavailable to attend.
- Be willing to undertake training and development when offered.
- Fully understand the scope and limits to the activities being undertaken and seek clarification and support when it is required.
- Know and recognise personal limitations and notify supervisor of any medical condition or special needs that may prevent the performance of their duties.
- Work as member of a team and treat others with respect.
- Address any areas of conflict with the volunteer supervisor.
- Advise Council staff when they no longer want to volunteer with Council.
- Adhere to the values of Council and respect the confidentiality of any information they become aware of.
- Seek prior approval from a supervisor of any out-of-pocket expenditure related to activities.
- Never put their health and safety, or the health and safety of others at deliberate risk.
- Follow all reasonable instructions and directions from Council staff at all times, particularly in relation to Work Health and Safety.
- Wear personal protective clothing and equipment as instructed whilst undertaking their duties and never interfere with, deliberately tamper or destroy this equipment.
- As soon as practical report any incident, accident, illness or near misses to Council staff.

- Never be under the influence of illegal drugs or alcohol when performing their duties and to inform their supervisor of any legal medication they are taking that may affect performance of their duties.
- Return all items belonging to Council, including equipment, vehicles and clothing upon the cessation of volunteering.
- Not make any public statements to the media on behalf of Council.
- Never smoke in Council owned vehicles and buildings and only smoke on notified breaks / locations and away from others and flammable materials.
- Provide constant parental / guardian supervision of children under the age of 18.

### *OTHER DEFINITIONS*

<b>Place Making</b>	The art of creating great spaces where people want to live, play and work. Place making uses the community's assets and inspiration to create good public spaces.
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## POLICY MANUAL

<b>Policy title:</b>	<b>PUBLIC ACCESS TO OBJECTIONS/ COMPLAINTS LODGED WITH COUNCIL POLICY</b>
<b>Policy number:</b>	<b>1.4.4</b>
<b>Objective:</b>	<b>To give guidance to staff on the public's right of access to objections lodged with respect to development applications and third party complaints</b>
<b>Link to community vision/service:</b>	<b>Civic Leadership/Management</b>
<b>Program Area:</b>	<b>Corporate Services</b>
<b>Policy created: 11/03/97</b>	<b>Council reviewed: 14/07/98, 20/06/06, 08/12/09, 01/12/10, 18/12/13</b>
<b>Last reviewed by staff: 18/12/13</b>	<b>TRIM Ref: ED10/15817 &amp; ED16/32175</b>

1. Copies of objections/submissions in relation to Development Applications will be provided in full upon written request.
2. Requests for the identity of authors of third party complaints (customer requests) will be subject to a GIPA application with Council's policy being that in respect of complaints "made in good faith", the names of complainants will not be released, subject to normal considerations under the GIPA Act.



## POLICY MANUAL

<b>Policy title:</b>	<b>SIGNS AS REMOTE SUPERVISION POLICY</b>
<b>Policy number:</b>	<b>1.4.17</b>
<b>Objective:</b>	
<b>Link to community vision/service:</b>	<b>Civic Leadership/Management</b>
<b>Program Area:</b>	<b>Corporate Services</b>
<b>Policy created: 25/11/03</b>	<b>Council reviewed: 25/11/03, 01/12/10, 18/12/13, 17/04/24</b>
<b>Last reviewed by staff: 17/04/24</b>	<b>TRIM Ref: ED10/15827 &amp; ED16/33091</b>

### 1. Introduction

Lismore City Council has recognised that damaged or missing signs are an inconvenience to the public and represent a potential for public liability claims.

In order to reduce the inconvenience incurred by the public and to reduce possible claims, Council has sought to identify what signs are required.

### 2. Inspection Regime

Council will carry out inspections of its pools, parks and reserves in accordance with a procedure authorised by the General Manager. The frequency of inspections will be determined by Council resources.

### 3. Evaluation on Control

The procedure will detail the method used to evaluate the risk and recommend the appropriate treatment for the identified risk using as its basis the Statewide Mutual Best Practice Manual, Signs as Remote Supervision, Version 2.

### 4. Budget

Council will allocate resources to conduct inspections, assessments and works for the implementation of the policy and procedures within Council's budget constraints.

### 5. Monitoring and Review

This policy will be reviewed at least on an annual basis in accordance with Council policy. The General Manager will monitor and review the procedure as required



## POLICY MANUAL

<b>Policy title:</b>	<b>SOCIAL IMPACT ASSESSMENT POLICY</b>
<b>Policy number:</b>	<b>5.2.30</b>
<b>Objective:</b>	<b>To ensure minimal social impact on both the natural and built environments.</b>
<b>Link to community vision/service:</b>	<b>Quality of Life</b>
<b>Program Area:</b>	<b>Community Services</b>
<b>Policy created: 4/7/95</b>	<b>Council reviewed: 4/7/95, 10/4/01</b>
<b>Last reviewed by staff: 10/4/01</b>	<b>TRIM Ref: ED10/15910 &amp; ED16/33218</b>

### Introduction

Few developments will have no social impacts whatsoever. Section 79C(1)(b) of the Environmental Planning & Assessment Act 1979 (as amended) states that: The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality.

For some developments, ie. Those developments which are designated in the Environmental Planning & Assessment Act Regulations or defined as advertised developments in the Lismore Local Environment Plan, it will be necessary to undertake more detailed formal assessment of the social impacts of the proposed development.

Major developments will usually have a mix of positive and negative social impacts. Social Impact Assessment seeks to predict, anticipate and understand what may occur from a development or project that is likely to affect people's living, working and leisure environments. It aims to find out how to maximise desired outcomes and to minimise costs or losses to communities. The fundamental objective is to improve people's quality of life and social wellbeing.

SIA is usually carried out in response to a specific proposal eg a rural residential subdivision. A social impact can be defined as significant events experienced by people as change occurs in one or all of the following:-

- people's way of life - how they live, work, play and interact with one another on a day-to-day basis;
- their culture - shared beliefs, customs and values;
- their community - its cohesion, stability, character, services and facilities.

It is often only in the cumulative effects of development that the social impacts become evident.

Applicants for identified developments are encouraged to contact Council's Planning Officers in the early stages of their proposal so as to obtain specifications for information that may be required to be submitted, particular to that proposal.

**When is a Social Impact Assessment Required**

Council requires a Social Impact Assessment be carried out where any one of the following circumstances apply:-

1. Designated development pursuant to Environmental Planning & Assessment Act Regulations.
2. Advertised development pursuant to Lismore Local Environment Plan 2000.
3. Major transport infrastructure projects.
4. Developments and subdivisions with a development value exceeding \$1,000,000.
5. Developments, particularly in residential, village and rural zones, which create significant social impacts or significantly change demand (services, programmes and policy) or create additional social infrastructure demands eg retirement villages, taverns, schools, child-care centres.
6. Significant expansion of urban or village areas.
7. Rural residential subdivision in Zone 1(a) (Rural).
8. Where the proposal is likely to have:-
  - a distinct (adverse or positive) effect on a particular social group either residing on or in the vicinity of the site;
  - an identifiable effect on the social composition and/or character of the locality in which it is situated; and
  - an identifiable effect on the availability and use of existing community services and facilities and/or may require the provision of such services and facilities.

Residential impacts are those impacts which remain after the best choices have been made among alternatives. The recommendations of a SIA need to address how to proceed with the project, that is, the specific impact management measures that should be conditions of approval in order to prevent or alleviate potential social impacts.

**Guidelines for Social Impact Assessment****1. Community Profiling**

- A description of the socio-demographic characteristics of existing and incoming communities. This may include age, ethnic composition, mobility, nature of households, population growth, educational levels, employment status, health statistics etc.
  - History of development and change in the community
  - Availability and location of human services
  - Availability of transportation

Every project will not necessarily require all of this detail. The extent and detail of this data collection depends on the nature and scope of the development.

**2. Scoping**

- Identification of the key issues of concern for the project. Delineate the study boundaries and likely areas of impact i.e. Identification of surrounding landuses. This involves consulting with affected individuals, groups or communities, in the assessment process.
- It may be necessary where major developments are proposed to have structured consultation or surveys when trying to identify those aspects of assessment that may be more difficult i.e. changes to quality of life.

**3. Formulating Alternatives**

- Examine and compare development options or proposals for change, including the “no go” option.
- Need to predict how the social environment would change if the project did not proceed

#### 4. Projection and Estimation of Effects

- Examine in detail the impacts of one or more options for development against decision criteria.
- Examine similar occurrences elsewhere (if available) and reliable evidence of their impacts.

This involves taking into account mitigation measures to prevent or minimise potential impacts paying specific attention to the particular characteristics of the community which will be affected.

#### 5. Impact Management Measures can generally be grouped into four categories as follows-

- mitigation measures aimed at minimising potential impacts and risks;
- compensation measures aimed at lessening of facilities and hardships; and
- contingency measures aimed at facilitating the detection of and timely response to potential problems.

#### Specific to Rural Residential Development

- Identification of possible landuse conflicts.
- Projected population increase in the locality;
  - projected demographics
- Identification of existing community.
- Identification of existing community's needs.
- Analysis of proposed changes to the existing community.
- Identification of projected needs as a result of the development if the proposal were to go ahead.
- Access to public transportation and other services.

Note: Coverage will depend upon the scale of the development and applicants for identified developments are encouraged to contact Council's Planning Officers in the early stages of their proposal so as to obtain specifications for information that may be required to be submitted particular to that proposal.

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(Reference List Amended 1998)

NOTE:

This policy is effective from July 4, 1995.

Updated April 10, 2001.





# SOCIAL IMPACT ASSESSMENT GUIDELINES

APRIL 2010

[www.lismore.nsw.gov.au](http://www.lismore.nsw.gov.au)

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*Lismore City Council acknowledges the people of the Bundjalung Nation, traditional custodians of the land on which we work.*

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## Abbreviations

ALGA	Australian Local Government Association
DA	Development application
DCP	Development control plan
EIS	Environmental impact statement
LCC	Lismore City Council
LGA	Local Government Area
LEP	Local Environmental Plan
SEE	Statement of environmental effects
SIA	Social impact assessment
SIC	Social impact comment
TOR	Terms of reference
GLBT	Gay, Lesbian, Bisexual, Transgender
CALD	Culturally and linguistically diverse

## 1. Introduction

### 1.1. Objective

The objective of the Social Impact Assessment Guidelines is to ensure that social considerations are an integral part of the development assessment process. These guidelines will assist applicants, the community and Council to identify and address potential positive and negative social impacts of any proposed development.

In order to realise this objective the Guidelines seek to:

- Indicate which proposals should include comment regarding social impacts or a detailed social impact statement;
- Provide clear guidelines as to when and how social impact assessments should be conducted;
- Enhance consistency and transparency in social impact assessment;
- Assist applicants and Council staff to improve their understanding and assessment of social issues relating to development.

### 1.2. Legislative and policy context

Lismore City Council has a statutory obligation under Section 79C of the Environmental Planning and Assessment Act (1979) to include consideration of social impacts of development, where relevant, in determining a development application.

Council also aims to ensure that development reflects and contributes to the six strategic priorities, in particular, to make Lismore a safe, healthy and caring community in which to live. Strategic initiatives to support this aim are:

- Increase social cohesion
- Support villages
- Promote community services
- Encourage sustainable development
- Promote recreation and leisure

These Guidelines should be read in conjunction with the Lismore Local Environmental Plan (2000). This is the principal planning instrument governing development within the Lismore Local Government Area. The proponent of the proposal and council staff member responsible for assessing the project must also address relevant policies and plans, including (but not necessarily limited to):

- Lismore City Council Local Environmental Plan, 2000
- Lismore City Council Development Control Plan
- Lismore City Council Community Strategic Plan, 2008 – 2018
- Lismore City Council Rezoning Guidelines, 2006
- Lismore City Council Crime Prevention Plan 2005 – 2009
- Lismore Rural Housing Strategy, 2002
- Lismore Urban Strategy, 2003 (amended 2005)
- Lismore Village Development Strategy, 1997, Re-edited 2002
- Lismore Contributions Plan, 2004
- North Coast Regional and Environmental Plan
- Far North Coast Regional Strategy 2006 – 2031

### 1.3. Section 94 contributions

Section 94 Contributions Plans set out circumstances where Council may levy a contribution towards the capital cost of community facilities (such as roads, open space, and community centres). These plans have assessed the impact of various forms of development on the future demand for these services. Developments that are nominated in these Contributions Plans would be expected to make payment towards these services in the manner specified. The social impact assessments of a particular Development Application (DA) will not alter the provisions of the Section 94 Contributions Plans. For some rezoning applications for complex major developments, a special Contributions Plan or Planning Agreement may

need to be made relating to the unique demands of that development.

## 2. Definitions and Principles

### 2.1. Social impact

Social impacts are changes that occur in people's:

Way of life	How they live, work, play and interact with one another on a day-to-day basis
Culture	Shared beliefs, customs, values and language
Community	Its cohesion, stability, character, services and facilities
Political systems	The extent to which people are able to participate in decisions that affect their lives
Environment	Air and water quality; availability and quality of food; level of hazard or risk, exposure to dust or noise; adequate sanitation, physical safety, and access to and control over resources
Health and wellbeing	Health is a state of complete physical, mental, social and emotional wellbeing and not merely the absence of disease
Personal and property rights	Particularly where people are economically or otherwise personally disadvantaged
Hope's concerns and aspirations	Their perceptions about their safety, their concerns about the future of their community, and their aspirations for their future and the future of their children

The changes identified above may have significant impacts on people as a result of development and need to be taken into consideration when formulating and assessing DAs.

### 2.2. Possible types of social impact

There are a number of social impacts that may occur as a result of a development. The list below identifies types of social impacts that could be considered for relevant rezoning and development proposals:

- Demographic and population change (size and characteristics)
- Community services and facilities
- Pressure on infrastructure
- Community structure (severance, cohesion and identity)
- Social equity (displacement, needs of disadvantaged groups)
- Needs of specific social groups (women, aged, persons with disability, GLBTI communities, children, youth, indigenous people and CALD communities)
- Access and mobility
- Housing affordability
- Transport and traffic
- Crime, public safety and risk perception
- Heritage and culture
- Employment
- Health
- Local economic effects
- Impact on future generations
- Leisure and recreation facilities

### 2.3. What is Social Impact Assessment (SIA)?

Social impact assessment is concerned with the human dimensions of environments. It balances social, economic and environmental objectives, and seeks to predict, anticipate and understand the potential positive and negative impacts of development.

### 2.4. Key principles of assessing social impacts

To achieve a useful and appropriate framework for assessing social impacts, a number of key principles are important.

- **Development should be socially sustainable**  
SIA should seek to support socially sustainable development, contributing to the determination of best policy or development alternatives not just economic benefits at social cost.
- **Context**  
SIA should be informed by relevant policy and legislation and integrate policy priorities in the assessment.
- **Reflect the values of local communities**
- **Engage the community**  
Persons and groups that may be affected by the proposal should be consulted. Participation is a means of gaining information about the potential positive and negative impacts of a proposal. It should not be seen as a process for gaining consent from the affected community.
- **Use evidence based information and analysis**
- **Consider positive as well as negative impacts**
- **Be practical and action focussed**  
When assessing social impacts it is essential to consider how the social effects of change can best be managed. Any assessment needs to be action focussed and practical. The applicant should incorporate practical measures that will enhance the positive impacts, may improve the development, limit any possible negative social



impacts and take responsibility for implementing mitigation strategies.

Council may need to consider conditions of consent where impacts have not been adequately addressed in the development application. Amendments to proposed plans may be required during the assessment process or under the conditions of consent.

- **Consider inter-generational equity**

When measuring social impacts, consideration should be given to the effects of the development on present and future generations.

### **2.5. Relationship with other possible areas of impact**

It is difficult to neatly compartmentalise social impacts from other types of impact. Environmental impacts usually have social dimensions, such as traffic, odour and noise impacts. Social impacts may have negative economic consequences, such as increased crime in a neighbourhood causing businesses to move away. Equally, social impacts may have positive economic consequences resulting from developments that enhance community stability, vibrancy and reputation.

## **3. Role of Key Stakeholders**

### **3.1. Role of the applicant**

- Consult with Council early in the development concept stage on SIA requirements and issues.
- Consult with communities potentially affected by a development. The level of consultation will vary according to the proposal. Applicants should discuss the proposed method of consultation with Council staff before preparing a SIA. This process should conform to the requirements of these Guidelines.
- Prepare SIA and adequately address relevant social impacts, both positive and negative. This will help expedite the processing of the application by avoiding the need for Council to request additional information to enable a proposal to be properly assessed.
- Monitor social impacts.

### **3.2. Role of the community**

- Participate in the rezoning/DA process during the public consultation stage.
- Participate in surveys, community meetings or written submissions.
- Assist in monitoring social impacts.

### 3.3. Role of Council

- Advise applicants as to whether SIA is required.
- Require SIA early in the rezoning and development assessment process.
- Provide advice when requested on the need for, and extent of, an SIA at an early stage in the design process through pre-lodgement consultation.
- Evaluate all the potential impacts of a development, including social impacts. Council officers may request further information from an applicant if the information submitted is inadequate.
- Be satisfied that the social impacts of a development have been reasonably identified and addressed
- Prepare a report on the application recommending whether a development should be approved, approved subject to compliance with conditions of consent, or refused.
- Monitor social impacts of approved developments where appropriate and budgeted for.
- Undertake the above in a timely and cost effective manner.

### 3.4. Role of government agencies

- State government agencies may be able to assist applicants with specific advice or information regarding a development.
- In the case of integrated development, certain government agencies will have a designated licensing or approval role.
- Applicants may seek specific advice from Government Agencies/Departments on a development. For instance, the Department of Community Services may advise on the observed impacts of group homes for people with a disability.

## 4. Levels of assessment of social impact

There are two levels of assessment for developments that require social impacts to be considered:

1. Social Impact Comment in the Statement of Environmental Effects
2. Social Impact Assessment

### 4.1. Social Impact Comment in the Statements of Environmental Effects

Statements of Environmental Effects (SEE) are required to be submitted with all development applications. DA's are required to address the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality. The Department of Planning has expanded this requirement by specifying that the following matters are to be addressed in the Statement of Environmental Effects as part of the assessment of social impacts.

- The social benefits and costs of the development in terms of:
  - the health and safety of the community
  - social cohesion
  - community structure, character, values and beliefs
  - a sense of place and community
  - community facilities and links
  - the interaction between new development and the community
  - social equity, socio-economic and disadvantaged groups
  - social displacement
  - social change management.
- Would the development provide safety and security in terms of:
  - risk assessment and potential for accident, injury and criminal activity, particularly in residential areas and commercial/ shopping centres
  - measures used for safety, security and crime prevention such as situational measures and environmental design
  - natural surveillance and visibility in public areas, including active uses on adjacent ground floors and building frontages/edges, and lighting

- maintaining the condition and use of public areas, reinforcing territoriality and reducing fear of crime
- access controls and activity management
- making it harder to target specific areas for crime.

DAs that do not require the complete SIA report should address the above matters relevant to the proposal. The SEE should describe how positive impacts are to be maximised, and how detrimental impacts are to be mitigated.

## 5. Levels of assessment of social impact

### 5.1. Social Impact Assessment

- Is required for the proposals outlined in Section 5.3.
- Provides an in-depth analysis of positive and negative social impacts in major proposals
- Is usually a stand-alone document accompanying a DA
- Should involve input from Council staff at an early stage
- Will usually require carefully planned community consultation
- Should aim to involve all interested and affected parties
- Will describe the positive social impacts
- Will describe how any potential negative social impacts are minimised or mitigated in the interests of both the users of the project and the wider community

It is strongly advised that suitably qualified social impact practitioners be engaged to prepare Social Impact Statements. An experienced social impact practitioner is likely to be familiar with relevant data and comparative cases. This knowledge may be invaluable in identifying significant impacts that may not be immediately apparent to either the Council or the community.

### 5.2. Stages of Social Impact Assessment

Stage	Process
<b>Stage 1</b>	Determine whether SIA is required
<b>Stage 2</b>	Proponent to develop the Social Impact Assessment Scope in collaboration with relevant Council staff
<b>Stage 3</b>	Undertake research and community consultation on likely positive and negative social impacts and mitigation measures or options for the proposal
<b>Stage 4</b>	Prepare Social Impact Assessment Report
<b>Stage 5</b>	Decision by Council to approve, approve with conditions of consent or refuse the development application

### 5.3. Trigger criteria for SIA

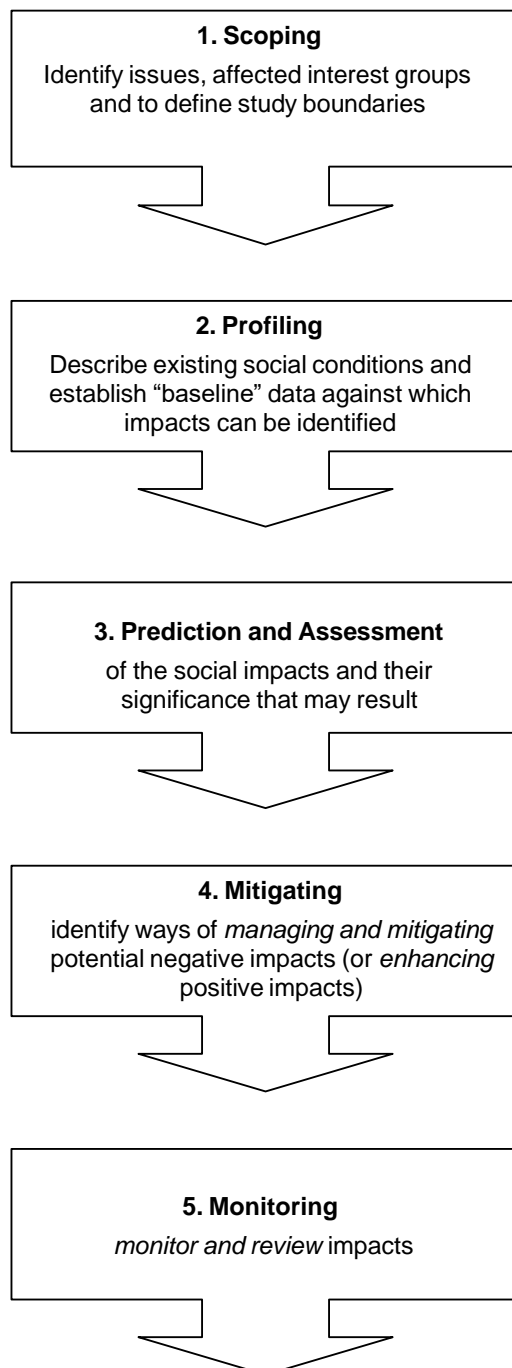
Lismore City Council requires a Social Impact Assessment be completed in the following instances:

1. Rezoning resulting in significant change in land use eg 20 or more dwellings or lots
2. DA for residential development for 20 or more dwellings or lots in an urban area
3. An 'Affordable housing' project for 10 or more dwellings
4. Removal of facilities that are significant to target groups identified in the LCC Social and Community Plan.
5. Manufactured home estates or caravan parks
6. Commercial and retail development with a gross floor area of more than 5,000 sqm.
7. Industrial development with a gross floor area of more than 5,000 sqm.
8. Boarding houses, hostels, group homes, drug and alcohol rehabilitation centres
9. Tourist facilities providing overnight accommodation for 20 or more persons
10. Major new sports facilities
11. Major transport infrastructure and interchanges
12. Restricted premises and brothels
13. Designated Development pursuant to the EPA Act as directed by the NSW Department of Planning

Meeting any of the above criteria does not automatically mean that a development proposal will require a full SIA. Final determination as to whether a SIA will be required (or the extent of social impact assessment) should be made at an early stage in the design phase of a development. Council offers a pre-lodgement advice process to assist intending applicants in determining the extent of documents and studies required to accompany the above types of development applications. Details of the pre-lodgement meeting process are available on Council's website. Applicants are advised that development applications that are not accompanied by required supporting documents to enable proper assessment may be rejected by Council.

#### 5.4. SIA Process

Once an applicant or Council has established that a social impact assessment is required for a particular proposal there are five key steps involved in carrying out that assessment. These are outlined below:



**5.4.1. Scoping**

Scoping is an initial attempt at establishing the range of issues to be considered and the geographical reach of possible impacts:

- Delineate the study boundaries, including physical, social and economic areas
- Identify surrounding land uses
- Identify data requirements
- Outline public consultation requirements
- Gather background information and documents
- Identify resources required (consultants, staff etc)
- Establish timeline for project

**5.4.2. Profiling**

A social profile should establish relevant baseline information used for the assessment and ongoing monitoring of the proposal. A good assessment should select data that draws on the issues and locations determined in the scoping step and examine the existing social conditions of the community it will affect. Appendix 1 provides a thorough range of inclusions for a community profile. Not every project will require this level of detail. The extent and detail of the profile will depend on the nature and scope of the development. Data for the profile can be collected from a range of sources (Appendix 2).

**5.4.3. Prediction and Assessment**

Prediction involves the use of the baseline data to determine the likely impacts of the proposal (Appendix 3). Assessment involves categorisation, prioritisation and evaluation of the identified impacts.

This step needs to address:

- who will be affected
- in what way will they be affected
- how long will the impacts last
- what level of social change will occur

These should be addressed on the basis of the future social environment with and without the proposal.

Impacts can be direct, indirect and cumulative. Some examples of likely impacts include:

- demand for community facilities and services
- accessibility to social and community facilities
- perceived safety of residents within the identified area
- residential amenity
- increased traffic and noise
- change in housing choice, shopping, recreational facilities and services
- changes to the lives of specific groups eg. Aboriginal people, young people, older people, people with disability
- changes to community/group values, traditions, lifestyle/culture
- employment opportunities



- effects on the wider community and economy
- changes in affordability of goods and services eg. housing
- urban infrastructure
- local rate base

Once predicted, impacts should be assessed on their level of importance. This may involve assigning a weighting to the impacts, a cost-benefit analysis or some other form of comparison with similar proposals or previous issues. The assessment will need to include the “do nothing” options for comparative purposes.

The task of measuring social impacts gives rise to a second level of complexity. Social impacts have a number of dimensions that may require some type of measurement or evaluation. These include:

- Directionality: some impacts may be positive for some people, while the same impact may be negative for other people;
- Certainty: the likelihood or probability of occurrence of impact;
- Frequency: how often the impact will occur;
- Severity: the magnitude and/or strength of impact;
- Chronicity: over what time period;
- Locality: area of impact;
- Susceptibility and vulnerability: how susceptible the community/ environment is to impact;
- Mitigability: the potential of the impact to be mitigated and;
- Intractability: effects of other impacts and cumulative potential.

#### **5.4.4. Mitigation**

This involves examining and evaluating impacts in order to spell out measures that might help prevent or alleviate negative social impacts. Measures may include:

- noise barriers
- design changes
- financial compensation
- additional community infrastructure and facilities
- employment of community workers
- improved access and accessibility to services and facilities

In relation to Council proposals and policies, measures may include:

- conditions of consent
- Section 94 contribution plans
- caveats, bonds
- review of associated Council policy
- commissioning of special studies (post-occupancy surveys, housing studies, recreational needs study).

In order to investigate possible mitigation measures it is useful to refer to a number of sources:

- previous studies, documents and proposals (where monitoring has been undertaken)
- measures identified during the public consultation process

- measures proposed by Council, other government agencies as a result of consultation

It should be noted that even though the proposal may have negative impacts which cannot be readily overcome, the proposal may be approved or adopted by Council for a variety of other reasons eg economic, environmental, political.

#### **5.4.5. Monitoring**

While many social impacts may be experienced on a “stand-alone” basis, impact categories can, and often do, overlap. Hence, any assessment of social impacts should be sensitive to the way in which impacts inter-relate.

As local governments across Australia adopt integrated, long-term planning objectives, SIA can be an invaluable tool for monitoring and managing social change deriving from local and regional growth patterns. The opportunity therefore exists for Council to take a longer term view with respect to the cumulative social impacts of development within Lismore and the region.

Opportunities to review and monitor the cumulative social impacts of development occur in the development and reporting on the following Plans:

- Social and Community Plan
- Community profile
- Management Plan
- Crime Prevention Plan

The public also play an important role in monitoring impacts of specific developments and categories of developments and are encouraged to provide feedback to Council.

### **5.5. The Social Impact Assessment Report**

The social impact assessment report is a summary of the research and conclusions from the social impact assessment research and consultation, together with the means of mitigating any detrimental effects identified. A template has been developed to provide content guidance and to improve consistency across proposals. (Appendix 4)

### **5.6. How to assess a SIA - Guidelines for Council and applicants**

Overall factors to consider include:

- Has the applicant considered all relevant impacts?
- Has a balanced assessment of the project been provided?
- Is the data sufficient to demonstrate the benefits and justify the significance of the impacts?
- Is the data sufficient and reliable?
- Is the proposal reasonable in the context of its overall net benefits to the community?
- Can its impacts be adequately minimised or a net benefit be demonstrated?
- Does it adequately address community concerns?
- Does the application adequately address the social impacts? or
- Will it need ongoing monitoring and consent conditions to enable it to adequately address the social impacts?

**5.7. How to get advice**

Please contact Lismore City Council for further assistance on when and how to prepare an SIA:

- Customer Contact Centre on 1300 87 83 87
- Integrated Planning Section

Or, visit Council at its administrative building at:

43 Oliver Avenue Goonellabah, during business hours (8.30am – 4.30pm).

## Appendix

## Appendix 1: Community Profile Considerations

<b>1. HISTORY</b>	<ul style="list-style-type: none"> <li>• boundaries and statement of the historical characteristics of the impacted area</li> <li>• name of community, district; location; population</li> <li>• basic geographical / geological / ecological information</li> <li>• community characteristics</li> </ul>
<b>2. SOCIAL DEMOGRAPHICS</b>	<ul style="list-style-type: none"> <li>• population size</li> <li>• ethnic composition</li> <li>• age and dependency ratio</li> <li>• gender ratio</li> <li>• migration rate</li> <li>• current growth</li> <li>• trends / projection</li> <li>• family types and composition</li> </ul>
<b>3. ECONOMIC BASE</b>	<ul style="list-style-type: none"> <li>• major economic base</li> <li>• changes in economic base over the past decade</li> </ul>
<b>4. EMPLOYMENT</b>	<ul style="list-style-type: none"> <li>• employment status and workforce</li> <li>• wages and salary</li> <li>• occupations</li> <li>• unemployment rate</li> </ul>
<b>5. INCOME</b>	<ul style="list-style-type: none"> <li>• average income per capita</li> <li>• degree of poverty</li> <li>• income distribution</li> </ul>
<b>6. EDUCATION</b>	<ul style="list-style-type: none"> <li>• educational level of adults</li> <li>• proportion of residents attending university</li> <li>• educational facilities</li> <li>• number of students enrolled</li> </ul>
<b>7. SOCIAL WELFARE</b>	<ul style="list-style-type: none"> <li>• services available</li> <li>• services most utilised</li> <li>• special vulnerable groups and problems</li> <li>• proportion of population receiving welfare payment</li> </ul>
<b>8. LOCAL GOVERNMENT AND PUBLIC SERVICES</b>	<ul style="list-style-type: none"> <li>• local government and public services available</li> <li>• community relations</li> </ul>
<b>9. LAW AND ORDER</b>	<ul style="list-style-type: none"> <li>• patterns of criminal activities and crime rates</li> <li>• specific problems</li> </ul>
<b>10. HEALTH</b>	<ul style="list-style-type: none"> <li>• public facilities available</li> <li>• common diseases and health concerns</li> <li>• vulnerable groups</li> </ul>
<b>11. TRANSPORTATION</b>	<ul style="list-style-type: none"> <li>• modes of available transportation / public transport</li> <li>• traffic pattern and volume</li> <li>• safety and accidents</li> <li>• road network and conditions</li> </ul>
<b>12. HOUSING</b>	<ul style="list-style-type: none"> <li>• current housing stock and types</li> <li>• population distribution by housing type/ income level</li> <li>• demand and supply of housing</li> <li>• land and real estate values</li> <li>• cost of housing: owner/rental, style, bedrooms</li> <li>• specific local concerns</li> </ul>

<b>13. SPORTS AND RECREATION</b>	<ul style="list-style-type: none"> <li>• public recreation facilities and opportunities</li> <li>• recreational and sports activity pattern</li> <li>• participation rate</li> <li>• physical setting</li> <li>• shopping and other entertainment activities</li> </ul>
<b>14. VALUES AND LIFESTYLE</b>	<ul style="list-style-type: none"> <li>• cultural values as reflected by local issues</li> <li>• community attitudes as reflected by local movements/action groups</li> <li>• dominant lifestyle as reflected by local festivals/events</li> <li>• attractiveness or appeal of community</li> <li>• cultural or historic landmarks</li> <li>• character of community</li> <li>• religious services and activities</li> <li>• presence of cultural diversity</li> </ul>
<b>15. COMMUNITY ORGANISATIONS</b>	<ul style="list-style-type: none"> <li>• types and numbers</li> <li>• activities and purposes</li> <li>• community identity and cohesion</li> </ul>
<b>16. NATURAL ENVIRONMENT / LAND USE</b>	<ul style="list-style-type: none"> <li>• natural and built environment</li> <li>• historical and existing land use patterns (eg. park land, zoning)</li> <li>• specific local concerns</li> </ul>

\* This is an exhaustive list which may not be required for every proposed development.

## Appendix 2: Data sources

<b>Main sources</b>	
<b>Lismore City Council</b>  * Fees apply for this information	<ul style="list-style-type: none"> <li>• Social/community profiles and indicators</li> <li>• Cultural plan</li> <li>• State of the Environment Reports</li> <li>• Community Services Directory</li> <li>• * Historical land use information</li> <li>• * Development approval data</li> <li>• Rates information – dwellings, land use</li> </ul>
<b>Australian Bureau of Statistics (ABS)</b> <a href="http://www.abs.gov.au">www.abs.gov.au</a>	<ul style="list-style-type: none"> <li>• Census data (demographic, economic/employment, housing)</li> <li>• Manufacturing and retail censuses</li> <li>• Building and construction</li> <li>• Economic and employment/unemployment data</li> <li>• Social trends</li> <li>• Disability</li> <li>• Victims of crime survey</li> <li>• Health</li> <li>• Tourism</li> </ul>
<b>NSW Government Agencies</b>	
<b>NSW Bureau of Crime Statistics and Research</b>	<ul style="list-style-type: none"> <li>• Crime statistics for NSW and LGAs</li> <li>• Crime data and comparative trend analysis</li> </ul>
<b>Department of Human Services</b>	<ul style="list-style-type: none"> <li>• Supported accommodation information</li> <li>• Child abuse and domestic violence statistics</li> </ul>
<b>Department of Education Training</b>	<ul style="list-style-type: none"> <li>• Enrolments in government and private schools</li> <li>• Enrolment of special groups</li> </ul>
<b>Department of Human Services, Housing NSW</b>	<ul style="list-style-type: none"> <li>• Housing stock information</li> <li>• Boarding house data</li> </ul>
<b>Department of Infrastructure, Transport, Regional Development and Local Government</b> <a href="http://www.transport.nsw.gov.au/tdc/travel-facts.html">http://www.transport.nsw.gov.au/tdc/travel-facts.html</a>	<ul style="list-style-type: none"> <li>• Passenger travel for all modes of transport</li> <li>• Freight movement</li> <li>• Journey to work data</li> <li>• Future road and public transport networks</li> <li>• Census summary data by LGA</li> </ul>
<b>Department of Planning (including Housing Data and Analysis Service)</b>	<ul style="list-style-type: none"> <li>• Population projections (LGA and regions)</li> <li>• Demographic trend analyses</li> <li>• Urban Development Program (UDP) production data – new release areas</li> <li>• Employment Lands Development Program data</li> <li>• Housing data – quarterly Rent and Sales Report</li> <li>• Regional housing statistics and market analysis</li> </ul>



<b>NSW Health North Coast Area Health Service</b>	<ul style="list-style-type: none"> <li>• In-patient statistics (Casemix)</li> <li>• Community health data</li> <li>• Hospital facility data</li> <li>• Waiting list information</li> <li>• Range of health indicators (eg mortality data)</li> <li>• Alcohol and drug dependency data</li> </ul>
<b>Police Department</b>	<ul style="list-style-type: none"> <li>• Mapped crime data by local area commands</li> <li>• Local Crime data</li> <li>• Annual customer satisfaction surveys (levels of reporting and police response)</li> </ul>
<b>Tourism New South Wales</b>	<ul style="list-style-type: none"> <li>• Visitor numbers (by country of origin)</li> <li>• Tourist expenditure data</li> <li>• Hotel/motel accommodation figures</li> </ul>
<b>Valuer General's Department</b>	<ul style="list-style-type: none"> <li>• Average house prices by type of dwelling and locality (based on a 'typical' sale not survey)</li> </ul>
<b><i>Commonwealth Government Agencies</i></b>	
<b>Centrelink</b>	<ul style="list-style-type: none"> <li>• Number of persons on social security benefits (by postcode or region) – fees apply</li> </ul>
<b>Department of Education, Employment and Workplace relations</b>	<ul style="list-style-type: none"> <li>• DEEWR Small Area Labour Market Quarterly Statistics (unemployment rates, labour force data)</li> </ul>
<b><i>Non-Government Organisations</i></b>	
<b>Northern Rivers Social Development Council</b>	<ul style="list-style-type: none"> <li>• Demographic and economic data</li> <li>• Housing</li> <li>• Aged</li> <li>• Transport</li> </ul>

## Appendix 3: Possible Social Impacts

<b>Demographic change</b>	changing community needs and expectations significant population changes
<b>Accommodation and housing</b>	low income housing affordable housing housing for older people and those with a disability
<b>Older people</b>	access to services availability of support services
<b>People with disability</b>	access to services availability of support services
<b>Younger people</b>	Childcare children's and young people needs space safety
<b>Aboriginal and Torres Strait Islander people</b>	needs specific to this community
<b>Health impacts</b>	obesity as a result of no space/opportunity for exercise
<b>Cultural issues</b>	needs of people from culturally and linguistically diverse backgrounds religious needs needs of other cultural groups
<b>Neighbourhood and community</b>	neighbourhood safety community identity community dislocation community cohesion
<b>Facility requirements (AMCORD)</b>	need for community services and facilities recreation needs education and health facilities transport
<b>Economic issues</b>	local employment generation unemployment business development
<b>Transport/access issues</b>	is access equitable e.g. aged, disabled, youth? will public transport be accessible? what are the existing arrangements? Safety impacts
<b>Cumulative impacts</b>	redundant facilities and possible re-use affects of similar developments in the locality

## Appendix 4: Social Impact Assessment Report

### Part A

**Part A** is to be completed before the scope of the SIA is finalised. Please provide all available information and indicate when the remaining information will be available.

#### INFORMATION ABOUT THE PROPOSED DEVELOPMENT

1. Site or location of the development.
2. Describe the current use of the site.
3. For the proposed development please specify:
  - a. Total number of dwellings (e.g. 50 units, 60 apartments)
  - b. The size of the dwellings (e.g. 1 bedroom, 2 bedrooms)
  - c. Any community or shared facilities provided on the site
  - d. Whether properties are to be sold or leased for rent (if known)
  - e. Approximate expected market price or rental per week
4. Total population expected to be accommodated (or expected range).
5. The anticipated average number of persons per household
6. Estimated date of completion of development (when residents would be in place, specify stages if appropriate).

#### FORECAST THE NEW RESIDENT PROFILE

1. Expected demographic and cultural profile of the new residents.
2. Expected socio-economic profile of the new residents.
3. Considering the above, describe the likely needs of these new residents and demands for social support services and infrastructure. Do you anticipate that residents will require:
  - Home and Community Care (HACC)
  - Social support
  - Community Halls
  - Meals on Wheels
  - Community transport
  - Children's Services
  - Maternal and Child Health etc.

## Social Impact Assessment Report Part B

### ESTIMATE CHANGES EXPECTED IN THE EXISTING NEIGHBOURHOOD

Using baseline data from Council's Community Profile:

- Compare the profile of the new residents for the development against the profile of the surrounding community.
- What is the degree of change expected? How quickly will the changes occur?
- Include a scaled map showing the proximity of the proposed development to existing services and facilities required by the new residents, and which clearly demonstrates pedestrian and transport linkages to these.
- Are existing services and facilities suitable to meet the needs of the new residents (consider supply/capacity, likely demand and utilisation rates, access and equity issues)?

### FEEDBACK FROM STAKEHOLDER CONSULTATIONS

Document the results of any consultation with stakeholders, including community groups or individuals. In particular, report their perceptions of:

- Issues
- Social impacts (both positive and negative)
- Other views or concerns

### DOCUMENT SOCIAL IMPACTS AND STRATEGIES FOR MANAGEMENT OF THESE IMPACTS

1. Describe the likely social impacts of the development. Please specify:
  - The expected intensity of each impact (low, medium, high)
  - Whether the impact is direct or indirect
  - Any cumulative effects that this development may contribute to over time
  - What are the possible effects of the development on present and future generations
  - Ways to enhance positive impacts and reduce negative impacts.
2. Use Council's social impact variable list to describe how the impacts may influence the achievement of Council's goals for the community.

Council's expectation is that the developer will make as many changes to the proposal as is required to maximise positive impacts and minimise negative impacts.

**Appendix 5: Useful references**

- Court & Guthrie (1994), *Review of Commonwealth Environmental Impact Assessment – Assessment of Cumulative Impacts and Strategic Assessment in Environmental Impact Assessment*, Commonwealth Environment Protection Agency, Commonwealth of Australia.
- Cox, G. (1994), *Better Communities Through Social Impact Assessment*, Office on Social Policy, NSW Government Social Policy Directorate.
- Cox, G. (1995), *Techniques for Effective Social Impact Assessment: A Practical Guide*, Office on Social Policy, NSW Govt Social Policy Directorate.
- Cox, G. & Miers, S. (1995), *Social Impact Assessment for Local Government: A Handbook for Councillors, Town Planners and Social Planners*, LGSA of NSW & NSW Government Social Policy Directorate.
- Department of Urban Affairs and Planning (1998), *A Guide to Section 79C of the EPA Act*, NSW Government.
- Interorganizational Committee on Guidelines and Principles for Social Impact Assessment. (1994). *Guidelines and principles for social impact assessment*. Available from: [http://nmfs.noaa.gov/sfa/social\\_impact/guide.htm](http://nmfs.noaa.gov/sfa/social_impact/guide.htm).
- Lane, M. (1997) Social Impact Assessment: Strategies for improving practice.
- *Australian Planner*. 34(2). 100-102.
- Menzies, C. (1993), *Ground Rules: A Social Planning Handbook for Local Government*, Local Government & Shires Associations of NSW.
- Queensland Department of Families (2002) *Social Issues in Development Assessment: A Resource Guide*.
- Social Policy Development Unit (1997), *Guidelines for Assessing Social Impacts*, The Cabinet Office, NSW Government.
- Vanclay, F. & Bronstein, D. (1995), *Environmental and Social Impact Assessment*, John Wiley & Sons, Chichester, England.
- Vanclay, F. (1999). Social impact assessment. In J. Petts, Ed., *Handbook of Environmental Impact Assessment, Volume 1*. Oxford, Blackwell. 301-326.
- SEPP (Seniors Living) Amendment (2007)
- McCamley, P (2000) *Safer by Design Evaluation* NSW Police Service
- McCamley, P (2000) *A Companion to Safer by Design Evaluation* NSW Police Service

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 Lismore City Council acknowledges the people of the Bundjalung Nation, traditional custodians of the land on which we work.



## POLICY MANUAL

<b>Policy title:</b>	<b>PUBLIC ART POLICY</b>
<b>Policy number:</b>	<b>8.2.1</b>
<b>Objective:</b>	<b>Acquire and manage high quality public artworks that enrich and vitalise the public domain and enhance Lismore's identity.</b>
<b>Link to community vision/service:</b>	<b>Development and Governance Services</b>
<b>Program Area:</b>	<b>Community Services</b>
<b>Policy created: Nov 2005</b>	<b>Council reviewed: Nov 2005</b>
<b>Last reviewed by staff: Nov 2005</b>	<b>TRIM Ref: ED10/15921 &amp; ED16/32177</b>

### Preamble

Public art contributes to the history and currency of a community, enhances a local identity and fosters a sense of place. Public art supports and expresses cultural life and community aspirations, promoting the City as a creative and vibrant place. Public art can be functional, eg seating and shade structures or ephemeral artwork and events, and in its broadest sense a park could be seen as public art. The value of public art is including it in strategic planning in a way that allows for integration, collaboration and community participation.

### Lismore City Council Cultural Policy 2004

Relevant Goals:

- 1 Recognise the value that cultural life contributes to community well-being.
- 2 Encourage the pursuit of excellence in arts and cultural endeavours within the region.
- 3.2 Capitalise on the rich local creative talent by utilising the skills of artists to develop community arts projects that add to the distinctive identity of Lismore and its villages.
- 3.3 Develop and support cultural activities that enliven and express the distinctive local identity of Lismore and its villages.
- 4 Create the most appropriate cultural infrastructure to support the needs of a diverse and creative community.
- 5.3 Provide support for the development of partnerships within the community that promote Aboriginal cultural endeavours.
- 6.1 Identify existing and future opportunities for cultural tourism and develop strategies to capitalise on these opportunities for sustainable development.
- 7 Work towards the integration of cultural development planning with all relevant strategic planning processes and documents within Council.

Council, through its development assessment process, can apply conditions to new development requiring contributions for Public Art.

### Public Art Policy Objective

To facilitate the acquisition and management of high quality public artworks that enrich and vitalise the public domain, enhance local identity, and reflect Lismore's unique environment, history and culturally diverse society.



**Public Art Policy Statement****Council is committed to:**

Enhancing the quality of urban and open space environments, eg parkland, through the sensitive placement of locally relevant and meaningful public artworks.

Establish an effective basis from which Council can address future public art planning issues, including making provision for Council to be pro-active in identifying sites for future public art works.

Integrate public art into Council's Urban Design Strategy in order to improve the quality of community spaces and to enhance the pedestrian streetscape experience.

Securing adequate resources to build and maintain a collection of public art, through:

Private sector contributions, eg from development assessment processes;

Council's own capital works program and operational budgets;

Public funding for projects and "in kind" support from the community.

Encouraging the use of collaborative arrangements between artists and design professionals, such as architects and landscape architects, in the creation and commissioning of public artworks

Working with Southern Cross University (SCU) to develop skills in Public Art, through professional placement opportunities for artists and arts administrators.

Working with SCU on audience development and public awareness of Public Art through seminars and public lectures.

Develop awareness within Council and in the community of the value of art in public places.

To complement aspects of the Lismore City Council Strategic Plan 2004 – 2012, Cultural Policy (2004) and Cultural Plan 2005 – 2009.

**It is Council's intention that:**

The public art program is an integrated part of Lismore City's identity.

A standard condition to Section 94 requires 2% of the development budget be allocated to public art in all public and private sector development contracts demonstrating commitment.

Public art contributes to the shaping of the City by reflecting and accentuating Lismore's unique environment, history and culturally diverse society.

Public Art will be located in centres, parkland and other public areas of most significance and meaning to the people of Lismore City.

The siting of Public Art will be determined within a framework identified by Council in local land use plans and planning documents and in accordance with the Public Art Guidelines.

All proposals for Public Art will be subject to a uniform evaluation process in accordance with the Public Art Guidelines.



## POLICY MANUAL

<b>Policy title:</b>	<b>PUBLIC TREE POLICY</b>
<b>Policy number:</b>	<b>8.10.1</b>
<b>Objective:</b>	<b>Improve Council Assets - Trees</b>
<b>Link to community vision/service:</b>	<b>Transport and Infrastructure</b>
<b>Program Area:</b>	<b>Operations</b>
<b>Policy created: 8/4/08</b>	<b>Council reviewed: 17/04/2024</b>
<b>Last reviewed by staff: 8/1/14</b>	<b>TRIM Ref: ED10/15882 &amp; ED16/33016</b>

The Public Tree Policy aims to highlight the aspects of tree management that have long-term impacts on maintenance budgets, the environment, the community's quality of life, public risk and Lismore's identity.

### Annual Programs

Annual tree inspection and maintenance programs will be developed and implemented by Parks & Recreation Staff that will aim to improve landscape and environmental qualities and reduce Council's exposure to risk. Inspection and maintenance programs will be implemented to achieve these aims within budgetary constraints.

It is important that separate cost centres exist for both maintenance and tree planting (capital) in order to monitor appropriate resource allocations.

### Public Tree Planting

Suitable tree species will be planted in both parks and road reserves. Tree species will be chosen for suitability in each chosen location considering:

- preferences given to natives, specifically indigenous or endemic species,
- heritage requirements,
- soils compatibility,
- aspect,
- underground and aboveground services,
- successful surrounding or existing species, and
- other local environment conditions such as rainfall, etc.

### Street Trees - Planting

Street tree planting will be conducted using the guidelines and priorities set out within Lismore City Council's Street Tree Masterplan (March 2008).

A replacement of two trees for one tree removed should be adopted, but only where appropriate and where space is available. This is a preference, not a rule, as discussed in Council's Tree Preservation Order - February 2005 (Clause 10.4).

**Park Trees - Planting**

Park tree planting will occur as required and as budgets allow. A commitment of 50 planted trees per annum should be attempted, or as a minimum, replace any tree removed. Where appropriate, a replacement tree should be planted in the same park where a tree was removed.

A replacement of two trees for one tree removed should be adopted, but only where appropriate and where space is available. This is a preference, not a rule, as discussed in Council's Tree Preservation Order - February 2005 (Clause 10.4).

**Public Tree Pro-active Inspection Program**

Council will commit to a pro-active public tree inspection program aimed to reduce its exposure to avoidable risk and liability. Only staff members qualified and trained in Arboriculture will be permitted to provide hazard identification within these inspection programs.

A pro-active inspection program will be implemented for both street trees and park trees and is outlined in Council's document - Public Tree Risk Management Plan.

**Public Tree Maintenance Program**

Council will commit to appropriately funding maintenance programs aimed to maximise the health and quality of its trees and to reduce its exposure to risk and liability.

A pro-active and a reactive maintenance program will be implemented identifying works from Council's inspection program and from customer requests. Both programs are outlined in Council's Public Tree Risk Management Plan.

**Tree Removal**

Council will develop and implement a Public Tree Removal Procedure. This procedure will outline procedures for tree removal by particular Council Sections and will also include procedures for advertising tree removals and dealing with objections.

**Consulting Arborist Requirements**

Where required, it may be necessary to employ the services of a consulting Arborist to provide specialised advice or second opinions. The document 'Selecting a Consulting Arborist' is available from the Parks & Recreation Section.

**Risk Management**

Council will follow the risk management principles contained within the document 'Best Practice Manual – Trees & Tree Roots', developed by Statewide Mutual in May 2003. Council will develop and implement a Public Tree Risk Management Plan to address the principles within the manual.

**Complaints Procedure**

Council will maintain its current corporate system complaints register (eServices) with each complaint being registered and placed on the appropriate property, road or subject file.

See Council's Public Tree Risk Management Plan for the procedure in dealing with complaints.

**Best Practice**

Council recognises that the Lismore City Council's Street Tree Masterplan, Tree Management Policy, Public Tree Risk Management Plan and Public Tree Removal Procedure are best practice, and that further support will be provided for ongoing reviews and future development of management documents and maintenance programs.

**Related Documents**

Public Tree Removal Procedure (2008) – Lismore City Council  
Public Tree Risk Management Plan (2008) – Lismore City Council  
Street Tree Masterplan (2008) – Lismore City Council  
Plans of Management (various parks and public lands) – Lismore City Council  
Selecting a Consulting Arborist (2008) – Lismore City Council

**Reference Documents**

Amenity Tree Industry Code of Practice (1998) – WorkCover  
Trees & Tree Roots Best practice Manual (2003) – Statewide Mutual Insurance  
Pruning of Amenity trees AS 4373-1996 (1996) – Standards Australia  
Specifying Trees NATSPEC 2nd Edition (2003) – Ross Clarke



## POLICY MANUAL

<b>Policy title:</b>	<b>SMOKE-FREE AREAS POLICY</b>
<b>Policy number:</b>	<b>8.11.1</b>
<b>Objective:</b>	<b>To provide Smoke-free Public Areas</b>
<b>Link to community vision/service:</b>	<b>Quality of Life</b>
<b>Program Area:</b>	<b>Roads &amp; Parks</b>
<b>Policy created: 14/09/2004</b>	<b>Council reviewed: 14/09/2004, 11/12/2012</b>
<b>Last reviewed by staff: 11/12/2012</b>	<b>TRIM Ref: ED13/1340 &amp; ED16/33177</b>

### 1. Purpose

The aim of creating smoke free public areas on land owned and/or managed by Lismore City Council is to:

- Protect the health of community members, in particular children;
- Improve public amenity and maintenance of Council properties;
- Raise community awareness of the issues associated with smoking;
- Provide community leadership in taking measures to protect the health and social well-being of the community; and
- Minimise cigarette butt pollution on Council owned/managed lands and in open space environments and waterways generally.

### 2. Definitions

- **Authorised person(s):** Lismore City Council Officers with delegated authority.
- **Public area:** Council owned and/or managed land and buildings, including playing fields, sporting grounds and sporting facilities; children's playgrounds; covered bus stops and taxi ranks; public swimming pools; corporate and community buildings; and footpaths/roadways within the central business area (CBD Block) identified by attached mapping.
- **Designated smoking posts:** locations for the disposal of cigarette butts identified by attached mapping.

### 3. Background/legislative requirements

Council's Smoke-free Areas Policy was adopted in 2004 having the effect of restricting smoking within 10 metres of all children's playground equipment. The policy has progressively been reviewed by Council over subsequent years resulting in incorporating other public areas such as the memorial baths, Council places of work, bus shelters and most recently the nomination within the draft Outdoor Dining Policy for alfresco dining areas to be smoke-free.

A review of the policy commenced in 2010 incorporating a comprehensive community consultation program involving an on-line survey, mail out to a random sample of 500 property owners, direct invitation to key stakeholders and business community members. This policy was subsequently reviewed to include:

- Playing fields, sporting grounds and sporting facilities,
- Events run or sponsored by Council; and
- CBD centre as defined by Council's Outdoor Dining Policy

At the time of adoption of this revised policy Council acknowledged the announcement from the Minister for Health that reforms to the Smoke-free Environment Act 2000 will be effective from 7 January 2013 restricting smoking in children's playgrounds, public swimming pools, public sporting facilities, public transport stops and stations, within 4m of public buildings and commercial outdoor dining areas.

Under the NSW Local Government Act 1993 Council has the power to legislate in their own jurisdiction to protect their local communities from the effects of second-hand smoke. In particular, Council has the discretionary power to:

- erect suitably worded and strategically placed signage in public areas; and
- prohibit smoking in any place within the local government area of Lismore City in respect of which Council is the owner or occupier, as a condition of entry to that place.

Council's workplaces and other enclosed public places are already smoke-free as a requirement under the Smoke-Free Environment Act 2000. This legislation requires enclosed public places in NSW to be smoke-free.

#### **4. Implementation**

The following Council public areas will be signposted, wherever practicable, to provide smoke-free public areas:

- Children's playgrounds
- Covered bus stops and taxi ranks
- Council playing fields, sporting grounds, sport centres and sporting facilities
- Events run or sponsored by Council;
- Alfresco dining areas
- Council owned buildings, including sports centres, swimming pools, and community buildings
- General parks, gardens and passive recreation open spaces.
- Council owned roads/footpaths within the defined area of the central business area (known as the block - map attached)

This Policy does not apply to the following public areas:

- Public roads/footpaths outside of the defined central business area (known as the block)

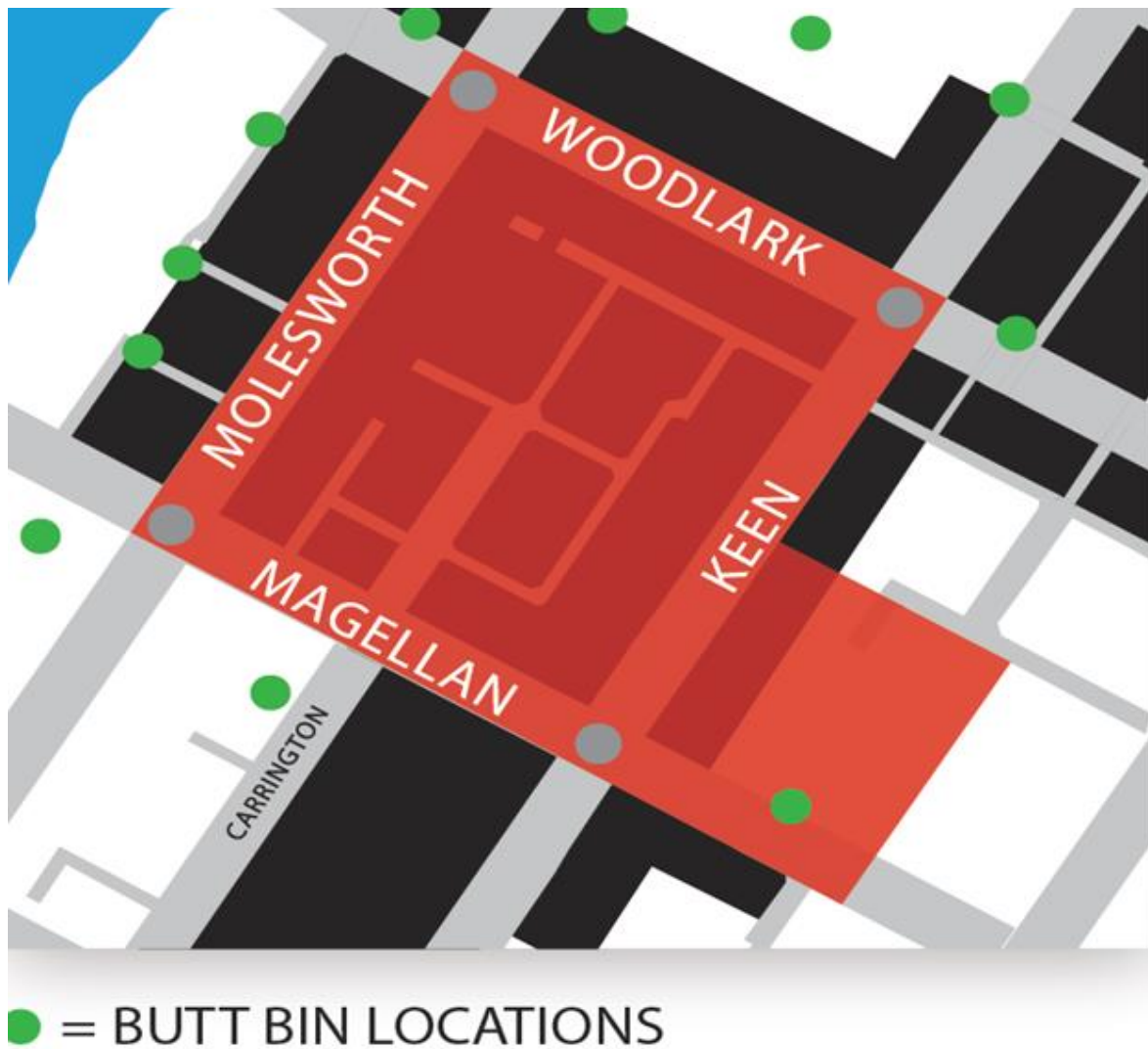
#### **5. Enforcement**

While Council has the power to issue penalty notices to enforce this policy, Council chooses that this policy will be supported by persuasion, community and self-policing, rather than punitive enforcement. However within the "CBD Block" delivery of a more active enforcement focus such as the issuing of warnings and potential for penalty infringement notices will be implemented in association with existing CBD compliance activities.

#### **6. Leases, Licenses and other Council Agreements**

Council buildings and land that are leased, licensed or hired by Council will have, where appropriate, smoke-free clauses inserted into their agreements for use.







## POLICY MANUAL

<b>Policy title:</b>	<b>SELF-HELP PROGRAMME POLICY</b>
<b>Policy number:</b>	<b>To set guidelines for community contribution towards road infrastructure projects.</b>
<b>Objective:</b>	<b>Transport and Infrastructure</b>
<b>Link to community vision/service:</b>	<b>Operations</b>
<b>Program Area:</b>	<b>Type text here</b>
<b>Policy created: July 23, 2007</b>	<b>Council reviewed: 23/7/2007, 8/1/14</b>
<b>Last reviewed by staff: 8/1/14</b>	<b>TRIM Ref: ED10/15886 &amp; ED16/33088</b>

### Policy Objective:

Council recognises and supports the contribution that the community can make by providing funds to support Council's expenditure on the construction of agreed lengths of the road network.

### Administration:

- Applications to carry out projects may be submitted by any individual, a group of people or businesses for work on Council's road network.
- Council may contribute up to a maximum of 50% of the final construction cost.
- Council may undertake and/or support such community road improvement projects, as it considers appropriate.
- In considering the approval of a project, Council may take into consideration the following factors:
  1. the assessed community needs
  2. funding resources availability
  3. maintenance implications both in the short and long term
  4. potential maintenance and public risk/liability issues.
- Council retains the right to accept or reject any proposal.
- No work can commence on a project until a Self-Help Agreement is finalised, and Council has approved it by resolution.
- Also, no work can commence on a project until at least 50% of the funds have been paid by the other party.

### Council's Annual Limit for the Self-Help Programme:

As per Council Resolution 115/05, "A separate body of funding be determined by Council to fund its share of sealing gravel roads contributed by residents and that an annual limit on Council's share be put up at \$100,000. Further, that residents contribute a minimum of 50 per cent of the construction costs".

This policy is a living document and as such the policy will be revised as the Council's goals and corporate directions change.