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# Rous Cultural, Environmental and Information Centre

(D21/18829)

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## Business activity priority

Customers and Stakeholders

## Goal 5

Proactive management of relationships with member councils and key stakeholders

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### Recommendation

That Council:

1. Receive and note this report;
2. Endorse the approach to lease the Lismore Visitor Information Centre site, establish and operate a cultural, environmental and information facility as per the Legal Framework set out in this report;
3. Approve an additional budget allocation of \$175,000 from bulk water reserves; and
4. Receive a progress report prior to the adoption of the draft Operational Plan 2022/23.

### Background

An opportunity has arisen for Council to establish a cultural, environmental and information facility at the Lismore City Council ('LCC') owned Lismore Visitor Information Centre ('Visitor Centre'). The initiative will enable targeted engagement activities (particularly for major initiatives) and provide Council further opportunity to deepen partnerships with local Indigenous people and organisations as part of Council's Reconciliation Action Plan.

Following the councillor workshop presentation of 17 March 2021, the purpose of this report is to seek Council's endorsement to progress with a lease and licence agreement and approve the estimated budget required for same, as set out below.

#### 1. Lismore Visitor Information Centre status

Located adjacent to Heritage Park on Molesworth Street in the Lismore CBD, the Visitor Centre is a purpose-built public engagement facility. See Figure 1.

The building contains ground floor public amenities and first/upper floor retail and office space.

The first/upper floor features an indoor rainforest replica, Aboriginal historical display, cultural gallery space, staff amenities, display shelving and service counter.

LCC closed the Visitor Centre in July 2020 to deliver cost savings while a review of its tourism strategy was undertaken.

In late-2020, LCC conducted an open expressions of interest process to identify potential partners who could reopen the Visitor Centre and provide a base-level of visitor information/tourism services whilst delivering a new operating model for the facility.

Rous lodged an expression of interest in November 2020.

Central to Council's proposal was establishing and operating the Rous Cultural, Environmental and Information Centre via a partnership model involving LCC and the Aboriginal community.

The expression of interest was conditional on subsequent Council consultation and consideration.



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**Figure 1** – Visitor Centre denoted by red box. Aerial view extracted from NSW Six Maps 04-06-2021.

## 2. Vision for the Rous Cultural, Environmental and Information Centre

Council's vision for the Rous Cultural, Environmental and Information Centre's operating model entails three main elements.

Firstly, creating a regional base for community engagement across all of Council's service delivery areas by:

- staffing the centre from Council's engagement and customer service teams with a rostered system of technical specialists (e.g. weed biosecurity, bush regeneration, water sustainability, floodplain, etc) so that community members can drop in to discuss and learn about key natural resource management issues;
- installing permanent and changing displays (utilising multimedia and other technology where possible) to showcase Council's major flood mitigation, bulk water supply and weed biosecurity projects and other initiatives; and
- developing a program of regular community presentations and guest speakers.

Secondly, partnering with the region's Aboriginal community to utilise the centre for cultural heritage displays, events and other activities. While this will largely depend on volunteer arrangements, employment opportunities through targeted grant programs will be pursued.

Council's Reconciliation Action Plan Advisory Group is well-positioned to help develop these partnerships as well as the centre's cultural awareness themes.

Finally, supporting LCC in its endeavour to continue providing a tourism service.

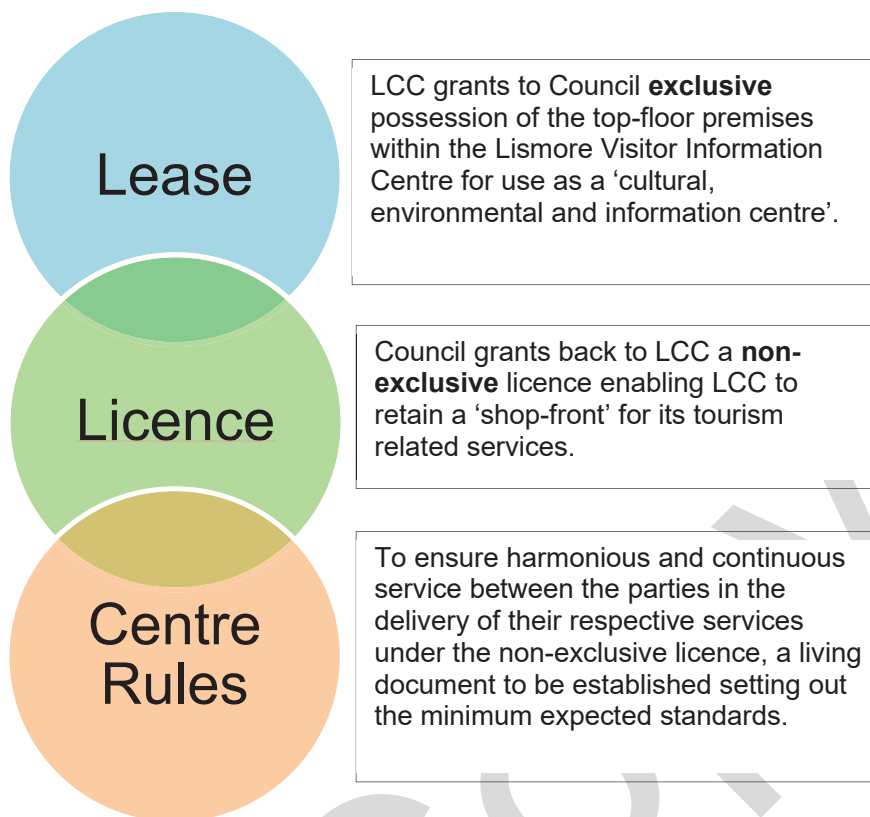
This includes retaining the centre's existing indoor rainforest replica, Aboriginal historical display, and visitor information resources as well as some retail functions and products.

It also involves Council staff responding to visitor information enquiries and LCC maintaining a tourism-related staffing presence within the centre via a licence agreement.

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### 3. Legal Framework

The legal framework outlined below is recommended as the most appropriate method by which to clearly delineate the rights, responsibilities and liabilities as between and of the parties while promoting and facilitating their respective objectives.



#### **(1) Lease agreement**

Under the lease, LCC grants Council exclusive possession of the Visitor Centre's first/upper floor for use as a 'cultural, environmental and information centre'.

The lease starts on 1 July 2021 for a term of three years, with an option to extend for a further three years.

Rent payable commences at \$17,600 (including GST) per annum, with CPI increases annually.

Initially, Council has three months from the lease's start date to fit out the centre prior to opening to the public on 1 October 2021.

LCC remains responsible for operating and maintaining the ground floor public amenities.

The lease contains a 'without cause' termination clause which allows Council to withdraw at any time from the arrangement upon payment of the equivalent of six (6) months' rent and two (2) months prior notice to LCC.

#### **(2) Licence agreement**

Under the licence agreement, Council grants back to LCC a non-exclusive licence to allow LCC to provide tourism-related services from the centre's first/upper floor.

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LCC is required to provide a minimum physical staffing requirement of 10 hours per week (Monday to Friday) and may install and maintain a kiosk and display tourism-related brochures.

The licence agreement also establishes a set of Centre Rules which regulate the interaction between the parties sharing the centre by providing a written understanding as to the minimum behavioural, operational and service standards expected under the licence.

The centre's hours of operation are also set out in the Centre Rules, being, Council will operate the centre Monday to Friday between 10am and 4pm while LCC will operate the centre Saturdays and Sundays between 10am and 2pm.

### **Governance**

Section 377(1)(h) of the Local Government Act 1993 (NSW) precludes Council from delegating authority in relation to the "compulsory acquisition, purchase, sale, exchange or surrender of any land or other property" but does not preclude delegation of authority to enter into leases or licences.

The General Manager has the delegated authority to execute the lease and licence agreements.

### **Finance**

The draft Operational Plan 2021/22 does not contain any specific funding for the fit-out and operation of the centre as described in this report.

It should be noted that Rous' salary costs are included in the draft Operational Plan 2021/22 along with the recurrent allocation for supporting collateral.

However, given the public aspect of this innovative approach, an appropriate additional budget 2021/22 allocation is requested to ensure this trial project meets its objectives.

	<b>\$ Budget</b>
Rent and outgoings	25,000
12-month contract – establishment resourcing	95,000
Fit out costs	30,000
Contingency amount	25,000
<b>TOTAL</b>	<b>\$175,000</b>

### **Consultation**

The development of the legal framework was undertaken in consultation with Council's Group Manager Corporate and Commercial, Natural Resource Management Planning Coordinator and Governance Advisor and Lismore City Council staff.

### **Conclusion**

Council has an opportunity to test and improve its reach and effectiveness in cultural, environmental and related technical information in an innovative and novel way with relatively low commercial risk exposure.

A progress report will be provided to Council prior to the adoption of the 2022/23 Operational Plan.

Guy Bezrouchko  
Group Manager Corporate and Commercial