



## Briefings Committee

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Members of Council are requested to attend.  
An Ordinary Meeting of Lismore City Council Briefings Committee will be held at the Council Chambers on Tuesday, 5 May 2026 at 6:00 PM

**Eber Butron**  
**General Manager**  
30 April 2026



## ETHICAL DECISION MAKING AND CONFLICTS OF INTEREST

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

#### Ethical decision making

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

#### Conflict of interest

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

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

#### The test for conflict of interest

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

#### Identifying problems

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

#### Disclosure and participation in meetings

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

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

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

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

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

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

# Agenda

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**1. Opening of Meeting**

**2. Acknowledgement of Country**

**3. Apologies and Applications for Leave of Absence or Attendance by Audio-Visual Link**

**4. Confirmation of Minutes**

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**5. Disclosures of Interest**

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# **Reports of the General Manager**

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## Report

<b>Subject</b>	Staged Co-living Housing
<b>TRIM Record No</b>	BP26/413:EF19/23-8
<b>Prepared by</b>	Senior Development Assessment Officer
<b>Reason</b>	4.6 variations over 10%.
<b>Strategic Theme</b>	Prosperity
<b>Strategy</b>	Support the growth of prosperous and vibrant communities
<b>Action</b>	Create vibrant, welcoming and attractive city and village centres

### Executive Summary

This presentation is to inform the Briefing Committee ahead of a report to the May Council meeting on a staged co-living housing project at 4, 6 and 8 Weaver Street, Lismore

The development application proposal comprises purpose-built co-living accommodation for health workers across two five-storey residential buildings with 38 units at 4 Weaver Street proposed and 48 units at 6–8 Weaver Street.

The application includes Clause 4.6 variation requests relating to building height and building line setbacks. The assessment concludes that the proposal achieves the objectives of the relevant development standards and that the variations result in an acceptable outcome when considered on merit, supported by appropriate design responses and mitigation measures.

The development provides high-quality, well-located accommodation that directly supports the operational needs of the Lismore Base Hospital and the broader Health Precinct. It aligns with Lismore's strategic intentions for the area, which identify the precinct as a key focus for higher-density housing and health-support workers accommodation.

The recently exhibited Draft Local Strategic Planning Statement (LSPS) proposes a future building height of up to 9 storeys on the subject site. The proposal sits below this strategic height threshold, demonstrating a measured response to the emerging built form while remaining consistent with the LSPS vision for a more intense, resilient and integrated health precinct.

On this basis, the application is recommended for approval.

### Recommendation

That the Committee note the presentation on the Staged Co-living Housing ahead of a report to the May Council meeting.

### Attachment/s

1. [↓](#) Councillor Briefing - DA26/44 - Weaver Street

## Staged Co-living Housing (Health Worker Accommodation)

4, 6 and 8 Weaver Street, Lismore





## Overview

### WHY ARE WE HERE

- ▶ DA2026/44 proposes construction of two five-storey buildings as a co-living development for health worker accommodation comprising self-contained one-bedroom apartments. 4 Weaver Street site proposed to contain 38 units, with a further 48 units proposed at 6–8 Weaver Street.
- ▶ The application includes Clause 4.6 variation requests over 10%

### WHAT DO WE NEED FROM COUNCIL

- ▶ Determination of the Development Application (DA)

### RISK LEVEL

- ▶ Low.



# Subject Site and Locality





# Development Application (DA)

## Key Development Data

### Stage 1

Control	Proposal
Site area	1107 m <sup>2</sup>
GFA	1,411 m <sup>2</sup>
No of apartments	Thirty-eight (38) 1-bedroom apartments
Max Height	17.925 m
Landscape area	467m <sup>2</sup> of landscaped area
Car Parking	Nineteen (19) on-site parking spaces
Setbacks	Orion Street: 6.4m Weaver Street: 2.7m Side (south): 3.0m Rear (east): 6.6m



### Stage 2

Control	Proposal
Site area	1,125.6 m <sup>2</sup> (combined)
GFA	1,748 m <sup>2</sup>
No of apartments	Forty-eight (48) 1-bedroom apartments
Max Height	18.25 m
Landscape area	489 m <sup>2</sup> of landscaped area
Car Parking	24 on-site car parking spaces
Setbacks	Weaver Street: 3.2m Northern boundary: 5.5m Southern boundary: 5.1m Rear (east): 3.2m





## 4.6 Variations

- The site has a current maximum building height of 13m, the development proposes:
  - 17.9m which is a variation of 4.9m (Stage 1)
  - 18.25m which is a variation of 5.25m (Stage 2)
- The prescribed minimum separation distances for buildings are 12m between habitable rooms/balconies, the development proposes separation distance of 8.52m between opposing balconies.
- For a corner allotment the setback is 6m from the primary street and 4m from the secondary road. The development provides a setback of 2.7m (Stage 1) resulting in an encroachment of 1.3m and 3.25m (Stage 2) to the Weaver Street frontage (secondary road) resulting in an encroachment of 1.3m .





## Submissions

**Public Notification** – The application was notified 12 March 2026 to 27 March 2026, 3 submissions were received

Issues raised in the submissions are as follows:

- The development is taking away housing for families
- Strategic intent (building height) has not yet been formalised through an LEP amendment and does not provide sufficient grounds to vary the height standard
- Could result in a built environment not subject to coordinated strategic planning.
- The volume of people proposed to be accommodated in the units
- The building height has impact on the adjoining property to the south



# Strategic Context – LSPS Direction



Existing building height limit area 16m





## Conclusions

The development provides high-quality, well-located accommodation that directly supports the operational needs of the Lismore Base Hospital and the broader Health Precinct. It aligns with Lismore's strategic intentions for the area, which identify the precinct as a key focus for higher-density housing and health-supportive accommodation.

The assessment concludes that the proposal achieves the objectives of the relevant development standards and that the variations result in an acceptable outcome when considered on merit, supported by appropriate design responses and mitigation measures.

Matter to be reported to the May Council meeting.

## Report

<b>Subject</b>	Waste Landfill Capping budget FY26/27
<b>TRIM Record No</b>	BP26/415:EF19/23-8
<b>Prepared by</b>	Deputy Director - Waste and Resilience
<b>Reason</b>	
<b>Strategic Theme</b>	Environment
<b>Strategy</b>	Value and protect local biodiversity, natural landscapes and waterways, and strengthen resilience to natural hazards
<b>Action</b>	Deliver sustainable waste management

### Executive Summary

This presentation is to inform the Briefing Committee on the forward works plan for waste landfill capping within the FY2026/2027 budget.

### Recommendation

That the Committee note the presentation on the waste landfill capping forward works plan and budget FY26/27 budget ahead of a report to the May Council meeting.

### Attachment/s

1. [↓](#) FY27 Waste Budget \_Capping Presentation



# LRRC Landfill Capping — FY26/27 Budget Briefing

# Purpose of briefing

This briefing provides an overview of landfill capping requirements and FY26/27 budget allowances.

- Defines landfill capping requirements and project drivers
- Outlines current project status
- Summarises forward funding requirements



## Site context

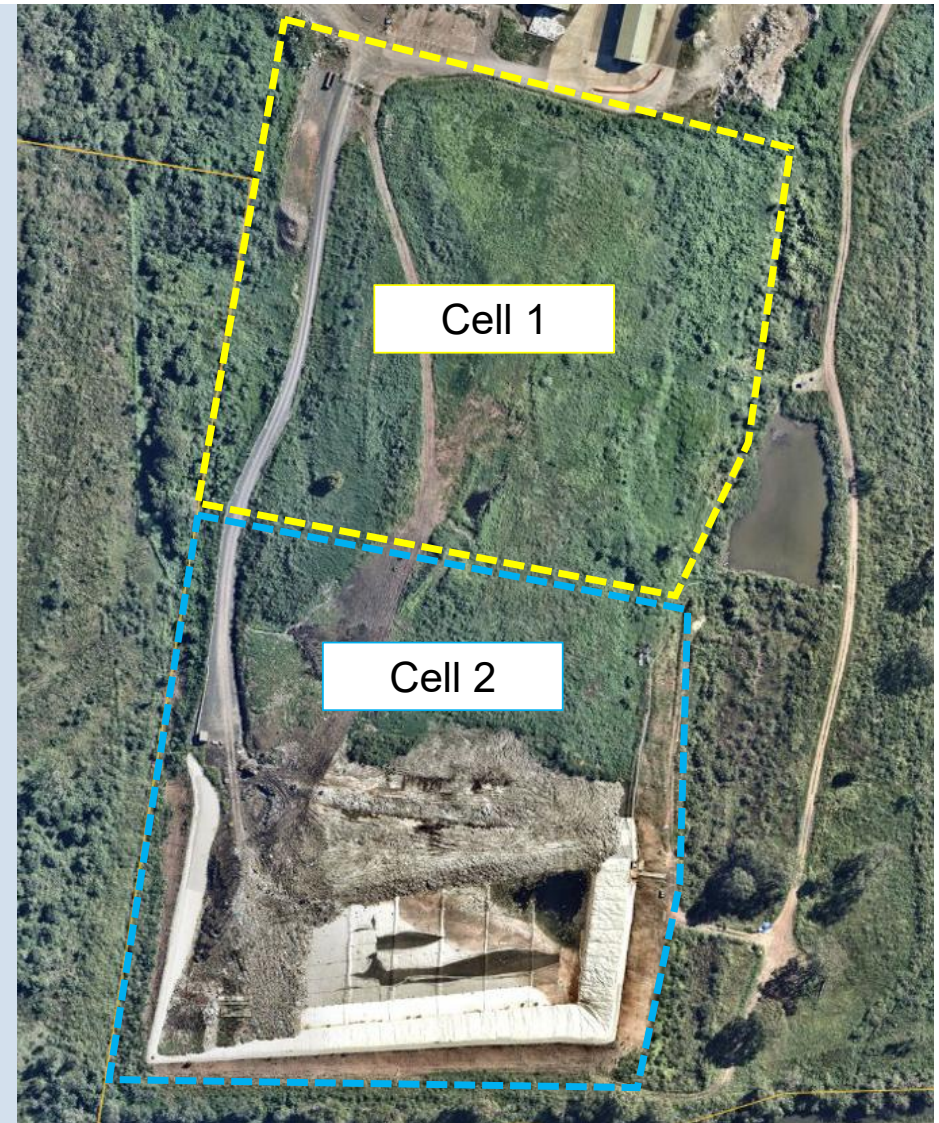
LRRC landfill includes both completed and active filling areas, with progressive capping required as areas are finalised.

### Cell 1:

- Legacy cell commenced late 1980's
- Non-engineered landfill cell
- Filling completed (~2020)

### Cell 2:

- Engineered landfill cell
- Filling ongoing (~7-10 years remaining life)



# Landfill capping overview

Landfill capping is a permanent cover applied to completed landfill areas.

- Prevents rainfall entering waste
- Reduces leachate and pollution
- Supports long-term landfill site and licence closure
- Required once landfilling is complete



*Source: Seneca Landfill, Inc.*

**Lismore**  
City Council

## Landfill capping overview cont.

Final landfill 'landforms' are revegetated following completion of permanent capping.



*Source: ATA Publication.*

**Lismore**  
City Council

# Regulatory position

The environmental licence requires landfill areas to be closed and rehabilitated following completion of landfilling.

Council is planning progressive landfill capping consistent with responsible waste and environmental management principles.

- Landfill regulated by EPL 5880
- Progressive capping within 12 months of landfill completion is best practice
- Cell 1 landfilling completed in 2020 (5+ years ago)
- Regulatory pressure to progress capping is increasing (NSW EPA)

Section 55 Protection of the Environment Operations Act 1997

**Environment Protection Licence**

Licence - 5880


Licence Details	
Number:	5880
Anniversary Date:	01-July

Licensee	
LISMORE CITY COUNCIL	
PO BOX 23A	
LISMORE NSW 2480	

Premises	
WYRALLAH ROAD WASTE FACILITY	
313 WYRALLAH ROAD	
EAST LISMORE NSW 2480	

Scheduled Activity	
Waste disposal (application to land)	

Fee Based Activity	Scale
Waste disposal by application to land	Any capacity



# Current project status

Concept design is in progress to define the lowest cost, compliant capping solution.

- Site investigations complete
- Options assessment underway
- Focus on lowest cost compliant solution
- Key design decisions being finalised:
  - Capping system
  - Landform and geometry

Concept design completion forecast: June 2026





# Budget profile

Funding is staged, with development in FY26/27 and delivery in future years.

The 4-year financial plan reflects development and Cell 1 delivery allowances.

Year	Activity	Budget	Funding Source
FY26/27	Development – Cell 1	\$446,074	Waste Reserve
FY27/28	Delivery – Cell 1	\$5,826,666	Debt funding
FY28/29	Delivery – Cell 1	\$5,826,666	Debt funding
FY29/30	N/A	\$0	Nil

Future Cell 2A/2B capping is forecast for the early 2030s following completion of operational filling.

# Funding position

Waste Services performance has improved; however, reserves are not sufficient to fund full delivery of the project.

- Waste Reserve is the initial funding source
- Current reserve capacity is limited
- Delivery requires additional funding
- Loan funding is likely required



# Summary

Landfill capping is required under Council's regulatory licence obligations and is consistent with responsible waste and environmental management principles.

Council's development work is underway to finalise the design and prepare for construction in FY27/28.

- Cell 1 filling completed (~2020)
- Regulator (NSW EPA) seeking immediate progression of Cell 1 capping
- FY26/27 budget supports Cell 1 design and approvals
- FY27/28 budget includes Cell 1 forecast construction costs
- Future Cell 2A/2B capping forecast for early 2030s

# Report

<b>Subject</b>	<b>Policy Review</b>
<b>TRIM Record No</b>	BP26/414:EF19/23-8
<b>Prepared by</b>	Executive Officer
<b>Reason</b>	To provide information on policies to be reviewed, adopted or revoked
<b>Strategic Theme</b>	Leadership
<b>Strategy</b>	Ensure effective governance, advocacy, engagement and partnerships with a focus on long-term financial sustainability
<b>Action</b>	Provide responsible, transparent and accountable leadership with sustainable management of Council finances, assets, risks and human resources

## Executive Summary

This presentation is to inform the Briefing Committee of draft policy changes, as we progress towards adoption by Council at the May meeting.

## Recommendation

That the Committee note the presentation on the Policy Review.

## Attachment/s

1. [↓](#) Policy Review
2. [↓](#) 1.2.35 Service Review Policy
3. [↓](#) 1.4.3 Media Policy
4. [↓](#) 1.8.25 Leasing of Council Properties Policy\_new
5. [↓](#) 1.8.25 Leasing of Council Properties Policy\_old
6. [↓](#) 1.2.25 Volunteer Program Policy\_new
7. [↓](#) 1.2.25 Volunteer Program Policy\_old
8. [↓](#) 1.2.26 Unsolicited Proposals Policy\_new
9. [↓](#) 1.2.26 Unsolicited Proposals Policy\_old
10. [↓](#) Social Media Policy
11. [↓](#) 1.4.3 Media Releases Policy
12. [↓](#) 1.4.18 Gathering Information Policy



# Policy Review

Bronwyn Mitchell, Executive Officer

5 May 2026

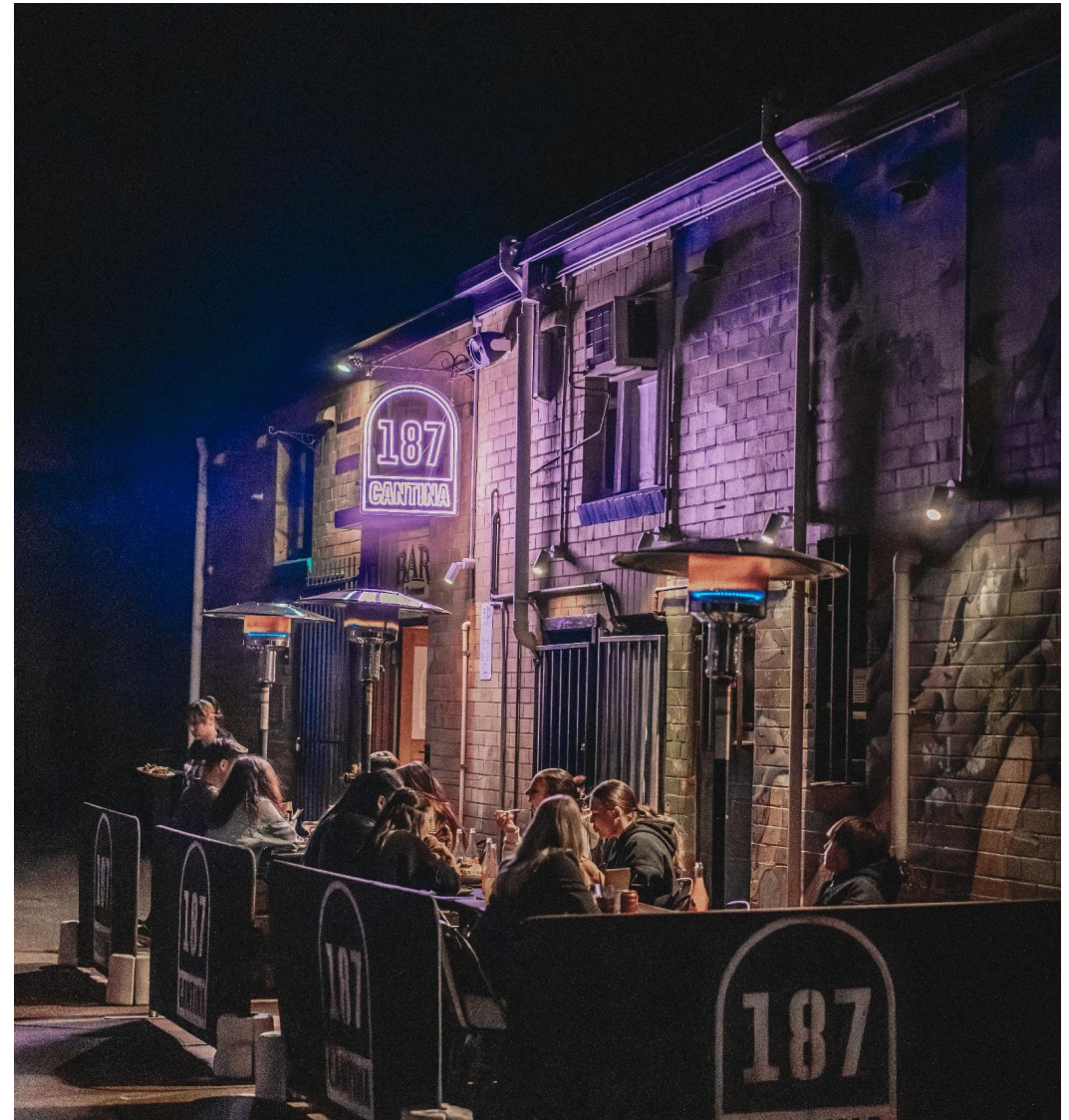


# Background

Council is continuing the review of all policies. Over the coming months Council will continue to be asked to consider adopting new and revised policies, as well as rescind outdated or superseded ones.

# New policies

1. Service Review
2. Media



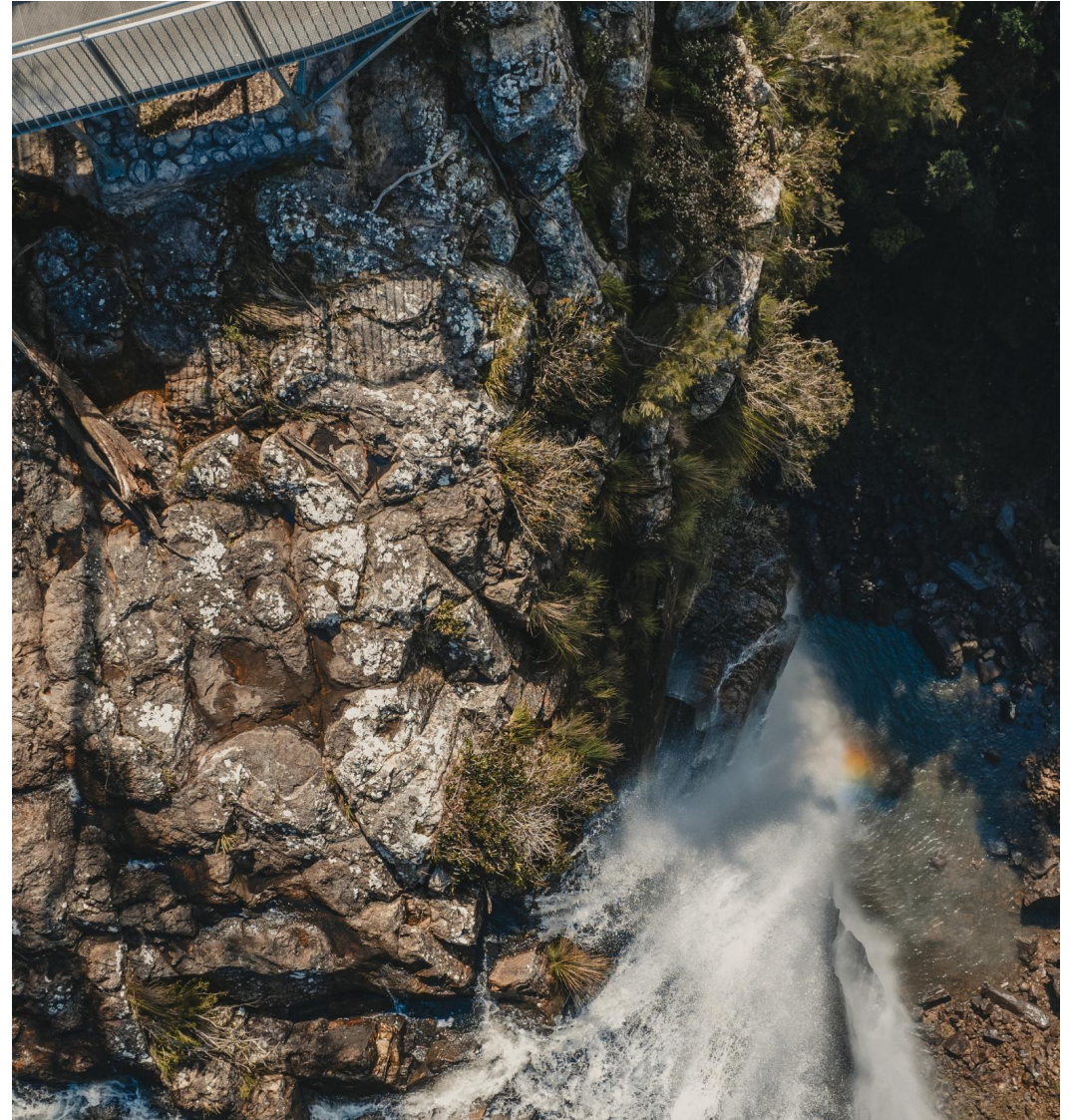


## Revoked policies

1. Media Release
2. Social Media
3. Gathering Information

# Revised policies

1. Leasing of Council Properties
2. Volunteer Program
3. Unsolicited Proposals



## Key changes – Leasing of Council Properties



	Old policy	New policy
Overall approach	Operational and transactional focus, mainly on leases and community rental subsidies	Strategic asset-management approach aligned with Property Strategy and Decision-Making Framework
Policy objectives	Fairness, transparency, asset maintenance, ad hoc subsidy assessment	Financial sustainability, asset optimisation, equitable access, governance, and risk management
Tenant selection	Case-by-case assessment, especially for community groups	Formal Tenant Selection Framework with strategic assessment criteria
Market testing	Market testing encouraged but not embedded	Competitive market process is the default with probity controls
Rent framework	Commercial rent vs subsidised rent assessed ad hoc	Three-tier rent framework: Market, Discounted Market and Peppercorn
Community subsidies	Limited eligibility criteria, minimal reporting	Stronger evidence requirements and mandatory annual reporting



## Key changes – Volunteer Program

	Old policy	New policy
Policy tone	Lengthy, procedural and volunteer-centric	Shorter, principles-based and governance-focused, supported by separate procedures
Role boundaries	States volunteers should not replace paid staff	Clear boundaries: volunteers may only act within approved roles and must not undertake unauthorised activities
Recruitment & Eligibility	Broad inclusion statements with limited formal assessment detail	Assessment of suitability, eligibility, certifications and supervision requirements

## Key changes – Unsolicited Proposals

	Old policy	New policy
Policy tone	Lengthy, procedural and volunteer-centric	Shorter, principles-based and governance-focused, supported by separate procedures
Intent	Encourages innovation and investment	Stronger focus on public value, probity and transparency
Governance	Principle-based governance	Detailed governance and steering committee requirements
Application threshold	No explicit monetary threshold	Formal threshold aligned to tender limits
Assessment stages	Three stages with limited formalisation	Stages retained with clearer decision points

# Where to from here?

A report will be presented to the May Council meeting for decisions

# Questions?

# Service Review Policy

Council Policy Number: 1.2.35

# Service Review Policy

Council Policy Number: 1.2.35

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## Introduction

This policy guides the operation of Council's service review function to ensure services are efficient, effective and aligned with the community's evolving needs and expectations.

### 1 Objectives

The objectives of this policy are to:

- a) has robust systems to set objectives and goals to determine and deliver appropriate levels of service to the community
- b) maintains appropriate reporting and monitoring mechanisms to measure service delivery to the community and overall performance
- c) can measure its service delivery and monitor Council's performance of its business and functions.

### 2 Scope

This policy applies to all services delivered by Council. It encompasses all Council employees, Council's Audit, Risk and Improvement Committee (ARIC) and the community who are involved with the delivery, funding or receipt of Council's services.

### 3 Policy Statement

Council acknowledges the community expects a high standard of service. We are committed to completing regular reviews of services, as outlined in the Office of Local Government's Integrated Planning and Reporting Handbook, to ensure services are appropriate, effective and efficient.

Service reviews will be conducted transparently, may include internal and external stakeholder engagement, and will focus on both financial and service outcomes to ensure services meet current and future community needs effectively and sustainably.

The policy identifies the principles that underpin our approach to organisation-wide service reviews to align our business with the objectives outlined in our Community Strategic Plan and to meet our responsibilities outlined in the *Local Government Act 1993*. The Service Review Policy also works in conjunction with the Integrated Planning and Reporting (IP&R) Framework, forming part of the 'ongoing monitoring and review' process.

Council's Integrated Communication & City Product team is the lead point of contact for all media enquiries and act as the authorised Platform Managers for all social media platforms.

Platform Managers may appoint Platform Administrators to different social media sites depending on their accountabilities and expertise. However, the Platform Managers will have overall responsibility for these sites.

### 4 Principles

Council has established a set of principles to ensure service reviews are:

- a) transparent: Engage and consult with relevant stakeholders during service reviews and be transparent about the proposed outcomes, objectives and recommendations as a result of the review. Council's Operational Plan will specify the services to be reviewed in that year, and the outcomes of service reviews will be reported annually to ARIC and in Council's Annual Report
- b) balanced: Respond to the needs of both the current and future community. Consider both long-term financial sustainability and the effective and efficient provision of services.

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- c) aligned: Review risks associated with service delivery to ensure they align with our risk appetite. Deliver services in accordance with relevant legislation and regulations. Implement a risk-based prioritisation process to deliver the service review program

## 5 Review and evaluation

This policy will be evaluated once every Council term to determine effectiveness, appropriateness, efficiency and governance. This will be achieved via a self-assessment to determine compliance with the policy principles and comparison to service review best-practice in local government.

## Document History and Version Control

Document History and Version Control			
Trim Ref	Version	Summary of Changes / Consultation	Date
ED26/	1.0	Policy creation	12/05/2026

Document #: ED26/	Document Title: Service Review Policy		
Version #: 1.0	Developed By: Corporate Sustainability	Council Approval Date:	

# Media Policy

Council Policy Number: 1.4.3

# Media Policy

## Council Policy Number: 1.4.3

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## Introduction

This Media Policy provides Council with a robust framework for the administration and management of their interactions with all forms of media – print, broadcast and social media. It also sets standards of conduct for all Council officials who are required to interact with media in their official capacity.

Council recognises that a well-run, competent, ethical and reputable organisation is the best way to promote a favourable image and also recognises that it can actively promote a favourable image through successful management of its communication process with the media.

Effective media engagement can assist Council to keep their community informed, explain decisions and to promote community confidence in the Council and its decisions.

Social media has become an important tool, it is used by Council to interact and share information with their communities in an accessible and often more informal format.

## 1 Objectives

The objectives of this policy are to:

- a) ensure all communication from council is consistent, accurate, timely and appropriate
- b) clearly indicating council’s authorised spokespersons
- c) provide a wide variety of mediums, that information from and about council, can be accessed by the community
- d) improve communication with internal and external customers and enhance council’s public image
- e) ensure that full and complete details of all issues relevant to council activities are fairly presented to the community
- f) ensure confidential information is managed appropriately
- g) decrease the exposure and risk to reputation by managing information appropriately

Lismore City Council (LCC) is committed to upholding and promoting the following principles of media engagement:

Openness	<p>We will ensure that we promote an open exchange of information between our Council and the media.</p> <p>Our social media platforms are places where anyone can share and discuss issues that are relevant to our Council and the community we represent and serve.</p>
Consistency	<p>We will ensure consistency by all Councillors and Council employees when communicating with the media.</p>
Relevance	<p>We will ensure our social media platforms are kept up to date with informative content about our Council and community.</p>
Accuracy	<p>The information we share with the media will be a source of truth for our Council and community and we will prioritise the need to correct inaccuracies when they occur.</p> <p>The content we upload onto our social media platforms and any other social media platform will be a source of truth for our Council and community and we will prioritise the need to correct inaccuracies when they occur.</p>

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Timeliness	We will ensure that we respond to media enquiries in a timely manner.
Respect	Our social media platforms are safe spaces. We will uphold and promote the behavioural standards contained in this policy and our Council's code of conduct when using our social media platforms and any other social media platform.

**2 Scope**

This policy applies all Council officials.

**3 Policy Statement**

This Media Policy has been developed to provide a framework to assist LCC when dealing with the media and to ensure that media engagement by councillors and Council employees is consistent, accurate and professional and enhances the council's reputation.

Effective media engagement can assist Council to keep their community informed, explain decisions and to promote community confidence in Council and its decisions.

The term “media” used in this Policy means print, broadcast and online/social media used for communicating information to the public, including, but not limited to, newspapers, magazines, internet publishers, radio, television broadcasters and social media platforms.

The advancement of technology and the development of non-traditional media means that the media now has unprecedented reach and accessibility. Anyone with a computer or hand-held device can access media platforms and actively engage in content which has the potential to be viewed and shared by hundreds of millions of people worldwide.

How Council is portrayed in the media impacts greatly on how the organisation is perceived. Media can be an effective tool to promote council programs, events, and initiatives. In addition, media can be invaluable in times of crisis or emergency when information needs to be communicated to the public.

Together with the annexure, this Policy provides Lismore City Council with a robust framework for the administration and management of their social media platforms. It sets standards of conduct for all Council Officials who use social media in their official capacity.

Despite its obvious benefits, media also presents a variety of challenges and risks. These include:

- a) maintaining the accuracy, reliability, and integrity of information
- b) ensuring confidential information is managed appropriately
- c) the increased exposure and risk to reputation where information is not managed appropriately

**3.1 Standards of Conduct When Engaging with the Media**

Council officials must comply with the Council's Code of Conduct when engaging with the media in an official capacity or in connection with their role as a Council official.

Council Officials must not:

- a) share information or make comments to the media through either direct or indirect mechanism

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- b) use social media to post or share comments, photos, videos, electronic recordings or other information that:
- i. are defamatory, offensive, humiliating, threatening, or intimidating to other council officials or members of the public
  - ii. contains profane language or is sexual in nature
  - iii. constitutes harassment and/or bullying within the meaning of council's Code of Conduct, or is unlawfully discriminatory
  - iv. is contrary to their duties under the *Work Health and Safety Act 2011* and their responsibilities under any policies or procedures adopted by council to ensure workplace health and safety
  - v. contains content about Council, Council officials or members of the public that is misleading or deceptive
  - vi. divulges confidential council information
  - vii. breaches the privacy of other Council officials or members of the public
  - viii. contains allegations of suspected breaches of the council's Code of Conduct or information about the consideration of a matter under the Code of Conduct Procedures
  - ix. could be perceived to be an official comment on behalf of council where they have not been authorised to make such comment
  - x. commits council to any action
  - xi. violates an order made by a court
  - xii. breaches copyright
  - xiii. advertises, endorses, or solicits commercial products or business
  - xiv. constitutes spam
  - xv. is in breach of the rules of the social media platform
  - xvi. incite or encourage other persons to act in a way that is contrary to the requirements of this Policy

Council officials must:

- a) attribute work to the original author, creator or source when uploading or linking to content produced by a third party
- b) obtain written permission from a minor's parent or legal guardian before uploading content in which the minor can be identified.
- c) exercise caution when sharing, liking, retweeting content as this can be regarded as an endorsement and/or publication of the content.

Councillors must uphold and accurately represent the policies and decisions of the Council's governing body but may explain why they voted on a matter in the way that they did.

### 3.2 Authorised Spokespersons and Platform Managers

Council has nominated the following Council representatives to act as official spokespersons to the print and broadcast media:

- a) Mayor
- b) General Manager (GM)

Council's Integrated Communication & City Product team is the lead point of contact for all media enquiries and act as the authorised Platform Managers for all social media platforms.

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Platform Managers may appoint Platform Administrators to different social media sites depending on their accountabilities and expertise. However, the Platform Managers will have overall responsibility for these sites.

### 3.3 Written Material for Media Use

All media releases, media kits, feature stories, flyers and other materials written for the media or public distribution should comply with Council's adopted Brand Guidelines and checked for editing, photographic support and policy proofing and then sent to the GM / relevant Director / or delegate for review and approval for release.

Where a media release is prepared by another organisation which relates to a Council project or in which Council is involved, the Council employee involved is to ensure a copy of the media release is provided to the GM for review and content approval is supplied back to the requesting organisation.

### 3.4 Use of Media During Emergencies

Council recognises that ill-considered and uninformed comments can cause dire consequences and legal implications in the event of an emergency, disaster, crisis or sensitive issue.

During emergencies, such as natural disasters or public health incidents, the delegated Council Officials will be responsible for coordinating media releases/statements and posts on social media platforms on behalf of the Council.

Training on media engagement for all forms of media during emergencies should be included in training and/or induction provided to all delegated persons.

Accordingly, only the Mayor and GM are authorised to speak to the print and broadcast media on these occasions.

Councillors, Council employees must not provide comment or information to the media that is inconsistent with official advice issued by Council and any other agency coordinating the emergency response.

To ensure consistent messaging both during and after an emergency, Platform Managers, Platform Administrators and Council Officials must not upload content onto Council's or their own social media platforms which contradicts advice issued by the agency coordinating the emergency response, or agencies supporting recovery efforts.

### 3.5 Media Engagement in the Lead Up to Elections.

This Policy does not prevent the Mayor or councillors who are candidates at Council or any other election from providing comment to the media in their capacity as candidates at the election.

Any media comment provided by the Mayor or councillors who are candidates at Council or another election must not be provided in an advertisement, newspaper column, or a radio or television broadcast paid for by Council or produced by Council or with council resources.

### 3.6 Records Management Requirements

All media content created and received by Council officials (including councillors) acting in their official capacity is a Council record and may be subject to information access applications made under the *Government Information (Public Access) Act 2009*. These records must also be managed in accordance with the requirements of the *State Records Act 1998* and Council's approved records management policies and practices.

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Council officials must not destroy, alter, or remove social media content unless authorised to do so. If you need to alter or remove social media content, you must do so in accordance with this Policy and consult with the Council's Records Management Unit and comply with the requirements of the *State Records Act 1998*.

When/if a councillor's term of office concludes, the councillor must contact the Manager Governance to manage/transfer records of social media content created during their term of office and comply with the requirements of the *State Records Act 1998*.

In fulfilling their obligations, Council Officials should refer to any guidance issued by the State Archives and Records Authority of NSW relating to retention requirements for Council and Councillor's social media content.

### 3.7 Concerns or Complaints

Complaints about the conduct of Council Officials (including Councillors) when speaking to the media or on social media platforms may be directed to the GM.

Concerns or complaints about the administration of a Council's social media platforms should be made to the council's GM in the first instance.

Complaints about a GM's conduct when speaking to the media or on social media platforms may be directed to the Mayor.

## 4 Roles and Responsibilities Council Officials

### 4.1 General Manager

The GM:

- a) is the official spokesperson for the council on operational and administrative matters
- b) may delegate to other council employee/s to speak on their behalf where appropriate, (for example, where the delegated staff member has professional expertise regarding the subject matter, or the GM is unavailable)
- c) may delegate responsibility for the establishing, monitoring and management council's social media platforms

### 4.2 Mayor

The Mayor:

- a) is the principal member and spokesperson of the governing body of Council, including representing the views of Council as to its local priorities
- b) if the Mayor is unavailable, the Deputy Mayor may act as Council's spokesperson
- c) may delegate their role as spokesperson to other councillors where appropriate

### 4.3 Councillors

As a member of the governing body and as a representative of the community, councillors are free to express their personal views to the media.

When engaging with the media, councillors:

- a) must not purport to speak on behalf of Council unless authorised to do so
- b) must clarify when speaking to the media that they are expressing their personal views as an individual councillor and that they are not speaking on behalf of Council (unless authorised to do so)
- c) must uphold and accurately represent the policies and decisions of Council
- d) must not disclose Council information unless authorised to do so

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- e) must inform the GM or the Integrated Communication & City Product team of any media relations (unless related to a personal or private matter) before providing comment to the media to seek information and guidance and ensure they have the most up-to-date and relevant information, alignment with Council messaging and protocols and have considered reputational or other risks from

In the interests of promoting a positive, safe and harmonious organisational culture, councillors should endeavour to resolve personal differences privately and must not prosecute them publicly through the media.

Where councillors (including the Mayor) become aware of potential issues that could result in media interest, they should provide this information to the GM.

Councillors must direct any questions about their obligations under this Policy to the GM.

#### 4.4 Integrated Communication & City Product team

The Integrated Communication & City Product team's role is to:

##### PRINT & BROADCAST MEDIA

- a) be the lead point of contact for all media enquiries, requests for interviews, requests to film or photograph council employees, facilities or events for news and current affairs purposes
- b) be responsible for preparing all media statements and gaining approval by the Mayor and/or GM prior to release
- c) liaise with relevant employees within the organisation where appropriate
- d) develop and/or approve media training and/or induction to be provided to relevant staff and/or councillors
- e) maintain a record of all media enquiries and responses
- f) ensure media organisations and their representatives are treated professionally, equally and without bias
- g) ensure media enquiries are dealt with promptly
- h) provide guidance to councillors approached by the media for comment to avoid communication of misinformation; and
- i) ensure that all media releases are published on the council's website.

##### SOCIAL MEDIA

- a) in conjunction with the GM, has overall responsibility for all council social media sites and approve/revoke an employees status as a platform administrator
- b) develop and/or approve the training and/or induction to be provided to platform administrators
- c) maintain a register of platform administrators
- d) maintain effective oversight of Platform Administrators
- e) ensure the Council complies with its record keeping obligations under the *State Records Act 1998* in relation to social media
- f) ensure the Council adheres to the rules of the social media platform(s)
- g) ensure the Council's social media platforms are set up and maintained in a way that maximises user friendliness and any technical problems are resolved promptly

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#### 4.5 Platform Administrators

Platform Administrators should be Council employees responsible for managing, or have expertise in, the events, initiatives, programs or policies that are the subject of the social media content.

The role of a Platform Administrator is to:

- a) ensure, to the best of their ability, that the content they upload onto social media platforms is accurate
- b) correct inaccuracies in Council generated content
- c) engage in discussions and answer questions on Council's behalf on social media platforms – where appropriate. Only LCC Pages will have discussions or questions answered. Posts or shares into other pages such as community pages will not be monitored or responded to
- d) keep the Council's social media platforms up to date
- e) where authorised to do so by the Integrated Communication & City Product team
  - i. moderate the Council's social media platforms in accordance with this Policy
  - ii. ensure the Council complies with its record keeping obligations under the *State Records Act 1998* in relation to social media

When engaging on social media on Council's behalf (such as, but not limited to, on a community social media page), a Platform Administrator must identify themselves as a Council employee but they are not obliged to disclose their name or position within the Council.

Platform Administrator must not use Council's social media platforms for personal reasons.

#### 4.6 Council Employees

Council employees must not speak to the media about matters relating to Council unless authorised by the GM to do so.

If Council employees receive a media enquiry or they are invited to comment to the media on a matter relating to the Council, they must refer the enquiry to the GM or the Integrated Communication & City Product team.

Council employees are free to express their personal views to the media on matters that do not relate to the Council, but in doing so, must not make comments that reflect badly on the Council or that bring it into disrepute.

If authorised to speak to the media, Council employees must:

- a) uphold and accurately represent the policies and decisions of Council;
- b) not disclose Council information unless authorised to do so by the GM; and
- c) seek information and guidance from the GM or Integrated Communication & City Product team where appropriate before providing comment to the media to ensure they have the most up-to-date and relevant information and have considered reputational or other risks

Where Council employees become aware of potential issues that could result in media interest, they should provide this information to the GM or Integrated Communication & City Product team.

### 5 Evaluation and Review

It is the responsibility of the GM to monitor the adequacy of this Policy and recommend appropriate changes.

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This Policy will be formally reviewed every four (4) years or as needed, whichever comes first.

## 6 Definitions

Term	Definitions
Authorised User	Council employees who are authorised by the GM and/or the Integrated Communication & City Product team to upload content and engage on the Council's social media platforms on the Council's behalf
Council Official	councillors, employees and delegates of Council
Media	print, broadcast and online media used for communicating information to the public, including, but not limited to, newspapers, magazines, internet publishers/social media, emails, radio, television broadcasters and any other means of distribution and communication of information.
Minor	for the purposes of clause 5.1 of this Policy, is a person under the age of 18 years
Personal information	information or an opinion (including information or an opinion forming part of a database and whether or not recorded in a material form) about an individual whose identity is apparent or can reasonably be ascertained from the information or opinion
Platform Manager	the person or persons delegated/appointed by the GM to fulfil the role of monitoring and approving the content uploaded to Council's social media platforms. The person should be a suitably qualified Council employee. Ideally the Platform Managers are members of the Integrated Communication & City Product team
Platform Administrator	the person or persons delegated/appointed by the GM and/or the Integrated Communication & City Product team to fulfil the role of uploading information to Council's social media platforms for their relevant business activity. The person should be a suitably qualified Council employee.
Social media	online platforms and applications, such as but not limited to social networking sites, wikis, blogs, microblogs, video and audio sharing sites and message boards, that allow people to easily publish, share and discuss content. Examples of social media platforms include, but are not limited to Facebook, X, Snapchat, LinkedIn, Yammer, YouTube, Instagram, Flickr and Wikipedia
Social Media Platform	'social media platform' and 'platform' means both the Council's and councillors' social media platforms.

## Document History and Version Control

Document History and Version Control			
Trim Ref	Version	Summary of Changes / Consultation	Date
ED26/13571	1.0	Policy creation	12/05/2026

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## ANNEXURE A

### 1 Administrative Framework for Council's Platforms

#### 1.1 Platforms

Council will maintain a presence on the following social media platforms:

- a) Lismore City Council - Facebook and Instagram page
- b) GSAC - Facebook and Instagram page
- c) Lismore Regional Gallery - Facebook and Instagram page
- d) Lismore Quadrangle - Facebook and Instagram page
- e) Visit Lismore - Facebook and Instagram page
- f) Visit Nimbin - Facebook and Instagram page
- g) Come to the Heart – Facebook and Instagram page
- h) Lismore City Council – LinkedIn page
- i) Lismore City Council – YouTube channel
- j) Back Lismore Facebook and Instagram page
- k) Lismore Masters Facebook page
- l) Lismore Centra Tourist Park – Facebook page
- m) Lismore Memorial Baths – Facebook page

Council's social media platforms must specify or provide a clearly accessible link to the 'House Rules' for engaging on the platform.

#### 1.2 Establishment and deletion of Council social media platforms

This list will be reviewed annually for performance, relevance and purpose. A new Council social media platform, or a social media platform proposed by a Council related entity can only be established or deleted with the written approval of the General Manager or their delegate.

Where a Council social media platform is established or deleted in accordance with clause 1.2, the GM or their delegate may amend clause 1.1 of this policy without the need for endorsement by the Council's governing body.

#### 1.3 Appointment and role of Media/Social Media Administrator

The GM will appoint a Council officer to be the Platform Administrator. The Administrator should be a senior and suitably qualified officer.

The General Manager may appoint more than one Administrator. The Administrator is an authorised user for the purposes of this policy.

The Administrator's role is to:

- a) approve and revoke an officer's status as an authorised user
- b) develop and/or approve the training and/or induction to be provided to authorised users
- c) maintain a register of authorised users to be reviewed annually
- d) maintain effective oversight of authorised users
- e) moderate the Council's social media platforms in accordance with this Policy
- f) ensure the Council complies with its record keeping obligations under the *State Records Act 1998* in relation to social media
- g) ensure the Council adheres to the rules of the social media platform(s)
- h) coordinate with the Council's Integrated Communication & City Product team to ensure the Council's social media platforms are set up and maintained in a way that maximises user friendliness and any technical problems are resolved promptly

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- i) be the lead point of contact for all media enquiries, requests for interviews, requests to film or photograph Council officers, facilities or events for news and current affairs purposes
- j) be responsible for preparing all media statements prior to release
- k) liaise with relevant officers within the organisation where appropriate.
- l) ensure that media statements are approved by the Mayor and/or GM prior to release
- m) develop and/or approve media training and/or induction to be provided to relevant staff
- n) maintain a record of all media enquiries and responses
- o) ensure media organisations and their representatives are treated professionally, equally and without bias
- p) ensure media enquiries are dealt with promptly
- q) provide guidance to councillors approached by the media for comment to avoid communication of misinformation
- r) ensure all media releases are published on the Council's website

The Administrator may delegate their functions under paragraphs (e) and (f) to authorised users.

#### 1.4 Authorised users

Authorised users are Council officers who are authorised by the Administrator to upload content and engage on media/social media on the Council's behalf.

Authorised users should be Council officers that are responsible for managing, or have expertise in the events, initiatives, programs or policies that are the subject of the media/social media content.

The Administrator will appoint authorised users when required.

An authorised user must receive a copy of this Policy and induction training on media/social media use and Council's obligations before uploading content on Council's behalf.

The role of an authorised user is to:

- a) ensure, to the best of their ability, the content uploaded onto social media platforms and Council's website is accurate
- b) correct inaccuracies in Council generated content
- c) engage in discussions and answer questions on Council's behalf on social media platforms
- d) keep the Council's social media platforms up to date
- e) where authorised to do so by the Administrator:
  - i. moderate the Council's social media platforms in accordance with Part 4 of this policy
  - ii. ensure the Council complies with its record keeping obligations under the *State Records Act 1998* in relation to social media (see 9.1 of this policy)

When engaging on social media on Council's behalf (such as, but not limited to, on a community social media page), an authorised user must identify themselves as a Council officer but they are not obliged to disclose their name or position within the Council.

Authorised users must not use Council's social media platforms for personal reasons.

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Authorised users are responsible for monitoring and moderating comments and distributing all outgoing messaging on all Council social handles during business hours (8:30am – 5pm) and as rostered out of hours for:

- a) proactive content and response
- b) proactive content and response in alignment with the marketing calendar and events schedule
- c) reactive content in response to any contentious issues as per business response approval process

Where necessary, content will be addressed appropriately in line with the policy. If not urgent, any content posted out of business hours (8:30am – 5pm AEST) will be responded to within Council's business hours. Comments from social media users will be monitored and moderated where possible.

### 1.5 Administrative tone

Authorised users upload content and engage on social media on the Council's behalf. Authorised users must use language consistent with that function and avoid expressing or appearing to express personal views when undertaking their role.

Authorised users may use more personal, informal language when engaging on Council's social media platforms, for example when replying to comments.

The use of approved social media will be governed to ensure reputation management: censorship will be kept to a minimum; Council will not vet negative content for self-gain or to avoid "swaying the opinions of others". However, profane, defamatory material, abusive, sexually explicit, derogatory, or spam-like comments will be removed.

### 1.6 Ceasing to be an authorised user

The Administrator may revoke an officer's status as an authorised user, if:

- a) the officer makes such a request
- b) the officer has not uploaded content onto any of the Council's social media platforms or website in the last six months
- c) the officer has failed to comply with this policy
- d) the Administrator is of the reasonable opinion the officer is no longer suitable to be an authorised user

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## ANNEXURE B

### 2 Administrative Framework for Councillors Platforms

For the purposes of this policy, councillor social media platforms are not council social media platforms. Principles in clause 1 of this policy do not apply to councillors' social media platforms.

Councillors are responsible for the administration and moderation of their own social media platforms (in accordance with 3.1 of this policy), and ensuring they comply with the record keeping obligations under the *State Records Act 1998* (see 3.61 of this policy) and Council's records management policy in relation to social media.

The above also applies to councillors in circumstances where another person administers, moderates, or uploads content onto their social media platform.

Councillors must comply with the rules of the platform when engaging on social media.

#### 2.1 Identifying as a councillor

Councillors must identify themselves on their social media platforms in the following format:

*Councillor "First Name Last Name".*

A councillor's social media platform must include a profile photo which is a clearly identifiable image of the councillor.

If a councillor becomes or ceases to be the Mayor, Deputy Mayor, or the holder of another position (for example, chairperson of a committee), this must be clearly stated on the councillor's social media platforms and updated within seven days of a change in circumstances.

#### 2.2 Other general requirements for councillors' social media platforms

Councillor social media platforms must specify or provide a clearly accessible link to the 'House Rules' for engaging on the platform.

A councillor's social media platform must include a disclaimer to the following effect:

*"The views expressed and comments made on this social media platform are my own and not that of the Council".*

Despite the above, mayoral or councillor media releases and other content that has been authorised according to the Council's media and communications protocols may be uploaded onto a councillor's social media platform.

Councillors may upload publicly available Council information onto their social media platforms. Councillors may use more personal, informal language when engaging on their social media platforms.

#### 2.3 Other social media platforms administered by councillors

A councillor must advise the General Manager of any social media platforms they administer on which content relating to the Council or council officials is, or is expected to be, uploaded. The councillor must do so within:

- a) one month of becoming a councillor, or
- b) seven days of becoming the administrator

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## ANNEXURE C

### 3 Moderation of social media platforms

Councils and Council officials should be aware they may be considered a ‘publisher’ of any content uploaded onto a social media platform they administer, including content that:

- a) is uploaded by a third party; and/or
- b) appears on their social media platform because they have ‘liked’, ‘shared’, or ‘retweeted’ the content, or similar

Council officials who are responsible for the moderation of the Council’s or councillors’ social media platforms may remove content and ‘block’ or ban a person from those platforms. Such actions must be undertaken in accordance with this Part.

For the purposes of this Part, ‘social media platform’ and ‘platform’ means both the Council’s and councillors’ social media platforms.

#### 3.1 House Rules

Social media platforms must state or provide an accessible link to the ‘House Rules’ for engaging on the platform.

At a minimum, the House Rules should specify:

- a) the principles of social media engagement referred to at the beginning of this policy.
- b) the type of behaviour or content that will result in that content being removed or ‘hidden’, or a person being blocked or banned from the platform
- c) the process by which a person can be blocked or banned from the platform and rights of review
- d) a statement relating to privacy and personal information
- e) when the platform will be monitored (for example weekdays 9am – 5pm, during the Council’s business hours)
- f) that the social media platform is not to be used for making complaints about the Council or council officials

For the purposes of b) above, third parties engaging on social media platforms must not post or share comments, photos, videos, electronic recordings or other information that:

- a) is defamatory, offensive, humiliating, threatening or intimidating to council officials or members of the public
- b) contains profane language or is sexual in nature
- c) constitutes harassment and/or bullying within the meaning of the Model Code of Conduct for Local Councils in NSW, or is unlawfully discriminatory
- d) contains content about the Council, council officials or members of the public that is misleading or deceptive
- e) breaches the privacy of council officials or members of the public
- f) contains allegations of suspected breaches of the Council’s code of conduct or information about the consideration of a matter under the Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW,
- g) violates an order made by a court
- h) breaches copyright
- i) advertises, endorses or solicits commercial products or business
- j) constitutes spam
- k) would be in breach of the rules of the social media platform

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3.2 Removal or ‘hiding’ of content

Where a person uploads content onto a social media platform that, in the reasonable opinion of the moderator, is of a kind specified above, the moderator may remove or ‘hide’ that content.

Prior to removing or ‘hiding’ the content, the moderator must make a record of it (for example, a screenshot).

If the moderator removes or ‘hides’ the content, they must, where practicable, notify the person who uploaded the content that it has been removed and the reason(s) for its removal and their rights of review.

A person may request a review of a decision by a moderator to remove or ‘hide’ content. The request must be made in writing to the GM and state the grounds on which the request is being made.

Where a review request is made, the review is to be undertaken by a Council officer nominated by the GM who is suitably qualified and who was not involved in the decision to remove or ‘hide’ the content.

3.3 Blocking or banning

If a person uploads content that is removed or ‘hidden’ on three occasions, that person may be blocked or banned from the social media platform/all social media platforms.

A person may only be blocked or banned from a Council social media platform with the approval of the Administrator. This does not apply to blocking or banning a person from a councillor’s social media platform.

Prior to blocking or banning a person from a social media platform, the person must, where practicable, be advised of the intention to block or ban them from the platform/all platforms and be given a chance to respond. Any submission made by the person must be considered prior to a determination being made to block or ban them. Any submission made by the person should be considered in a review of the banning,

The duration of the block or ban is to be determined by the Administrator, or in the case of a councillor’s social media platform, the councillor.

Where a determination is made to block or ban a person from a social media platform/all social media platforms, the person must, where practicable, be notified in writing of the decision and the reasons for it. The written notice must also advise the person which social media platforms they are blocked or banned from and the duration of the block or ban and inform them of their rights of review.

Despite the above, where a person uploads content of a kind referred to, and the moderator is reasonably satisfied the person’s further engagement on the social media platform poses a risk to health and safety or another substantive risk (such as the uploading of defamatory content), an interim block or ban from the platform/all platforms may be imposed on the person immediately for a period no longer than seven days.

A person who is blocked or banned from the platform/all platforms must, where practicable, be given a chance to respond to the interim block or ban being imposed. Any submission made by the person must be considered when determining whether the interim block or ban is to be removed or retained.

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A person may request a review of a decision to block or ban then from a social media platform. The request must be made in writing to the GM and state the grounds on which the request is being made.

Where a review request is made, the review is to be undertaken by the GM or a Council officer nominated by the GM who is suitably qualified and who was not involved in the decision to block or ban the person. Where the decision to block or ban the person was made by the GM, the review must be undertaken by another senior and suitably qualified council officer who was not involved in the decision.

Where a person that is the subject of a block or ban continues to engage on a social media platform(s) using an alternative social media account, profile, avatar, etc., a moderator may block or ban the person from the platform(s) immediately. In these circumstances, 3.3 does not apply.

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# Leasing of Council Properties Policy

Council Policy Number: 1.8.25

# Leasing of Council Properties Policy

Council Policy Number: 1.8.25

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Document #: ED26/13401	Document Title: Leasing of Council Properties Policy	
Version #: 3.0	Developed By: Corporate Sustainability	Council Approval Date:

## Introduction

Lismore City Council owns and manages a diverse portfolio of land and buildings that support community services, economic activity, cultural life, recreation and civic functions. These assets represent a significant public investment and are fundamental to Council's long-term service delivery, community wellbeing and financial sustainability.

Leasing and licensing arrangements enable Council to activate land and facilities, partner with service providers and community organisations, and generate revenue for reinvestment in public assets. These arrangements must be managed strategically to ensure Council property is used in a manner that maximises public value, responds to community needs, and supports a resilient and financially sustainable future.

This Policy supports implementation of Council's Property Strategy and Decision-Making Framework (DMF), which requires all property decisions to be informed by highest and best use, strategic alignment, financial sustainability, and post-flood resilience and renewal considerations.

## 1 Objectives

The objectives of this policy are to:

- a) support Council's financial sustainability through responsible and strategic management of its property assets
- b) maximise community benefit, service delivery and equitable access to Council land and facilities
- c) optimise the use, allocation and performance of Council's property portfolio
- d) promote transparent, consistent and accountable decision-making for leasing and licensing
- e) ensure compliance with statutory, governance and risk management obligations

## 2 Scope

This Policy applies to all Council-owned or managed land and buildings where lease or licence arrangements are used, subject to legislative and statutory requirements.

This policy does not apply to:

- a) occupations by emergency service organisations (e.g. SES, RFS)
- b) casual hire, seasonal bookings, permits (e.g. outdoor dining) or short-term use arrangements
- c) existing leases and licences (including any option terms) until they are being considered for renewal or renegotiation
- d) agreements governed by other specific Council policies
- e) leases or licences where Council is the lessee for its own operational purposes

## 3 Tenant Selection Framework

### 3.1 Strategic Assessment

All lease and licence proposals will be assessed, to the extent relevant to the property and the proposed use, against the following criteria:

- a) financial sustainability and cost recovery
- b) demonstrated community need and service gaps
- c) activation and utilisation of the asset
- d) alignment with adopted Council strategies and plans
- e) long-term public value and risk profile

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The relative weighting of these criteria will vary depending on the nature, location and strategic significance of the property.

### 3.2 Market-Based Allocation

Council will generally allocate leases and licences through a competitive market process to ensure transparency, value for money and probity.

Direct negotiation may be considered where Council determines that a competitive process is not appropriate or would not deliver better outcomes for the community or Council. Any direct negotiation must be clearly justified and conducted in accordance with the *Independent Commission Against Corruption NSW, Direct Negotiations: Guidelines for Managing Risks*.

Leases and licences must be taken to market where required under legislation. For example, a lease or licence over Community Land exceeding five (5) years must be publicly tendered unless an exception applies under the relevant legislation.

### 3.3 Approval

All leases and licences must be documented in formal written agreements and approved either by:

- a) a resolution of Council; or
- b) the General Manager under delegated authority

## 4 Rent Framework

### 4.1 Rental Categories

#### Market Rent

The default position for all leases and licences. Rent is determined through independent valuation, agent appraisal or competitive market testing and reflects the property interest being leased or licensed (e.g. land only or building and land).

#### Discounted Market Rent (25% - 75% reduction)

May apply to not-for-profit or charitable organisations delivering measurable community benefit, where payment of full market rent would undermine service delivery or outcomes. Discounts are applied on a case-by-case basis at Council's discretion. Community benefits must be documented and explicitly agreed between the parties.

#### Peppercorn Rent

A nominal rent (minimum fee as set out in Council's adopted Fees and Charges) reserved for volunteer-run, low-income organisations delivering essential services, addressing clear service gaps, and with limited capacity to generate income. Peppercorn rent represents a significant subsidy in recognition of exceptional community benefit and is applied at Council's discretion.

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Version #: 3.0	Developed By: Corporate Sustainability	Council Approval Date:

## 4.2 Eligibility and Assessment

Rental Category	Eligibility Criteria
Market Rent	Default position for all Council properties
Discounted Market Rent	Not-for-profit/charitable organisations that: <ul style="list-style-type: none"> <li>receive government funding and/or generate income (e.g. memberships, retail, bar trading, service fees)</li> <li>demonstrate that paying full market rent would reduce community benefit</li> <li>deliver valuable and measurable community services or programs</li> <li>complete Council's property application</li> </ul>
Peppercorn Rent	Not-for-profit/charitable organisations that: <ul style="list-style-type: none"> <li>provide essential, high-value services addressing a clear community need or service gap</li> <li>are primarily volunteer-run</li> <li>have limited ability to generate income</li> <li>receive no or nominal income from services or memberships</li> <li>deliver programs otherwise unavailable or unaffordable</li> <li>complete Council's property application</li> </ul>

## 5 Lease and Licence Terms

### 5.1 Term

Lease and licence terms are subject to negotiation but must not exceed the maximum term permitted under relevant legislation.

### 5.2 Outgoings

Unless otherwise agreed, tenants and licensees are responsible for all outgoings associated with their occupation, including but not limited to:

- a) utilities and connected services
- b) insurance
- c) regulatory inspections and compliance costs
- d) permits and approvals
- e) pest inspections
- f) annual fire safety inspections
- g) security services
- h) Council rates (where applicable)

### 5.3 Maintenance

Tenants are responsible for general maintenance and upkeep of the premises. Council will generally retain responsibility for structural maintenance, excluding damage caused by the tenant, unless otherwise negotiated. Where a tenant has constructed improvements or

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infrastructure on Council-owned or managed land, responsibility for structural maintenance and repairs may be allocated to the tenant under the lease or licence terms.

#### 5.4 Accounting and Reporting

Tenants paying less than market rent must submit annual reports to Council addressing:

- a) building utilisation and participation levels
- b) financial position
- c) community outcomes delivered
- d) actions supporting Council's adopted strategies

### 6 Lease and Licence Terms

This Policy applies to all new lease and licence agreements entered into after its adoption. Existing tenants will be transitioned fairly, with clear communication, reasonable notice and consideration of existing arrangements.

### 7 Grazing Agreements

Council may issue licences for the grazing of stock on selected parcels of Council owned or controlled land where grazing is an appropriate land management use.

#### Key Principles

- a) grazing will only be permitted where it supports land management objectives (e.g. weed control, fire risk reduction) and does not conflict with community use, operational requirements or environmental values
- b) grazing agreements will be issued as licences and will not grant exclusive possession
- c) grazing licences will be terminable by Council on reasonable notice
- d) licence fees will apply in accordance with Council's adopted Fees and Charges
- e) licencees are responsible for:
  - i. maintaining appropriate fencing and gates
  - ii. complying with all relevant legislation and animal welfare standards
- f) grazing will generally not be permitted on land required for community or operational purposes, or where it poses unacceptable risks to safety, environmental, cultural or heritage values
- g) grazing on road reserves will only be permitted where authorised under the *Roads Act 1993* and subject to specific approval processes

Applications for grazing licences will be assessed on a case-by-case basis.

### 8 Definitions

For the purposes of this Policy, the following definitions apply:

<b>Community Benefit</b>	A demonstrable positive outcome for the Lismore community, including social, cultural, environmental or economic benefits, beyond the private benefit received by a tenant or licensee.
<b>Community Land</b>	Land classified as Community Land under the <i>Local Government Act 1993</i> , which is subject to specific use, management and leasing requirements.
<b>Council Property</b>	Any land or buildings owned by Lismore City Council or managed by Council on behalf of another authority, including Crown Land under Council management.

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<b>Decision-Making Framework (DMF)</b>	Council's adopted framework that guides property decisions based on highest and best use, strategic alignment, financial sustainability and resilience considerations.
<b>Exclusive Possession</b>	The right to occupy and exclude others from land or premises. Leases generally grant exclusive possession; licences do not.
<b>Lease</b>	A legally binding agreement granting exclusive possession of land or premises for a defined term in return for rent.
<b>Licence</b>	A permission to use land or premises without granting exclusive possession. Licences are generally more limited, flexible and revocable than leases.
<b>Tenant</b>	An individual or organisation occupying Council property under a lease or licence.

## Document History and Version Control

Document History and Version Control			
Trim Ref	Version	Summary of Changes / Consultation	Date
ED10/15864	1.0	Policy creation	09/12/2008
ED16/27268	2.0	Reviewed by Council	08/01/2014
ED26/13401	3.0	Reviewed by Council	12/05/2026

Document #: ED26/13401	Document Title: Leasing of Council Properties Policy	
Version #: 3.0	Developed By: Corporate Sustainability	Council Approval Date:



## POLICY MANUAL

<b>Policy title:</b>	<b>LEASING OF COUNCIL PROPERTIES POLICY</b>
<b>Policy number:</b>	<b>1.8.25</b>
<b>Objective:</b>	<b>That Council owned property assets are leased on a basis that provides optimum benefit to the Lismore community</b>
<b>Link to community vision/service:</b>	<b>Civic Leadership/Management</b>
<b>Program Area:</b>	<b>Assets and Support Services</b>
<b>Policy created: 9/12/08</b>	<b>Council reviewed: 8/01/14</b>
<b>Last reviewed by staff: 8/01/14</b>	<b>TRIM Ref: ED10/15864 &amp; ED16/27268</b>

### Introduction

Council owns or is reserve trust manager for a range of properties throughout the Lismore City Council area. Many of these properties are tenanted under lease agreements. Some are tenanted on a commercial basis and many are tenanted on the basis of varying arrangements depending on the circumstances of the case. In particular community groups often seek reduced rental or other subsidies e.g. payment of rates, to assist in the provision of their services to the local community. These subsidies are often a vital ingredient to the ability of a community group to sustain their operations and deliver their services.

In the past Council has considered requests from community groups for financial assistance in the form of reduced rental or other subsidies relating to their occupation of Council properties (e.g. payment of rates) on an ad-hoc and case by case basis. This has highlighted the need for a consistent and transparent approach to the leasing of all Council properties.

### Objectives:

The objectives of this policy are:

- To link the subsidised leasing of Council property to Council's Strategic Plan.
- To provide a consistent, transparent and fair approach for the leasing of Council Property.
- To ensure Council's Building Assets are adequately funded and maintained.
- To ensure that legislative requirements are met.
- To define the circumstances in which Council will consider providing assistance to community groups in the form of rental relief or other subsidies related to their occupation of a Council owned or managed property.

### Application of Policy

This policy applies to all Council owned or managed property/ building assets where lease agreements would normally apply, subject to the exclusions below.

The policy does not apply to:

- Leases or other arrangements involving the occupation of land only.

- Leases or other arrangements involving the use of Council owned or managed land or building assets that are occupied by emergency services. These arrangements are the subject of separate agreements and some have specific legislative requirements to be met.
- Leases or other arrangements involving buildings that are owned by other parties, but which have been constructed upon land owned or managed by Council.
- Leases or other arrangements that apply to properties on Crown land. These properties are subject to specific requirements of the Crown.

### Policy Statement

Council's policy is to earn a commercial return on any property asset that it leases to third parties.

Council may at its discretion subsidise a lease arrangement and these circumstances are set out later in this document.

### Guidelines for Lease Agreements

All lease agreements will take the form of a conventional commercial lease and as such will include the following features:

- It will confer a right of exclusive possession on the Lessee (tenant). A Lessor (landlord) is usually only entitled to enter and remain upon the leased premises in limited, defined circumstances. Allied to this are the Lessor's implied covenant to the Lessee for quiet enjoyment, and non-derogation from the grant.
- It will define the amount and method for paying and reviewing rent and outgoings. Outgoings include land tax, utility bills, rates, repairs and maintenance costs and insurance calculated as a proportion of total leasable floor area in the building occupied by the tenant.
- It will impose obligations on the Lessee to only use the leased premises for a permitted purpose, and to comply with obligations defined in the Lease to ensure the tenant does not damage (and thereby affect the value of) the leased premises.
- It will define limited powers for the Lessor to enter and remain upon the leased premises for repair and maintenance.
- The term of a lease agreement will generally be five years with the right to renew for a further five years, subject to the requirements of any legislation that may influence the term of a lease e.g. community land.

As Lessee, a tenant's responsibilities will include:

- Paying rent to Council.
- Paying all fees and statutory charges (including land rates, electricity and water consumption).
- Cleaning and security.
- Minor maintenance of the building and surrounds within the capacity of the organisation. (Minor maintenance is defined to be maintenance that does not extend the life of the building).
- Notifying Council of maintenance issues that may, if not corrected, be detrimental to the longevity of the building or hazardous to occupants.

As the Lessor, Council's responsibilities will include:

- Maintaining the building in accordance with statutory obligations.
- Assessing and responding to maintenance requests received from the Lessee.

### Subsidised Lease Arrangements

Council will consider subsidising lease arrangements for community based groups in certain circumstances.

To be considered eligible for a rental or any other subsidy as part of the lease the community group or organisation must first demonstrate that they are:

- A not for profit community based organisation.
- Have open membership, i.e. membership is open to the general public.
- An incorporated association.
- Providing a necessary and beneficial service to the general community.

In addition, Council will require that any community based group proposing to lease a Council owned property, whether at a subsidised rental or not:

- Demonstrate an ability to meet the financial obligations of a Lease arrangement (provide a copy of the most recent audited financial statements and a business plan where appropriate).
- Maintain appropriate insurances, including public liability and comprehensive contents insurance.

Applications for subsidised rental will be considered on a case by case basis and must be made in writing to Council. The written application must address the six criteria outlined above and provide any further information considered relevant or requested by Council.

Potential Lessees who seek and are eligible for a rental or other subsidy must indicate the amount which they would be prepared to pay, and the reasons for requesting the subsidy.

As part of Council's consideration of the application, the methodology outlined below will be applied to determine the amount of subsidy sought. The commercial based rental amount (including consideration of statutory charges such as rates etc.), will be determined and the difference between this amount and the amount offered by the community group will be the value of the subsidy sought.

Once Council makes a determination on the amount of subsidy to be provided, if any, there will be no further consideration of the matter until the term of the current lease expires.

#### **Methodology to Determine Rental Amount**

In order to determine the rental that should apply to any Council property, a process will be adopted that may include any or all of the following, depending on the circumstances of the case:

- An independent rental valuation report will be obtained from a qualified valuer.
- Advertising for a potential Lessee by Expressions of Interest or tender.
- Consideration of any offer by a potential Lessee to undertake certain maintenance activities that would otherwise be a cost to Council.
- In cases where potential Lessees offer to undertake maintenance activities that would otherwise be a cost to Council, an assessment of their capability to actually complete those activities.
- Council Community Services staff may assist in the decision making processes.

#### **Lease Renewals**

At the expiration of an existing lease, the Lessee is not guaranteed or entitled to a new lease for the premises. Where properties become vacant, either following the expiration of an existing lease, or for any other reason, Council will as a minimum follow any requirements of the Local Government Act. Usual practice for Council will be to conduct an expression of interest or tender process to identify and determine a Lessee for the property. Where an expression of interest or tender process is not to be conducted, the matter will be reported to Council for approval, prior to renewing or entering a lease.

# Volunteer Program Policy

Council Policy Number: 1.2.25



# Volunteer Program Policy

Council Policy Number: 1.2.25

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Document #: ED16/33353	Document Title: Volunteer Program Policy	
Version #: 2.0	Developed By: People & Community	Council Approval Date:

## Introduction

Lismore City Council values the contribution volunteers make to community life and is committed to providing safe, meaningful and well-managed opportunities for community participation in Council-approved programs and activities. Volunteering may be delivered through Council-run programs or, where appropriate, through partnerships with community organisations that support volunteer participation in Council programs. This policy establishes the principles for structured, authorised and responsible volunteer engagement and management aligned with Council priorities and delivered in accordance with legislative obligations.

### 1 Scope

This Policy applies to:

- a) community volunteers engaged in Council-approved programs or activities
- b) councillors volunteering outside their official civic duties
- c) council staff volunteering outside the duties or standard working hours of their paid role
- d) staff, contractors and partners involved in supervising or supporting volunteers

Volunteer participation is subject to the suitability of the role and the volunteer, including any eligibility or supervision requirements necessary to manage risk and safety.

This Policy does not apply to:

- a) unauthorised or self-initiated work on Council land or assets that has not been given permission by Council
- b) individuals that have not been appointed and accepted as a volunteer by Council or brokered through an agency by Council
- c) work experience placements
- d) Section 355 Management Committees
- e) other managed mutual-obligation programs (e.g. meeting employment search or job seeker requirements)
- f) volunteering during natural disasters

### 2 Guiding Principles

Lismore City Council is guided by the following principles in engaging volunteers:

- a) volunteer involvement delivers community benefit and aligns with Council priorities
- b) volunteering upholds the physical, psychological and cultural safety of all participants
- c) opportunities are inclusive and accessible, welcoming diverse people and abilities
- d) volunteers are treated with respect and fairness, and their contribution is recognised
- e) volunteer programs are guided by ethical conduct, transparency and good governance

### 3 Responsibility

#### Council Leadership

- embed volunteer governance within Council's planning and risk management frameworks

#### Managers and Supervisors

- ensure volunteer programs, roles and activities are planned, approved and managed in accordance with this Policy, including assessment of volunteer requirements, suitability and eligibility, and appropriate risk controls, supervision and authorisation
- provide induction, information, guidance and oversight in line with Council procedures
- maintain required records and ensure volunteers work within approved role boundaries

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#### All Council Staff Working with Volunteers

- provide direction and day-to-day support as required
- promote safe practices, monitor role boundaries and report concerns or incidents

#### Councillors and Staff Volunteering

- participate only in approved volunteer roles distinct from their civic or paid duties
- complete required induction, follow instructions and declare any conflicts of interest

#### Volunteers

- participate only in approved and supervised activities aligned with their approved volunteer role and the terms of their engagement
- work within their assigned role and follow their induction, training and reasonable instructions
- provide required certifications aligned with the role prior to commencement and upon renewal
- take reasonable care for their own safety and the safety of others, and report hazards or incidents promptly
- follow relevant Council policies, including the Code of Conduct and Child Safe Code of Conduct

## 4 Policy

Lismore City Council commits to the following in supporting volunteer engagement that is safe, well-governed and aligned with Council priorities and community benefit:

- engage volunteers only through approved Council programs
- recognise that volunteer roles complement the work of paid staff and do not replace employee functions
- uphold role boundaries so that volunteers act only within duties assigned to their role and do not undertake unauthorised or self-initiated activities on Council land or assets
- ensure volunteer activities are appropriately planned, approved and managed in accordance with Council's governance, risk and compliance frameworks
- undertake assessment and planning of volunteer activities, including determining suitable roles, eligibility requirements, risk controls, supervision and support appropriate to the nature of the activity being undertaken
- ensure compliance with mandatory minimum work health and safety licence or ticket requirements, where applicable to the role
- support volunteers with appropriate induction, information and guidance relevant to their role
- operate in compliance with applicable legislation, standards and internal procedures, including work health and safety obligations that apply to volunteers
- support, where appropriate, development of formal agreements (such as Memoranda of Understanding) with community organisations to support volunteer participation in the delivery, stewardship or management of Council programs or assets
- maintain appropriate insurance arrangements for volunteers while acting within their authorised duties
- respond promptly and fairly to concerns, incidents or issues involving volunteers

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## Related Documents

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

- a) Volunteer Program Procedure and related documents and forms
- b) WHS Policy and associated procedures
- c) Child Safety Policy and associated procedures
- d) Recruitment Selection and Appointment Management Policy and associated procedures
- e) Prevention of Discrimination, Bullying and Harassment Management Policy and association procedures
- f) Code of Conduct – Councillors
- g) Code of Conduct – Staff
- h) Customer Compliments and Complaints Procedure
- i) National Standards for Volunteer Involvement (Volunteering Australia)

## Definitions

Volunteering	Time willingly given for the common good and without financial gain. (From Volunteers Australia (July 2015), Volunteering Australia Project: The Review of the Definition of Volunteering)
Volunteer	A volunteer is someone who does work for the main purpose of benefitting someone else, such as a church, sporting club, government school, charity or community organisation.  Fair Work Ombudsman, <a href="https://www.fairwork.gov.au/tools-and-resources/fact-sheets/unpaid-work/unpaid-work-unpaid-work#volunteering">https://www.fairwork.gov.au/tools-and-resources/fact-sheets/unpaid-work/unpaid-work-unpaid-work#volunteering</a>
Volunteer Activity	A scheduled, authorised and supervised task forming part of a Council-approved program.
Supervisor	A Council staff member responsible for directing and monitoring volunteer activity.

## Document History and Version Control

Document History and Version Control			
Trim Ref	Version	Summary of Changes / Consultation	Date
ED15/14699	1.0	Policy creation	16/03/2015
ED16/33353		Adopted by Council	13/10/2015
ED16/33353	2.0	Reviewed by Council	12/05/2026

Document #: ED16/33353	Document Title: Volunteer Program Policy
Version #: 2.0	Developed By: People & Community
	Council Approval Date:



## POLICY MANUAL

<b>Policy title:</b>	<b>VOLUNTEER PROGRAM POLICY</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 &amp;ED16/33353</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)
- WHS Procedure Alcohol and Other Drugs (ED13/21210)
- 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 Councils 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**

<p><b>Place Making</b></p>	<p>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.</p>
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# Unsolicited Proposals Policy

Council Policy Number: 1.2.26

# Unsolicited Proposals Policy

Council Policy Number: 1.2.26

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## Introduction

### 1 Objectives

Council occasionally receives unsolicited proposals from individuals, businesses, or other agencies. This policy aims to:

- a) encourage credible innovation and private investment that delivers public value
- b) ensure probity, transparent, and consistent pathway to assess such proposals, separate from routine procurement
- c) provide a clear, staged process and assessment criteria so only proposals with a compelling uniqueness, value-for-money, and strategic fit progress

### 2 Scope

This policy applies to any approach where a proponent asks to deal directly with Council over a commercial proposition that Council has not requested (including proposals to build and/or finance infrastructure, provide goods/services, or undertake a major commercial transaction).

The policy is mandatory for proposals at or above the legislated tender threshold (currently \$250,000), and provides guidance below that level. (If legislation changes, the threshold adjusts accordingly).

Unsolicited proposals are not a substitute for Council's routine competitive procurement. Direct negotiation will only be contemplated where both the proposal and the proponent are sufficiently unique to make a competitive process impractical and to achieve better overall value.

### 3 Legislation

This policy operates under the *Local Government Act 1993 (Act)* and the *Local Government (General) Regulation 2021*, including statutory procurement and tendering requirements and, where relevant, Public-Private Partnerships (PPPs) requirements.

### 4 Definitions

Unsolicited Proposal	An approach from a proponent to deal directly with Council over a commercial proposition where Council has not requested the proposal
Public-Private Partnerships (PPPs)	Arrangements between Council and a private party to provide public infrastructure/facilities, provided in part or in whole through private sector financing/ownership/control (see Act s400B). All local government PPPs are subject to market testing in line with Office of Local Government (OLG) PPP Guidelines
Value for Money (VfM)	Overall value of a proposal, including cost, quality, risk allocation/mitigation, innovation, timetable, and outcomes

## Procedure

### 5 Guiding Principles

Public interest & transparency – Decisions and documentation are recorded; appropriate summary information about Stage 2 proposals will be publicly reported.

Fairness & impartiality – Strict management of conflicts; clear separation of evaluation and approval roles.

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Confidentiality – Early-stage confidentiality to protect legitimate commercial interests; disclosure increases as proposals mature.

Probity oversight – Independent probity advice at Stage 2; the advisor monitors process integrity but does not determine VfM.

Open book negotiations at Stage 2 to evidence value for money if progressing to direct negotiation.

## 6 Communication Protocol

Once lodged, proponents must not contact Councillors or staff outside the formal process (including agents acting on their behalf). Breaches may result in termination of the unsolicited process and/or moving the matter to open market testing.

Councillors will receive a confidential notification that an unsolicited proposal has been received and must refrain from engagement with parties to the proposal.

## 7 Staged Assessment Process

### 7.1 Pre-Submission Concept Review (optional)

A discussion to test whether the idea is likely to meet Stage 1 criteria and to guide proponents on information requirements. Council may provide indicative feedback; the decision to lodge remains with the Proponent.

### 7.2 Stage 1 – Initial Submission and Preliminary Assessment

- a) Proponent submits a Stage 1 dossier (see Schedule 1) to the Proposal Manager
- b) Council acknowledges receipt within 21 days
- c) the Executive Leadership Team (ELT) determines whether to decline or progress to Council
- d) if supported by ELT, a report will be sent to Council to determine progress to Stage 2

### 7.3 Stage 2 – Detailed Proposal and Negotiation

If progressed:

- a) Council establishes a Proposal-Specific Steering Committee for each Stage 2 proposal, appoints a Probity Advisor, prepares an internal Governance Plan, and enters a Memorandum of Understanding (MoU) with the proponent
- b) Council and the proponent work co-operatively to develop a Detailed Proposal, including financial models, risk allocation, planning pathways and any open-book evidence for value for money
- c) a Council resolution is required to accept a Final Binding Offer or to resolve not to go to tender due to extenuating circumstances (where applicable under the Act)

## 8 Assessment Criteria (Stage 1 & Stage 2)

Proposals must satisfy all criteria below to progress; Council may add criteria suited to the specific context at Stage 2:

- a) Uniqueness – Demonstrate unique benefits and unique ability to deliver (eg intellectual property (IP), property rights, genuinely innovative combination of attributes). Council may still choose market testing if merit exists but uniqueness is not proven. Examples generally not unique include: standard goods/services, consultancy services, extensions to existing contracts absent unique features, early concepts lacking detail, or proposals seeking exclusive rights merely to do feasibility

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- b) Value for Money – Net economic and public value compared with the status quo; potential time/cost savings unattainable via ordinary procurement; quality, innovation, timetable, community impacts, KPIs, and risk transfer. Quantitative analysis (including independent benchmarking/sensitivity testing) may be required
- c) Whole-of-Council Impact & Strategic Fit – Alignment with Council plans; opportunity costs; likelihood of planning/environmental approvals
- d) Commercial model – Proponent to define the structure for revenue generation, risk allocation, and value creation
- e) Capability & Capacity – Proponent’s track record, resources, reliance on third parties, and relevant referees
- f) Affordability – Funding sources, budget impacts and prioritisation; preliminary business case/economic appraisal may be required
- g) Risk Allocation – Clear allocation/mitigation of commercial, planning, environmental, and delivery risks.

If Council elects to go to market rather than proceed directly, the proponent’s IP will be respected, and the proponent may compete with no additional rights.

## 9 PPP-Specific Settings

If a proposal appears to be a PPP, Council will promptly assess PPP applicability and consult OLG as required. All local government PPPs must be market-tested via an EOI under OLG Guidelines; where this is not possible, Council cannot proceed and the unsolicited pathway may cease.

## 10 Governance, Roles, and Responsibilities

Council	Approves any Final Binding Offer and, where applicable, resolutions not to tender due to extenuating circumstances under the Act
Executive Leadership Team	Decides Stage 1 outcomes; receives regular reporting on Stage 2
Proposal Manager	Single point of contact; coordinates evaluations; prepares reports; manages communications protocol
Proposal-Specific Steering Committee (Stage 2)	Cross-divisional members plus governance lead
Probity Advisor (Stage 2)	Oversees adherence to probity principles, provides a probity report at the end of each step, and may escalate concerns to the General Manager
Advisers	Legal, financial, technical, environmental and other specialists engaged as required; all follow project governance and probity settings

## 11 Documentation, Confidentiality, and Reporting

- a) Confidentiality: All Stage 1 proposals are treated confidentially; confidentiality at Stage 2 is balanced with public interest in disclosure
- b) Public reporting: Proposals that reach Stage 2 will be listed in Council’s next Annual Report (with sensitive information withheld where justified); further information may be published where appropriate

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## 12 Lodgement and Timelines

Where to lodge:  
 General Manager  
 Lismore City Council  
 PO Box 23a  
 LISMORE NSW 2480  
[council@lismore.nsw.gov.au](mailto:council@lismore.nsw.gov.au)

Council will acknowledge submissions and provide contact details for the Proposal Manager within 21 days.

## 13 Memorandum of Understanding (Stage 2)

Before commencing Stage 2, Council and the proponent will enter an MoU covering: the Stage 2 scope and timetable; value-for-money expectations; open-book requirements; resourcing/costs; confidentiality; IP; conflicts; communications/lobbying prohibition; approval pathways (including planning).

## 14 Resource Commitments and Costs

Both Council and the proponent will invest resources proportionate to each stage. Council does not reimburse proponent costs associated with unsolicited proposals.

## 15 Conflicts of Interest

All participants must declare actual, potential, or perceived conflicts. Council will manage and monitor conflicts throughout the process.

## 16 Review

This policy will be reviewed once every Council term, or earlier if required.

## 17 Schedule 1 – Stage 1 Information Requirements (Summary)

Proponents should provide, at minimum:

- a) Proponent details and key personnel
- b) Executive summary of the proposal and intended outcomes
- c) Uniqueness case (e.g., IP or rights held; why competition would not yield equal/better value)
- d) Value for Money rationale vs. status quo, including indicative timelines, benefits and any early financials
- e) Strategic fit with Council plans; likely planning approvals needed
- f) Commercial model (ranges acceptable at Stage 1)
- g) Risks & mitigations, including planning/environmental risks and who bears them
- h) Affordability – expected funding sources and any ask of Council
- i) IP statement and confidentiality needs
- j) Referees and relevant previous government project experience

(Council may request further detail or independent reviews at Stage 2)

## 18 Schedule 2 – Examples of Proposals Unlikely to Progress

- a) extensions/variations to existing contracts/leases absent other uniqueness
- b) widely available goods/services; consultancy services; early concepts lacking detail; pilot programs; exclusive mandates to develop feasibility; attempts to bypass a planned tender

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### 19 Schedule 3 – Stage 2 Governance (Minimum)

- a) Steering Committee established for each Stage 2 proposal; cross-divisional membership plus governance lead
- b) Probity Advisor appointed; probity plan and step-end reports
- c) Governance Plan documented (confidentiality, conflicts, decision gates, escalation)
- d) MoU executed (scope, timetable, open-book expectations, resourcing, approvals)

### Document History and Version Control

Document History and Version Control			
Trim Ref	Version	Summary of Changes / Consultation	Date
ED19/16863	1.0	Policy creation	13/08/2019
ED26/13568	2.0	Council reviewed	12/05/2026

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## CORPORATE POLICY

<b>Policy title:</b>	<b>Unsolicited Proposals</b>
<b>Policy number:</b>	1.2.26
<b>Objective:</b>	Corporate Governance
<b>Program Area:</b>	Corporate Services
<b>Policy approved:</b>	13/8/2019
<b>Next review date:</b>	13/8/2024
<b>TRIM Ref:</b>	ED19/16863:EF09/140

### Background

From time to time, Council is presented with unsolicited proposals from the community, businesses or other government agencies. The purpose of this policy is firstly to stimulate and encourage business investment and innovation in the Lismore City Council area and further, to better assist in appropriately managing governance and probity issues that arise in such circumstances, as well as seeking to ensure that unsolicited proposals that are of benefit to the Lismore City Council are pursued and realised.

### Objective

The main objectives of this policy are to:

1. Provide a clear and identifiable process for parties seeking to put forward investment and innovation proposals to Council;
2. Provide Council and the community with assurance around transparency, consistency and reporting for unsolicited proposals; and
3. Provide a framework for assessing such proposals with a view to delivering uniqueness, value for money and strategic for Council, consistent with Council's strategic direction and existing suite of policies.

## 1. INTRODUCTION

### 1.1 Definition of Unsolicited Proposal

An Unsolicited Proposal is an approach to Council from a Proponent with a proposal to deal directly with it, in circumstances where Council has not requested the approach. This may include proposals to build and/or finance infrastructure, provide goods or services, or undertake a major commercial transaction. The approach to assessment of such proposals is set out in this Policy.

## 1.2 Council Procurement

Council operates consistent with its Charter, which is set out within the Local Government Act 1993 (the LG Act<sup>1</sup>). Under the LG Act, it generally procures projects, goods and services via an adopted procurement framework, which includes the statutory tendering process for projects, goods and services above a specified value.

Council's whole approach to procurement (whether via quotation or tendering) is based on competition in order to achieve value for money in a fair and transparent manner.

This form of procurement is not directly covered by this Policy; however, the statutory requirements under the LG Act are still applicable to procurement decisions above a certain value that are captured by this Policy as Unsolicited Proposals.

Council clearly recognises that the unsolicited proposals process is not a substitute for routine competitive procurement by it. The focus of unsolicited proposals is on unique and innovative projects or services with clear and tangible benefits for the Lismore City Council. Similarly, the unsolicited proposals process is not designed to replace applicable environmental and planning assessment processes. If Council decides to progress an unsolicited proposal, that should not be interpreted as any form of explicit or tacit support for planning approvals.

While direct negotiation with a proponent in response to an Unsolicited Proposal may be pursued in justifying circumstances, Council's usual procurement approach is to test the market. This generally results in the demonstrable achievement of value-for-money outcomes and provides fair and equal opportunities.

Accordingly, Council will generally only consider proposals where both the proposal and its proponent have unique attributes such that others could not deliver a similar proposal with the same value-for-money outcome. Council will consider directly negotiating with an individual or organisation that presents an Unsolicited Proposal where circumstances justify this approach and at its absolute discretion, consistent with its statutory responsibilities under the LG Act.

## 1.3 Assessment Process and Criteria

This Policy sets out the processes to be followed by both Council and Proponents in developing Unsolicited Proposals. It represents commitment by Council to the allocation of resources to meet its responsibilities as outlined in this Policy. Proposals will be evaluated against the Assessment Criteria outlined in section 2.2.

A three stage assessment process has been developed to guide the evaluation of proposals:

- Pre-Submission Concept Review
- Stage 1: Initial Submission and Preliminary Assessment
- Stage 2: Detailed Proposal & Negotiation

Council recognised that a Proponent will be entitled to a fair rate of return for its involvement in a project and that outcomes should be mutually beneficial for the Proponent and Council. Further, Council recognises the right of Proponents to derive benefit from unique ideas. The approach to the identification, recognition and protection of intellectual property rights will be addressed and agreed with the Proponent during Stage 1 of the process as set out below.

Where Council determines a proposal as not meeting the criteria set out below, it reserves its usual right to go to market. The Proponent will be provided with the opportunity to participate in the procurement process should the concept be offered to the market, but will have no additional rights beyond those afforded to other market participants. If Council elects to go to market in such circumstances, it will respect any Intellectual Property (IP) owned by the Proponent.

The unsolicited proposals assessment process is separate to other Council statutory approvals processes. However, where appropriate, the assessment of unsolicited proposals will give consideration to the potential consistency of the proposal with relevant planning and environmental controls, and approvals processes.

#### 1.4 Contact Details and Lodgement

Enquiries and requests for 'pre-lodgement' meetings to discuss an Unsolicited Proposal should be submitted to:

Office of the General Manager  
Private and Confidential  
43 Oliver Avenue, Goonellabah NSW 2480  
[council@lismore.nsw.gov.au](mailto:council@lismore.nsw.gov.au)

A soft copy should also be submitted to the email address above.

Once a proposal has been submitted, Council will formally acknowledge receipt of the proposal and provide contact details of the Proposal Manager within 21 days. Council's intention is this person will be the Proponent's only point of contact in Council regarding the proposal. Once lodged, the proposal is subject to a formal assessment process.

Once an unsolicited proposal has been submitted, Proponents must not contact Councillors or Council officers, in regard to the submitted proposal, outside of the formal assessment process. This includes organisations authorised to act on the Proponent's behalf. Failure to abide by this requirement will result in the Proposal Manager for the unsolicited proposal preparing a report to the General Manager justifying why the terms of the proposal should not be made public and directly proceed to an open tender process.

## **2. GUIDING PRINCIPLES**

### 2.1 Optimise Outcomes

By their nature, Unsolicited Proposals are unlikely to be the current focus of Council's strategic planning. Proposals must therefore be considered in light of the wider benefits and strategic outcomes that may be derived. In order to proceed however, proposals must be broadly consistent with Council's objectives and plans, and offer some unique attributes that justify departing from a competitive tender process. Outcomes must always be in the best interest of Lismore City Council.

In order to demonstrate that optimal Value for Money will be achieved, an "open book" approach to negotiations is to be adopted once the proposal has progressed to Stage 2 assessment. Council will also consider whole-of-council impact and cost.

In order to guide the Proponent, Council will provide an early indication of an acceptable return on investment and other requirements to be achieved by the Proponent in the delivery of its proposal.

Set out below is the full set of assessment criteria (Uniqueness, Value for Money, Whole of Council Impact, Return on Investment, Capability and capacity, Affordability and Risk Allocation)

### 2.2 Assessment Criteria

Proposals will be initially assessed against the Assessment Criteria below. Assessment will be based on the proposal satisfactorily meeting each of the criteria. Additional criteria relevant to a particular proposal may also be applied at later stages. If so, the Proponent will be informed of the criteria in order for these to be addressed in its Detailed Proposal during Stage 2.

- *Uniqueness* - Demonstration of unique benefits of the proposal and the unique ability of the proponent to deliver the proposal.

- *Value for Money*
- *Whole of Council Impact*
- *Return on Investment*
- *Capability and Capacity*
- *Affordability*
- *Risk Allocation*

### 2.3 Interactive Process

Council will manage an interactive process with the proponent at all formal stages of assessment, commencing with the formal pre-lodgement meeting. During both the pre-lodgement meeting and the Stage 1 Assessment this interaction will be limited to clarification of the proposal by Council in order to effectively carry out the assessment. It will not be an opportunity to negotiate the details of the proposal. This opportunity will arise in later stages if the proposal proceeds past the Stage 1 Assessment.

### 2.4 Probity

Council seeks to conduct its commercial dealings with integrity. The assessment of Unsolicited Proposals must be fair, open and demonstrate the highest levels of probity consistent with the public interest. The assessment of Unsolicited Proposals will be conducted through the application of established probity principles that aim to assure all parties of the integrity of the decision making processes. These principles are outlined in this section.

#### *Maintaining impartiality*

Fair and impartial treatment will be a feature of each stage of the assessment process. The process will feature a clearly defined separation of duties and personnel between the assessment and approval functions.

#### *Maintaining accountability and transparency*

Accountability and transparency are related concepts. The demonstration of both is crucial to the integrity of the assessment.

Accountability requires that all participants be held accountable for their actions. The assessment process will identify responsibilities, provide feedback mechanisms and require that all activities and decision making be appropriately documented.

Transparency refers to the preparedness to open a project and its processes to scrutiny, debate and possible criticism. This also involves providing reasons for all decisions taken and the provision of appropriate information to relevant stakeholders. Relevant summary information regarding proposals under consideration at Stage 2 will be made publicly available. Further information may be published as appropriate.

#### *Managing conflicts of interest*

In support of the public interest, transparency and accountability, Council requires the identification, management and monitoring of conflicts of interest. Participants will be required to disclose any current or past relationships or connections that may unfairly influence or be seen to unfairly influence the integrity of the assessment process.

*Maintaining confidentiality*

In the assessment of Unsolicited Proposals there is need for high levels of accountability and transparency. However, there is also a need for some information to be kept confidential, at least for a specified period of time. This is important to provide participants with confidence in the integrity of the process. All proposals submitted will be kept confidential at Stage 1 of the assessment process.

*Obtaining value for money*

Obtaining optimal value for money is a fundamental principle for Council (and the public sector in general). This is achieved by fostering an environment in which Proponents can make attractive, innovative proposals with the confidence that they will be assessed on their merits and where Council appropriately considers value. At Stage 2 of the assessment process, the approach to assessing Value for Money will be confirmed. At this stage a Probity Advisor is appointed and their role is to monitor the evaluation process and ensure that Value for Money has been optimally considered. It is not the role of the probity advisor to determine whether the proposal meets the required Value for Money criterion.

2.5 Resource Commitments

In order for an Unsolicited Proposal to progress, Council and the Proponent will be required to commit resources. The staged approach to assessment seeks to balance resource input at each stage in order to reduce the potential for unnecessary expenditure.

While this Policy sets out information and processes to minimise costs for Proponents, Council will not reimburse costs associated with Unsolicited Proposals.

2.6 Governance Arrangements

In the spirit of collaboration and efficiency, Governance arrangements will include whole of Council management and co-ordination through an appointed Proposal Manager, a Proposal Specific Steering Committee where required, a staged approach to assessment, negotiation and contracting, and regular reporting to Council's senior staff in management (Senior Leadership Team).

Once a proposal reaches Stage 2 of the assessment process, Council will establish appropriate governance arrangements that will detail the make-up and responsibilities of the Steering Committee and assessment/technical panels, management of confidentiality and conflict of interest, and provide details of the appointed Probity Advisor.

Unsolicited Proposals must take into account relevant processes and approval requirements in the LG Act in relation to procurement and PPP's (where relevant).

The Stage 2 Participation Agreement will outline whether the proposal will be subject to an approval process outlined in another procurement policy document and/or a project assurance mechanism.

2.7 Memorandum of Understanding

A Memorandum of Understanding (MOU) provides an agreed (but not legally binding) framework for Stage 2 which will be entered into by both Council and the Proponent in order to ensure the alignment of expectations regarding participation in the process.

The MOU will contain:

- Acknowledgement that a Value for Money outcome is a requirement for the proposal to proceed
- Assessment Criteria and other relevant Council requirements
- Communication channels, including a prohibition on lobbying
- Costs arrangements

- Resource commitments
- Conflict of interest management arrangements
- Confidentiality requirements
- Commitment to following an open book approach to discussions
- Timeframe
- Identification of approval requirements, including planning and environmental approvals. (note at all times Council's separate planning and approval functions).

### 3. ROLES AND RESPONSIBILITIES

#### 3.1 Proponent

The Proponent is required to:

- Prepare an outline Submission and meet with the Proposal Manager to discuss its unique characteristics and other key principles, prior to lodgement of a formal submission. This involves the Proponent completing an initial Schedule of Information Requirements (See Annexe 1 of Procedure).
- Prepare and lodge with Council an Initial Submission for Preliminary or Stage 1 Assessment. This involves the Proponent completing the Schedule of Information Requirements and attaching any other relevant information. It must also involve demonstrating a clear alignment with Council's published strategic direction and values.
- Enter into a MOU if recommended to proceed to Stage 2.
- Provide a Detailed Proposal at the conclusion of Stage 2.

#### 3.2 Council

Section 55 of the LG Act makes it plain that all identified contracts above the General Manager's delegated authority must go to Council for approval via resolution, prior to the execution of any such contract.

Where a proposal has been provided to Council at the conclusion of Stage 2, it will generally be necessary for that proposal to be put to Council, even where the report before Council recommends that, due to extenuating circumstances, Council not proceed to tender for the project, goods or services under contemplation as per Section 55 of the LG Act.

It may be also necessary for any proposal, at the conclusion of Stage 2, to be considered under PPP provisions of the Local Government Amendment (Public Private Partnerships) Act 2004 (the Act) and the Local Government (General) Regulation 2005.

#### 3.3 Proposal Manager, Senior Leadership Team & Steering Committee(s)

##### ***Proposal Manager***

The Proposal Manager acts as the contact-point for Unsolicited Proposals and is charged with evaluating the information supplied by the Proponent in conjunction with the meeting of Council representatives. The Proposal Manager also reports to Senior Leadership Team and the Council, as required.

As set out in the Procedure, progression past Stage 1 requires approval from Senior Leadership Team. Where a Stage 1 Proposal is to be subject of a Senior Leadership Team assessment report, a member of Senior Leadership Team will coordinate that report and presentation.

### ***Proposal Specific Steering Committees***

A Proposal Specific Steering Committee will be established to oversee assessment of that proposal. Such a Committee, would have the relevant responsibilities as outlined below, be appointed by Senior Leadership Team, and update Senior Leadership Team as required.

A Committee will have at least 3 members, not including the Governance representative.

### ***Responsibilities***

#### **Proposal Manager**

- Act as the initial point of contact for an Unsolicited Proposal.
- Meet with a proponent for the purpose of a pre-submission concept review
- After confirming a completed Schedule of Information Requirements has been lodged, convene a meeting with a representative of Council Divisions likely to be involved in any review (including, at all times, a representative for the Governance unit).
- In conjunction with the meeting group above, prepare a preliminary assessment report with a recommendation that a Proposal should proceed to Stage 2, or be declined.
- Provide updates to Senior Leadership Team and Corporate Governance Committee via Council report lines, as required.
- Provide the result of Council assessment to Proponent at the end of Stage 1.

#### **Proposal Specific Steering Committee**

- Review the Schedule of Information Requirements and assessment undertaken to date.
- Finalise the MOU.
- Approve the Governance Plan to be applied to Stage 2, including appointment of Probity Adviser (if warranted)
- Review and determine the further reporting, information, modelling and analysis to be undertaken, as well as likely budget to be utilised.
- Ensure relevant policy and project assurance processes are adhered to, where appropriate.
- Seek advice from other areas of Council, as required.
- Finalise assessment of the proposal, and provide recommendations to Senior Leadership Team
- Agree feedback to be provided to Proponent.

### **3.4 Advisers**

Advisers may provide expert advice to the Proposal Specific Steering Committee (as appropriate). The following key advisers may be appointed to provide specialist expertise to assist in project scoping and assessment:

- Legal
- Financial

- Technical
- Environmental.

Other advisers may be appointed where specialist input is required.

A specialist Project Manager may be appointed from Stage 2, particularly for large and/or complex projects.

Advisers are to follow all project governance and probity requirements.

### 3.5 Probity Adviser

At Stage 2, a probity adviser will be appointed.

The role of the probity adviser is to monitor and report on the application of the probity fundamentals during the assessment process. The probity adviser will:

- Assist in the development of a Governance Plan (where applicable).
- Provide a probity report at the end of each step to be considered by the Steering Committee before the decision to proceed to the next stage (or otherwise). The probity adviser may provide interim reports at key milestones of the assessment or at the behest of the Steering Committee.



# LISMORE CITY COUNCIL

# SOCIAL MEDIA POLICY

Adopted by Council 14 May 2024

Council Policy Number: 8.5.3

[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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## Introduction

### Social media – opportunities and challenges

Social media is at the heart of modern communication. Since its inception, social media has grown in popularity and influence and is now fundamental to not just how people interact with one another, but also to how we work, play and consume information and ideas.

Social media can be broadly defined as *online platforms and applications - such as social networking sites, wikis, blogs, microblogs, video and audio sharing sites, and message boards - that allow people to easily publish, share and discuss content*<sup>1</sup>. Significantly, one of social media's key features is its unprecedented reach and accessibility, in that anyone with a computer or mobile device can use social media to generate content which has the potential to be viewed and shared by hundreds of millions of people worldwide.

Council uses social media platforms and acknowledges the increasing number of active and engaged users on social media platforms. Particularly Council recognises the benefit that online platforms can have for promotion of events and services, crisis communication and generally engaging with residents and the public.

Despite its obvious benefits, social media also presents a variety challenges and risks. These include:

- the emergence of new, harmful forms of behaviour, such as cyber-bullying and trolling;
- maintaining the accuracy, reliability and integrity of information disseminated from multiple sources;
- organisations can be held liable for content uploaded onto their social media platforms by third parties<sup>2</sup>;
- content uploaded in a person's private capacity can adversely affect their employment and cause significant reputational damage to colleagues and employers; and
- rapid innovation can make it difficult to keep pace with emerging technologies and trends;
- recognition that while social media delivers a 24/7 channel social media pages cannot be monitored 24/7

In addition, potential corruption risks may arise due to social media use. These include:

- customers, development proponents / objectors, tenderers, or other stakeholders grooming public officials by behaviours such as 'liking' specific posts, reposting content, or sending personal or private messages;
- public officials disclosing confidential or sensitive information;
- using social media for sponsorship opportunities, which may unfairly advantage one sponsor over another and lack transparency; and
- public agencies or officials promoting certain businesses by behaviours such as 'following' them, 'liking' content, or making comments, which may result in those businesses being favoured over others.

<sup>1</sup> NSW Department of Education. Social media policy: Implementation procedures – November 2018

<sup>2</sup> As confirmed by the High Court of Australia in *Fairfax Media Publications Pty Ltd v. Voller, Nationwide News Pty Limited v. Voller, and Australian News Channel Pty Ltd v. Voller*, 8 September 2021.

### Social media and local government in NSW

As in the federal and state jurisdictions, social media has become an important tool in government and political discourse at the local level. In the context of NSW local government, social media has two primary functions:

- a) it is used by councils to interact and share information with their communities in an accessible and often more informal format.
- b) it enables councillors to promote their achievements and address their constituents directly about community issues and events in ways that either complement or bypass traditional news and print media.

In addition, many councils use social media as the platform through which they webcast their meetings. This increases transparency by providing visibility of council decision making in real time.

However, councils and councillors are not immune from the challenges associated with social media, which can pose a significant risk both in a legal sense, and in terms of a council's ability to operate in a unified and coordinated way. It is therefore vital that councils have the right policy settings in place so that both councils and councillors can realise the full benefits of social media whilst mitigating risk.

### The development and intent of this policy

The Model Social Media Policy has been developed by the Office of Local Government (OLG) in consultation with councils. It is applicable to councils, county councils and joint organisations.

The Model Social Media Policy sets out an exemplar approach by incorporating examples of best practice from the social media policies of a diverse range of NSW councils, as well as from Commonwealth and State Government agencies.

The Model Social Media Policy provides councils, county councils and joint organisations with a robust framework for the administration and management of their social media platforms. It also sets standards of conduct for all council officials who use social media in their official capacity. It has been developed to be fit-for-purpose in a digital age where innovation and emerging trends are the norm.

The Model Social Media Policy recognises that councils use social media differently depending on factors such as a council's size and resources, the demographics of a local government area, and council's willingness to engage with their community in this way. For these reasons, the Model Social Media Policy ensures a degree of flexibility by including optional and adjustable provisions which enables each council to tailor the policy to suit its own unique circumstances.

## Content of the Model Social Media Policy

At the heart of the Model Social Media Policy are the four 'Principles' of social media engagement. These are:

- Openness
- Relevance
- Accuracy
- Respect

These principles, which are expanded upon in Part 1, should underpin every aspect of a council's social media activity and all councils and council officials should commit to upholding them.

Except for Part 8, this policy applies to council social media pages and councillor social media pages.

The Model Social Media Policy is structured as follows:

- |                |   |
|----------------|---|
| <b>Part 1</b>  | Sets out the principles of social media engagement for councils   |
| <b>Part 2</b>  | Contains two administrative models that councils can adopt in relation to the management of their social media platforms  |
| <b>Part 3</b>  | Details the administrative framework for councillors' social media platforms  |
| <b>Part 4</b>  | Prescribes the standards of conduct expected of council officials when engaging on social media in an official capacity or in connection with their role as a council official                  |
| <b>Part 5</b>  | Provides a framework by which councils can remove or 'hide' content from their social media platforms, and block or ban third parties   |
| <b>Part 6</b>  | Prescribes how councils' social media platforms should be used during emergencies   |
| <b>Part 7</b>  | Contains information about records management and privacy requirements relating to social media   |
| <b>Part 8</b>  | Relates to personal use of social media by council officials  |
| <b>Part 9</b>  | Provides information about where concerns or complaints about a councils' or council officials' social media platform(s), or the conduct of council officials on social media, can be directed. |
| <b>Part 10</b> | Definitions   |

### Adoption

While not mandatory, the Model Social Media Policy reflects best practice and all councils, county councils and joint organisations are encouraged to adopt it. In doing so, they are free to adapt the policy to suit their local circumstances and operating environments or to supplement it with their own provisions.

### Enforcement

Clause 3.1(b) of the *Model Code of Conduct for Local Councils in NSW* provides that council officials must not conduct themselves in a manner that is contrary to a council's policies. If adopted by a council, a breach of the policy will be a breach of the council's code of conduct.

### Concerns or complaints

Concerns or complaints about the administration of a council's social media platforms should be made to the council's general manager or social media coordinator in the first instance.

Councils should provide clear information about where any concerns and complaints can be directed in Part 9 of this model policy.

### Acknowledgements

The Office of Local Government wishes to thank Local Government NSW, councils, the Independent Commission Against Corruption, the Information and Privacy Commission of NSW, the NSW Ombudsman, Resilience NSW and the State Archives and Records Authority of NSW for their invaluable assistance in drafting this model policy.

# Social Media Policy

## Part 1 – Principles

1.1 We, the councillors, officers and other officials of Lismore City Council, are committed to upholding and promoting the following principles of social media engagement:

<b>Openness</b>	Our social media platforms are places where anyone can share and discuss issues that are relevant to our Council and the community we represent and serve.
<b>Relevance</b>	We will ensure our social media platforms are kept up to date with informative content about our Council and community.
<b>Accuracy</b>	The content we upload onto our social media platforms and any other social media platform will be a source of truth for our Council and community and we will prioritise the need to correct inaccuracies when they occur.
<b>Respect</b>	Our social media platforms are safe spaces. We will uphold and promote the behavioural standards contained in this policy and our Council's code of conduct when using our social media platforms and any other social media platform.

## Part 2 – Administrative framework for Council's social media platforms

### Platforms

2.1 Council will maintain a presence on the following social media platforms:

- Lismore City Council - Facebook and Instagram page
- GSAC - Facebook and Instagram page
- Lismore Regional Gallery - Facebook and Instagram page
- Lismore Quadrangle - Facebook and Instagram page
- Visit Lismore - Facebook and Instagram page
- Visit Nimbin - Facebook and Instagram page
- Come to the Heart – Facebook and Instagram page
- Lismore City Council – LinkedIn page
- Lismore City Council – YouTube channel
- Back Lismore Facebook and Instagram page
- Lismore Masters Facebook page
- Lismore Centra Tourist Park – Facebook page
- Lismore Memorial Baths – Facebook page

2.2 Council's social media platforms must specify or provide a clearly accessible link to the 'House Rules' for engaging on the platform.

### Establishment and deletion of Council social media platforms

2.3 This list will be reviewed annually for performance, relevance and purpose. A new council social media platform, or a social media platform proposed by a council related entity (for

example, a council committee), can only be established or deleted with the written approval of the General Manager or their delegate.

- 2.4 Where a council social media platform is established or deleted in accordance with clause 2.3, the General Manager or their delegate may amend clause 2.1 of this policy without the need for endorsement by the Council's governing body.

### Appointment and role of the Social Media Coordinator

- 2.5 The General Manager will appoint a council officer to be the council's social media coordinator (SMC). The SMC should be a senior and suitably qualified officer.

- 2.6 The General Manager may appoint more than one SMC.

- 2.7 The SMC's role is to:

- a) approve and revoke an officer's status as an authorised user
- b) develop and/or approve the training and/or induction to be provided to authorised users
- c) maintain a register of authorised users
- d) maintain effective oversight of authorised users
- e) moderate the Council's social media platforms in accordance with Part 5 of this policy
- f) ensure the Council complies with its record keeping obligations under the *State Records Act 1998* in relation to social media (see clauses 7.1 to 7.4 of this policy)
- g) ensure the Council adheres to the rules of the social media platform(s)
- h) coordinate with the Council's (Customer Experience team to ensure the Council's social media platforms are set up and maintained in a way that maximises user friendliness and any technical problems are resolved promptly

- 2.8 The SMC may delegate their functions under paragraphs (e) and (f) of clause 2.9 to authorised users.

- 2.9 The SMC is an authorised user for the purposes of this policy.

### Authorised users

- 2.10 Authorised users are council officers who are authorised by the SMC to upload content and engage on social media on the Council's behalf.

- 2.11 Authorised users should be council officers that are responsible for managing, or have expertise in, the events, initiatives, programs or policies that are the subject of the social media content.

- 2.12 The SMC will appoint authorized users when required.

- 2.13 An authorised user must receive a copy of this policy and induction training on social media use and Council's obligations before uploading content on Council's behalf.

- 2.14 The role of an authorised user is to:

- a) ensure, to the best of their ability, that the content they upload onto social media platforms is accurate
- b) correct inaccuracies in Council generated content
- c) engage in discussions and answer questions on Council's behalf on social media platforms
- d) keep the Council's social media platforms up to date
- e) not applicable as g) has been included

- f) not applicable as g) has been included
- g) where authorised to do so by the SMC:
  - i) moderate the Council's social media platforms in accordance with Part 5 of this policy
  - ii) ensure the Council complies with its record keeping obligations under the *State Records Act 1998* in relation to social media (see clauses 7.1 to 7.4 of this policy)

2.15 When engaging on social media on Council's behalf (such as, but not limited to, on a community social media page), an authorised user must identify themselves as a council officer but they are not obliged to disclose their name or position within the Council.

2.16 Authorised users must not use Council's social media platforms for personal reasons.

2.17 Authorised users are responsible for monitoring and moderating comments and distributing all outgoing messaging on all Council social handles during business hours (8:30am – 5pm) and as rostered out of hours for:

- a) Proactive content and response
- b) Proactive content and response in alignment with the marketing calendar and events schedule
- c) Reactive content in response to any contentious issues as per business response approval process

Where necessary, content will be addressed appropriately in line with the policy. If not urgent, any content posted out of business hours (8:30am – 5pm AEST) will be responded to within Council's business hours. Comments from social media users will be monitored and moderated where possible.

### Administrative tone

2.18 Authorised users upload content and engage on social media on the Council's behalf. Authorised users must use language consistent with that function and avoid expressing or appearing to express their personal views when undertaking their role.

2.19 Authorised users may use more personal, informal language when engaging on Council's social media platforms, for example when replying to comments.

2.20 The use of approved social media will be governed to ensure reputation management: censorship will be kept to a minimum; Council will not vet negative content for self-gain or to avoid "swaying the opinions of others". However, profane, Defamatory Material, abusive, sexually explicit, derogatory, or spam-like comments will be removed.

### Register of authorised users

2.21 The SMC will maintain a register of authorised users. This register is to be reviewed annually to ensure it is fit-for-purpose.

### Ceasing to be an authorised user

2.22 The SMC may revoke an officer's status as an authorised user, if:

- a) the officer makes such a request
- b) the officer has not uploaded content onto any of the Council's social media platforms in the last six months
- c) the officer has failed to comply with this policy
- d) the social media coordinator is of the reasonable opinion that the officer is no longer suitable to be an authorised user

## Part 3 – Administrative framework for councillors' social media platforms

- 3.1 For the purposes of this policy, councillor social media platforms are not council social media platforms. Part 2 of this policy does not apply to councillors' social media platforms.
- 3.2 Councillors are responsible for the administration and moderation of their own social media platforms (in accordance with Parts 3 and 5 of this policy), and ensuring they comply with the record keeping obligations under the *State Records Act 1998* (see clauses 7.1 to 7.4 of this policy) and council's records management policy in relation to social media.
- 3.3 Clause 3.2 also applies to councillors in circumstances where another person administers, moderates, or uploads content onto their social media platform.
- 3.4 Councillors must comply with the rules of the platform when engaging on social media.

### Induction and training

- 3.5 Councillors who engage, or intend to engage, on social media must receive induction training on social media use. Induction training can be undertaken either as part of the councillors' induction program or as part of their ongoing professional development program.

### Identifying as a councillor

- 3.6 Councillors must identify themselves on their social media platforms in the following format:

*Councillor "First Name and Last Name".*

- 3.7 A councillor's social media platform must include a profile photo which is a clearly identifiable image of the councillor.
- 3.8 If a councillor becomes or ceases to be the mayor, deputy mayor, or the holder of another position (for example, chairperson of a committee), this must be clearly stated on the councillor's social media platforms and updated within seven days of a change in circumstances.

### Other general requirements for councillors' social media platforms

- 3.9 Councillor social media platforms must specify or provide a clearly accessible link to the 'House Rules' for engaging on the platform.
- 3.10 A councillor's social media platform must include a disclaimer to the following effect:  
*"The views expressed and comments made on this social media platform are my own and not that of the Council".*
- 3.11 Despite clause 3.10, mayoral or councillor media releases and other content that has been authorised according to the Council's media and communications protocols may be uploaded onto a councillor's social media platform.
- 3.12 Councillors may upload publicly available Council information onto their social media platforms.

- 3.13 Councillors may use more personal, informal language when engaging on their social media platforms.

### Councillor queries relating to social media platforms

- 3.14 Questions from councillors relating to their obligations under this policy, technical queries relating to the operation of their social media platforms, or managing records on social media may be directed to the General Manager in the first instance, in accordance with Council's councillor request process.

### Other social media platforms administered by councillors

- 3.15 A councillor must advise the General Manager of any social media platforms they administer on which content relating to the Council or council officials is, or is expected to be, uploaded. The councillor must do so within:
- a) One month of becoming a councillor, or
  - b) Seven days of becoming the administrator.

## Part 4 – Standards of conduct on social media

- 4.1 This policy only applies to council officials' use of social media in an official capacity or in connection with their role as a council official. The policy does not apply to personal use of social media that is not connected with a person's role as a council official.
- 4.2 Council officials must comply with the Council's code of conduct when using social media in an official capacity or in connection with their role as a council official.
- 4.3 Council officials must not use social media to post or share comments, photos, videos, electronic recordings or other information that:
- a) is defamatory, offensive, humiliating, threatening or intimidating to other council officials or members of the public
  - b) contains profane language or is sexual in nature
  - c) constitutes harassment and/or bullying within the meaning of the *Model Code of Conduct for Local Councils in NSW*, or is unlawfully discriminatory
  - d) is contrary to their duties under the *Work Health and Safety Act 2011* and their responsibilities under any policies or procedures adopted by the Council to ensure workplace health and safety
  - e) contains content about the Council, council officials or members of the public that is misleading or deceptive
  - f) divulges confidential Council information
  - g) breaches the privacy of other council officials or members of the public
  - h) contains allegations of suspected breaches of the Council's code of conduct or information about the consideration of a matter under the *Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW*
  - i) could be perceived to be an official comment on behalf of the Council where they have not been authorised to make such comment
  - j) commits the Council to any action
  - k) violates an order made by a court
  - l) breaches copyright
  - m) advertises, endorses or solicits commercial products or business
  - n) constitutes spam
  - o) is in breach of the rules of the social media platform

- 4.4 Council officials must:
- attribute work to the original author, creator or source when uploading or linking to content produced by a third party
  - obtain written permission from a minor's parent or legal guardian before uploading content in which the minor can be identified
- 4.5 Council officials must exercise caution when sharing, liking, retweeting content as this can be regarded as an endorsement and/or publication of the content.
- 4.6 Council officials must not incite or encourage other persons to act in a way that is contrary to the requirements of this Part.
- 4.7 Councillors must uphold and accurately represent the policies and decisions of the Council's governing body but may explain why they voted on a matter in the way that they did. (see section 232(1)(f) of the *Local Government Act 1993*).

## Part 5 – Moderation of social media platforms

**Note: Councils and council officials should be aware they may be considered a 'publisher' of any content uploaded onto a social media platform they administer, including content that:**

- is uploaded by a third party; and/or
- appears on their social media platform because they have 'liked', 'shared', or 'retweeted' the content, or similar.

- 5.1 Council officials who are responsible for the moderation of the Council's or councillors' social media platforms may remove content and 'block' or ban a person from those platforms. Such actions must be undertaken in accordance with this Part.
- 5.2 For the purposes of this Part, 'social media platform' and 'platform' means both the Council's and councillors' social media platforms.

### House Rules

- 5.3 Social media platforms must state or provide an accessible link to the 'House Rules' for engaging on the platform.
- 5.4 At a minimum, the House Rules should specify:
- the principles of social media engagement referred to in clause 1.1 of this policy.
  - the type of behaviour or content that will result in that content being removed or 'hidden', or a person being blocked or banned from the platform
  - the process by which a person can be blocked or banned from the platform and rights of review
  - a statement relating to privacy and personal information (see clause 7.4 of this policy)
  - when the platform will be monitored (for example weekdays 9am – 5pm, during the Council's business hours)
  - that the social media platform is not to be used for making complaints about the Council or council officials

- 5.5 For the purposes of clause 5.4(b), third parties engaging on social media platforms must not post or share comments, photos, videos, electronic recordings or other information that:
- a) is defamatory, offensive, humiliating, threatening or intimidating to council officials or members of the public
  - b) contains profane language or is sexual in nature
  - c) constitutes harassment and/or bullying within the meaning of the *Model Code of Conduct for Local Councils in NSW*, or is unlawfully discriminatory
  - d) contains content about the Council, council officials or members of the public that is misleading or deceptive
  - e) breaches the privacy of council officials or members of the public
  - f) contains allegations of suspected breaches of the Council's code of conduct or information about the consideration of a matter under the *Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW*,
  - g) violates an order made by a court
  - h) breaches copyright
  - i) advertises, endorses or solicits commercial products or business,
  - j) constitutes spam
  - k) would be in breach of the rules of the social media platform.

### Removal or 'hiding' of content

- 5.6 Where a person uploads content onto a social media platform that, in the reasonable opinion of the moderator, is of a kind specified under clause 5.5, the moderator may remove or 'hide' that content.
- 5.7 Prior to removing or 'hiding' the content, the moderator must make a record of it (for example, a screenshot).
- 5.8 If the moderator removes or 'hides' the content under clause 5.6, they must, where practicable, notify the person who uploaded the content that it has been removed and the reason(s) for its removal and their rights of review.
- 5.9 A person may request a review of a decision by a moderator to remove or 'hide' content under clause 5.6. The request must be made in writing to the General Manager and state the grounds on which the request is being made.
- 5.10 Where a review request is made under clause 5.9, the review is to be undertaken by a council officer nominated by the General Manager who is suitably qualified and who was not involved in the decision to remove or 'hide' the content.

### Blocking or banning

- 5.11 If a person uploads content that is removed or 'hidden' under clause 5.6 of this policy on three occasions, that person may be blocked or banned from the social media platform / all social media platforms.
- 5.12 A person may only be blocked or banned from a Council social media platform with the approval of the social media coordinator. This clause does not apply to blocking or banning a person from a councillor's social media platform.
- 5.13 Prior to blocking or banning a person from a social media platform, the person must, where practicable, be advised of the intention to block or ban them from the platform/all platforms and be given a chance to respond. Any submission made by the person must

be considered prior to a determination being made to block or ban them. Any submission made by the person should be considered in a review of the banning,

- 5.14 The duration of the block or ban is to be determined by the social media coordinator, or in the case of a councillor's social media platform, the councillor.
- 5.15 Where a determination is made to block or ban a person from a social media platform/all social media platforms, the person must, where practicable, be notified in writing of the decision and the reasons for it. The written notice must also advise the person which social media platforms they are blocked or banned from and the duration of the block or ban and inform them of their rights of review.
- 5.16 Despite clauses 5.11 to 5.15, where a person uploads content of a kind referred to under clause 5.5, and the moderator is reasonably satisfied that the person's further engagement on the social media platform poses a risk to health and safety or another substantive risk (such as the uploading of defamatory content), an interim block or ban from the platform/all platforms may be imposed on the person immediately for a period no longer than (seven days).
- 5.17 A person who is blocked or banned from the platform/all platforms under clause 5.16 must, where practicable, be given a chance to respond to the interim block or ban being imposed. Any submission made by the person must be considered when determining whether the interim block or ban is to be removed or retained under clauses 5.11 to 5.15.
- 5.18 A person may request a review of a decision to block or ban then from a social media platform. The request must be made in writing to the General Manager and state the grounds on which the request is being made.
- 5.19 Where a review request is made under clause 5.18, the review is to be undertaken by the General Manager or a council officer nominated by the General Manager who is suitably qualified and who was not involved in the decision to block or ban the person. Where the decision to block or ban the person was made by the General Manager, the review must be undertaken by another senior and suitably qualified council officer who was not involved in the decision.
- 5.20 Where a person that is the subject of a block or ban continues to engage on a social media platform(s) using an alternative social media account, profile, avatar, etc., a moderator may block or ban the person from the platform(s) immediately. In these circumstances, clauses 5.11 to 5.19 do not apply.

## Part 6 – Use of social media during emergencies

- 6.1 During emergencies, such as natural disasters or public health incidents, the social media coordinator will be responsible for the management of content on the Council's social media platforms. Council's social media platforms will be updated with approved advice from identified official sources under the governance of the *State Emergency and Rescue Management Act 1989*, and associated Emergency Management Plans, as required by the specific event.
- 6.2 To ensure consistent messaging both during and after an emergency, authorised users and council officials must not upload content onto the Council's or their own social media platforms which contradicts advice issued by the agency coordinating the emergency response, or agencies supporting recovery efforts.

Training on social media use during emergencies should be included in training and/or induction provided to authorised users and councillors.

## Part 7 – Records management and privacy requirements

### Records management

- 7.1 Social media content created, sent and received by council officials (including councillors) acting in their official capacity is a council record and may constitute open access information or be subject to an information access application made under the *Government Information (Public Access) Act 2009*. These records must be managed in accordance with the requirements of the *State Records Act 1998* and the Council's approved records management policies and practices.
- 7.2 You must not destroy, alter, or remove social media content unless authorised to do so. If you need to alter or remove social media content, you must do so in accordance with this policy, and consult with the Council's records coordinator and comply with the requirements of the *State Records Act 1998*.
- 7.3 When/if a councillor's term of office concludes, the councillor must contact the Council's Governance & Risk Manager to manage/transfer records of social media content created during their term of office and comply with the requirements of the *State Records Act 1998*.
- 7.4 In fulfilling their obligations under clauses 7.1 to 7.3, council officials should refer to any guidance issued by the State Archives and Records Authority of NSW relating to retention requirements for councils' and councillors' social media content<sup>3</sup>.

### Privacy considerations and requirements

- 7.5 Social media communications are in the public domain. Council officials should exercise caution about what personal information, if any, they upload onto social media.
- 7.6 The *Privacy and Personal Information Protection Act 1998* applies to the use of social media platforms by the Council and councillors. To mitigate potential privacy risks, council officials will:
  - a) advise people not to provide personal information on social media platforms.
  - b) inform people if any personal information they may provide on social media platforms is to be used for official purposes.
  - c) moderate comments to ensure they do not contain any personal information.
  - d) advise people to contact the Council or councillors through alternative channels if they have personal information they do not want to disclose in a public forum.
- 7.7 Council officials must ensure they comply with the *Health Records and Information Privacy Act 2002* when engaging on and/or moderating social media platforms. In fulfilling their obligations, council officials should refer to any guidance issued by the Information and Privacy Commission of NSW, such as, but not limited to, the Health Privacy Principles.

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<sup>3</sup> See State Archives and Records Authority of NSW 'Government Recordkeeping / Advice and Resources / Local Government' and 'Social media recordkeeping for councillors'

## Part 8 – Private use of social media

**Note: Activities on social media websites are public activities. Even though privacy settings are available, content can still be shared and accessed beyond the intended recipients.**

**The terms and conditions of most social media sites state that all content becomes the property of the site on which it is posted<sup>4</sup>.**

### What constitutes 'private' use?

- 8.1 For the purposes of this policy, a council official's social media engagement will be considered 'private use' when the content they upload:
- is not associated with, or does not refer to, the Council, any other council officials, contractors, related entities or any other person or organisation providing services to or on behalf of the Council in their official or professional capacities, and
  - is not related to or does not contain information acquired by virtue of their employment or role as a council official
- 8.2 If a council official chooses to identify themselves as a council official, either directly or indirectly (such as in their user profile), then they will not be deemed to be acting in their private capacity for the purposes of this policy.

### Use of social media during work hours

- 8.3 Not required as 8.4 utilised.
- 8.4 Council officers who access and engage on social media in their private capacity during work hours must ensure it does not interfere with the performance of their official duties.

## Part 9 – Concerns or complaints

- 9.1 Concerns or complaints about the administration of a council's social media platforms should be made to the council's SMC in the first instance.
- 9.2 Complaints about the conduct of council officials (including councillors) on social media platforms may be directed to the general manager.
- 9.3 Complaints about a general manager's conduct on social media platforms may be directed to the mayor.

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<sup>4</sup> Social Media: Guidance for Agencies and Staff (Government of South Australia) – page 9

## Part 10 - Definitions

In this Social Media Policy, the following terms have the following meanings:

<b>authorised user</b>	council officers who are authorised by the General Manager or SMC to upload content and engage on the Council's social media platforms on the Council's behalf
<b>council official</b>	councillors, officers and delegates of the council (including members of committees that are delegates of the council);
<b>minor</b>	for the purposes of clause 4.4(b) of this policy, is a person under the age of 18 years
<b>personal information</b>	information or an opinion (including information or an opinion forming part of a database and whether or not recorded in a material form) about an individual whose identity is apparent or can reasonably be ascertained from the information or opinion
<b>SMC</b>	council's social media coordinator appointed under clause 2.7 of this policy
<b>social media</b>	online platforms and applications - such as but not limited to social networking sites, wikis, blogs, microblogs, video and audio sharing sites, and message boards - that allow people to easily publish, share and discuss content. Examples of social media platforms include, but are not limited to Facebook, Twitter, Snapchat, LinkedIn, Yammer, YouTube, Instagram, Flickr and Wikipedia



# MEDIA RELEASES POLICY

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COUNCIL POLICY

NUMBER: 1.4.3

Document #: ED16/27306	Document Title: 1.4.3 Media Releases Policy
Version #: 1.4	Developed By: Corporate Services
	Authorised by: Council

# MEDIA RELEASES POLICY



## Introduction

### 1. Purpose

1.1. To clarify the authority concerning statements/interviews and press releases.

### 2. Procedure

2.1. The Mayor and General Manager are authorised to make press releases on Council business/affairs to the media on Council's behalf.

2.2. No-one else has the authority to make statements on Council's behalf without first obtaining approval/delegation from the General Manager or the Council, as appropriate.

## Document History and Version Control

Trim Ref	Version	Summary of Changes / Consultation	Date
	1.0	Policy Creation	19/06/1990
	1.1, 1.2, 1.3	Council Reviewed	06/08/1996, 01/12/2010, 09/04/2024
ED16/27306	1.4	Transfer to new template	02/06/2025

Document #: ED16/27306	Document Title: 1.4.3 Media Releases Policy
Version #: 1.4	Developed By: Corporate Services   Authorised by: Council



## POLICY MANUAL

<b>Policy title:</b>	<b>GATHERING INFORMATION POLICY</b>
<b>Policy number:</b>	<b>1.4.18</b>
<b>Objective:</b>	<b>To document the required standard of Council generated information and data needed to assist in defending a public liability or professional indemnity claim and ensure that they constitute admissible evidence.</b>
<b>Link to community vision/service:</b>	<b>Civic Leadership/Management</b>
<b>Program Area:</b>	<b>Corporate Services</b>
<b>Policy created: 09/11/04</b>	<b>Council reviewed: 01/12/10 18/12/13</b>
<b>Last reviewed by staff: 18/12/13</b>	<b>TRIM Ref: ED10/15828 &amp; ED16/27133</b>

### Introduction

This policy, together with the procedure 1.1.49 provides the minimum data standards for the gathering of information and is designed to meet the following principles:

- To meet operational business needs, accountability requirements and community expectations.
- The protection of Council's financial position through risk management.
- To facilitate the minimum data requirements for information required to be used defending possible public and professional liability claims.

### Implementation

The General Manager is responsible for the implementation of this policy.

### Budget

Council will allocate sufficient human and financial resources to implement this policy and associated procedure within Council's budget constraints.

### 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.

**MINUTES OF THE ORDINARY MEETING OF THE BRIEFINGS COMMITTEE OF THE CITY OF LISMORE HELD IN COUNCIL CHAMBERS ON TUESDAY 3 MARCH 2026 AT 6:00 PM**

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

## Present

Mayor, Councillor Krieg; Councillors Battista, Bing, Dalton-Earls, Gordon, Guise, Jensen, Knight-Smith, Rob (via audio-visual), Waters together with Mr Butron, General Manager; Ms Sullivan, Director People & Community; Ms Foy, Executive Director Flood Restoration Portfolio; Mr Potter, Director Water Waste & Open Spaces; Mr Singh-Pangly, Director Corporate Sustainability; Mr Clough, Director Waste & Resilience; Mr Baker, Deputy Director Waste & Resilience; Ms Heath, Project Manager; Mr Readman, Manager Technology & Innovation; Ms Sproule, Stakeholder Engagement Coordinator; Ms Lawsen, Risk Compliance Specialist; Mr Harty, Senior Financial Reporting & Operations Accountant; Mr Pitman, Technology Support Officer; Ms Cotterill, Manager Governance and Mrs Mitchell, Executive Officer.

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

1/26

**RESOLVED** that Council:

1. approve attendance by audio-visual link for Councillor Rob
2. accept an apology from Councillor Hall

(Councillors Bing/Jensen)

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

**Voting against:** Nil

## Disclosures of Interest

Nil

## Reports of the General Manager

### **7.1 Disability Inclusion Action Plan**

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MOTION moved that the Committee note the presentation on the Disability Inclusion Action Plan.

(Councillors Gordon/Bing)

**RESOLVED** that the session go into Committee of the Whole.

(Councillors Rob/Bing) (BP26/150)

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

**Voting against:** Councillors Guise and Waters

2/26 **RESOLVED** that the Committee note the presentation on the Disability Inclusion Action Plan.

(Councillors Gordon/Bing) (BP26/150)

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

**Voting against:** Nil

### **7.2 Investment Strategy**

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3/26 **RESOLVED** that the Committee note the presentation on the Investment Strategy.

(Councillors Bing/Gordon) (BP26/155)

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

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

**At this point the meeting adjourned for a short break to resolve technology issues, the time being 7:18PM**

**The meeting resumed at 7:26PM**

### 7.3 Flood Restoration Portfolio Capital Program

MOTION moved that the Committee note the presentation on the Flood Restoration Portfolio Capital Program.

(Councillors Battista/Bing)

#### **Councillor Dalton-Earls returned to the meeting, the time being 7:29PM**

4/26 **RESOLVED** that the Committee note the presentation on the Flood Restoration Portfolio Capital Program.

(Councillors Battista/Bing) (BP26/157)

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

**Voting against:** Councillor Guise

### Committee of the Whole

5/26 **RESOLVED** that the Committee leave Committee of the Whole and return to the meeting.

(Councillors Krieg/Bing)

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

**Voting against:** Nil

### Confidential Matters – Closed Committee Meeting

6/26 **RESOLVED** that Committee now exclude the press and public and meet in Closed Committee to consider the following matters;

<b>Item</b>	8.1 Flood Restoration Portfolio Waste Capital Program
<b>Grounds for Closure</b>	Section 10A(2) (c):
<b>Public Interest</b>	Discussion of this matter in an open meeting would on balance be contrary to the public interest because it relates to: information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

(Councillors Gordon/Knight-Smith)

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

## Resumption of Open Committee

7/26 When the Committee had resumed its former sitting, the Mayor reported that the Committee, meeting in Closed Session, had RESOLVED:

### **8.1 Flood Restoration Portfolio Waste Capital Program**

That the Committee note the presentation on the Flood Restoration Portfolio Waste Capital Program ahead of a report to the March Council meeting.

(Councillors Battista/Bing) (BP26/158)

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

## Closure

This concluded the business and the meeting terminated at 9.20pm.

CONFIRMED > > 2026 at which meeting the signature herein was subscribed.

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**MAYOR**

**MINUTES OF THE CONFIDENTIAL MEETING OF THE BRIEFINGS COMMITTEE OF THE CITY OF LISMORE HELD IN COUNCIL CHAMBERS ON TUESDAY 3 MARCH 2026 AT 6:00PM**

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

**Present**

Mayor, Councillor Krieg; Councillors Battista, Bing, Dalton-Earls, Gordon, Guise, Jensen, Knight-Smith, Rob (via audio-visual), Waters together with Mr Butron, General Manager; Mr Potter, Director Water Waste & Open Spaces; Ms Foy, Executive Director Flood Restoration Portfolio; Mr Clough, Director Waste & Resilience; Mr Baker, Deputy Director Waste & Resilience; Ms Heath, Project Manager; Ms Cotterill, Manager Governance and Mrs Mitchell, Executive Officer.

**8.1 Flood Restoration Portfolio Waste Capital Program**

MOTION moved that the Committee note the presentation on the Flood Restoration Portfolio Waste Capital Program ahead of a report to the March Council meeting.

(Councillors Battista/Bing)

**Councillor Guise left the meeting, the time being 8:22PM**

**Councillor Rob left the meeting, the time being 8:29PM**

**Councillor Rob returned to the meeting, the time being 8:30PM**

**Councillor Waters left the meeting, the time being 9:01PM**

**Councillor Battista left the meeting, the time being 9:15PM**

1/26 **RESOLVED** that the Committee note the presentation on the Flood Restoration Portfolio Waste Capital Program ahead of a report to the March Council meeting.

(Councillors Battista/Bing) (BP26/158)

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

**Voting against:** Nil

**Absent:** Councillors Battista, Guise and Waters

## Resumption of Open Committee

2/26      **RESOLVED** that the Committee reopen the doors to the public and return to open session.

(Councillors Krieg/Bing)

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

**Voting against:**                Nil

## Closure

This concluded the business and the meeting terminated at 9.18pm.

CONFIRMED > > 2026 at which meeting the signature herein was subscribed.

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**MAYOR**