

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS
40 CHERRY STREET BALLINA,
ON 23/10/14 AT 9.00 AM**

Attendance

Crs David Wright (Mayor - in the chair), Jeff Johnson, Sharon Cadwallader, Keith Williams, Keith Johnson, Susan Meehan, Ken Johnston, Paul Worth, Robyn Hordern and Ben Smith.

Paul Hickey (General Manager), John Truman (Civil Services Group Manager), Rod Willis (Development and Environmental Health Group Manager), Steve Barnier (Strategic and Community Facilities Group Manager) and Sandra Bailey (Secretary) were in attendance.

There were 15 people in the gallery at this time.

1. Australian National Anthem

The National Anthem was performed by St Joseph's School, Alstonville.

2. Acknowledgement of Country

In opening the meeting the Mayor provided an Acknowledgement of Country by reading the following statement on behalf of Council:

I would like to respectfully acknowledge past and present Bundjalung peoples who are the traditional custodians of the land on which this meeting takes place.

3. Apologies

Nil

4. Confirmation of Minutes

231014/1 RESOLVED

(Cr Sharon Cadwallader/Cr Ben Smith)

That Council confirms the Minutes of the Ordinary Meeting of Ballina Shire Council held on Thursday 25 September 2014, with an amendment to the voting on Resolution 250914/20 – Notice of Motion – Opposition to Proposed Medicare Co-Payment, as follows:

FOR VOTE – Cr Jeff Johnson, Cr Sharon Cadwallader, Cr Keith Williams, Cr Ken Johnston, Cr Susan Meehan and Cr Ben Smith

AGAINST VOTE – Cr David Wright, Cr Keith Johnson, Cr Paul Worth and Cr Robyn Hordern

FOR VOTE - All Councillors voted unanimously.

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5. Declarations of Interest and Reportable Political Donations

- **Cr Paul Worth** – declared an interest in Item 9.2 – Ballina Local Environmental Plan 2012 – 12 Month Review. (Nature of Interest: non significant, non pecuniary – the report mentions Spring Creek Estate on a minor matter – this is an estate developed by Cr Worth). He will be remaining in the meeting while the matter is discussed and voting on the matter.
- **Cr Paul Worth** – declared an interest in Item 11.1 – Development Servicing Plans for Water and Wastewater – Re-exhibition. (Nature of Interest: pecuniary – the report mentions Wollongbar Urban Expansion Area which his Spring Creek Estate is part of). He will be departing the meeting while the matter is discussed.

There were no reportable political donations.

6. Deputations

- **Katherine Buckley, Alstonville Community Preschool** – spoke in favour of Item 8.1 – DA 2014/333 – Crawford Park Preschool.
- **Ralph Moss** – spoke in opposition to Item 8.4 – DA 2010/892 – Highway Service Centre – Section 96 Amendment No. 12.
- **Denis Magnay** – spoke in opposition to Item 10.11 – Capital Expenditure Review – 30 September 2014.
- **Steve Connelly** – spoke in favour of Item 8.4 – DA 2010/892 – Highway Service Centre – Section 96 Amendment No. 12.
- **Simon Green** – spoke in opposition to Item 8.3 – DA 2013/381 – Reside Living – 274 River Street, Ballina – Section 96.

7. Mayoral Minutes

7.1 Mayoral Minute - Celebrating 150 Years of Alstonville

231014/2 RESOLVED

(Cr David Wright)

That Council confirms a commitment of \$4,000 (incl GST) to assist with the staging of the 150th Anniversary of Alstonville celebrations in 2015.

FOR VOTE - All Councillors voted unanimously.

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8. Development and Environmental Health Group Reports

8.1 DA 2014/333 - Crawford Park Pre-School

231014/3 RESOLVED

(Cr Paul Worth/Cr Ben Smith)

That DA 2014/333 to undertake the erection of a community facility for use as a Preschool and associated works including access road and car parking at Lot 161 DP 247578, No. 21 Alston Ave, Alstonville (Crawford Park) be **APPROVED** subject to the imposition of the attached recommended conditions.

FOR VOTE - Cr David Wright, Cr Keith Williams, Cr Keith Johnson, Cr Susan Meehan, Cr Paul Worth, Cr Robyn Hordern and Cr Ben Smith

AGAINST VOTE - Cr Jeff Johnson, Cr Sharon Cadwallader and Cr Ken Johnston

8.2 DA 2011/470 - Dunes on Shelly Beach, East Ballina - Section 96

231014/4 RESOLVED

(Cr Keith Johnson/Cr Sharon Cadwallader)

1. That Council reaffirms the dormitory building has "credits" for a maximum of 48 beds to be provided at any time.
2. The applicant is invited to further revise the modification application to DA 2011/470 to maintain a maximum of 62 beds (including the western subfloor area) subject to the payment of monetary contributions totaling \$38,623.20.
3. If the modification application is subsequently revised in this manner, the application will be determined under Delegated Authority. Should the modification application not be subsequently revised in this manner, the application will also be determined under delegated authority.
4. Upon determination, the applicant will be advised that the outstanding monetary contributions will need to be paid by 5 January 2015, otherwise an Order will be issued.

FOR VOTE - All Councillors voted unanimously.

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8.3 DA 2013/381 - Reside Living - 274 River Street, Ballina - Section 96

231014/5 RESOLVED

(Cr Sharon Cadwallader/Cr Jeff Johnson)

That Council defer the determination of the subject application (Amendment No. 1) to Development Consent 2013/381 under Section 96 (1A) of the Environmental Planning and Assessment Act 1979 to enable negotiations to occur between Council and the applicant in relation to Conditions 27, 37, 53, 54, 84 and 98 and that delegation be granted to the General Manager to determine the application at the conclusion of those negotiations.

FOR VOTE - All Councillors voted unanimously.

8.4 DA 2010/892 - Highway Service Centre - Section 96 Amendment No. 12

A **Motion** was moved by Cr Sharon Cadwallader and seconded by Cr Ben Smith

That delegation be granted to the General Manager to determine the subject application (Amendment No. 12) under Section 96 (1A) of the Environmental Planning and Assessment Act 1979 to amend Condition 5.22 in relation to the recognition of a Material Public Benefit provided by the two additional culverts, subject to the applicant and Council reaching agreement on the process to determine the costs attributable for the additional two culverts, with Council supporting the methodology outlined in this report.

The **Motion** was **LOST**.

FOR VOTE - Cr David Wright, Cr Sharon Cadwallader, Cr Robyn Hordern and Cr Ben Smith

AGAINST VOTE -, Cr Jeff Johnson, Cr Keith Williams, Cr Keith Johnson, Cr Susan Meehan, Cr Ken Johnston and Cr Paul Worth

231014/6 RESOLVED

(Cr Keith Williams/Cr Paul Worth)

That this matter be deferred to a Councillor workshop.

FOR VOTE - Cr David Wright, Cr Keith Williams, Cr Keith Johnson, Cr Susan Meehan, Cr Ken Johnston, Cr Paul Worth, and Cr Ben Smith

AGAINST VOTE - Cr Jeff Johnson, Cr Sharon Cadwallader and Cr Robyn Hordern

Adjournment

The Mayor declared the meeting adjourned at 10.40 am

The meeting resumed at 11.03 am

(Cr Jeff Johnson was not in attendance at this stage).

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10.9 Annual Financial Statements - 2013/14

Kevin Franey from Thomas Noble and Russell gave a presentation to the Council.

(Cr Jeff Johnson returned to the meeting during the presentation)

231014/7 RESOLVED

(Cr Sharon Cadwallader/Cr Robyn Hordern)

1. That Council approves the signing of the statements that confirm the Annual Financial Statements are fair and accurate, by the Mayor, one Councillor, the General Manager and the Responsible Accounting Officer.
2. That Council authorises the exhibition of the Annual Financial Statements and Auditor's Reports for the year ended 30 June 2014, as attached to this report, for public comment.

FOR VOTE - All Councillors voted unanimously.

10.11 Capital Expenditure Review - 30 September 2014

231014/8 RESOLVED

(Cr Keith Williams/Cr Keith Johnson)

1. That Council notes the contents of the 30 September 2014 Quarterly Review of the Capital Works Program.
2. That Council approves the transfer of funding for the following Operations Support projects, as outlined in the "New Variations" column, as per attachment two to this report.

Item	Current 2014/15 Budget	Revised 2014/15
Pop Denison BBQ	36,000	24,000
Ballina Surf Club – Rock Wall	0	12,000

3. That Council approves the transfer of funding for the following Engineering Works projects, as outlined in the "New Variations" column, as per attachment six to this report.

Item	Current 2014/15 Budget	Revised 2014/15	Net Impact for 2014/15 – Increase / (Saving)
Canal Road	52,400	0	(52,400)
Links Avenue	0	52,400	52,400
Martin Street	136,400	241,200	104,800
Wardell Road	190,000	320,000	130,000
Roads to Recovery Grant	(362,600)	(597,400)	(234,800)

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Tamar Street (Grant / Kerr)	509,200	269,200	(240,000)
Midgen Flat Road (1)	258,000	238,000	(20,000)
Bridges (Various)	100,000	0	(100,000)
Shared Path West (Sec 1)	277,300	317,300	40,000
Shared Path West (Sec 2)	636,200	956,200	320,000
Shared Path West (Sec 3)	0	790,000	790,000
RMS Grant		(395,000)	(395,000)
Midgen Flat Road (1)	238,000	0	(238,000)
Transfer from Civil Reserve	0	(157,000)	(157,000)
Emigrant Creek Pontoon	25,300	68,800	43,500
Grant Funds	0	43,500	(43,500)
(1) Midgen Flat finances both the items listed resulting in a final balance of nil.			

4. That based on the revised budgets in point three, in respect to the forward road works program for the adopted Delivery Program, Council approves the following reallocation of projects. as detailed within this report:

Description	2014/15 (\$)	2015/16 (\$)	2016/17 (\$)
Adopted Program as per Delivery Program			
Midgen Flat Road	258,000	205,000	
Wardell Road	190,000		180,000
Revised Program			
Midgen Flat Road		205,000	180,000
Wardell Road	320,000		

FOR VOTE - All Councillors voted unanimously.

A **Motion** was moved by Cr Ben Smith and seconded by Cr Paul Worth

That Council receive bi-monthly updates at the Ordinary meeting on the coastal recreational pathway.

The **Motion** was **LOST**.

FOR VOTE - Cr Ken Johnston, Cr Paul Worth and Cr Ben Smith
AGAINST VOTE - Cr David Wright, Cr Jeff Johnson, Cr Sharon Cadwallader,
Cr Keith Williams, Cr Keith Johnson, Cr Susan Meehan and Cr Robyn Hordern

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8.5 Companion Animals Management Plan - Review

231014/9 RESOLVED

(Cr Sharon Cadwallader/Cr Keith Johnson)

1. That Council adopts the amended Companion Animals Management Plan Policy, as attached to this report.
2. That Council supports the stenciling along popular cycle and walkways with an on-leash dog message.
3. That Council place this Plan on exhibition for public comment, with any submissions received to be resubmitted back to Council. If no submissions are received then no further action is required.

FOR VOTE - All Councillors voted unanimously.

12. Public Question Time

12.1 Public Meeting - Proposed Special Rate Variation - Swimming Pool Upgrades

Ralph Moss – referred to a public meeting held two weeks ago on the swimming pools upgrade.

Mr Moss tabled some questions he would like answered.

12.2 Dr Lyn Walker - Coastal Recreational Pathway Realignment

Dr Lyn Walker – last month she addressed a question to Cr Worth who indicated he would take the question on notice.

What were the reasons given by consultants for recommending the coastal recreational pathway going through the Flat Rock Tent Park even though they have walked carefully through the same area as others. Can Cr Worth answer this question?

Cr Worth replied no.

12.3 Lake Ainsworth Infrastructure Improvement and Community Consultation

Dr Lyn Walker – does Council have a reason to expect that the south road (Camp Drewe Road) would now be acceptable to Crown Lands. They didn't before.

Paul Hickey advised that Council has written to Crown Lands for feedback as part of current community consultation process currently underway. We can't answer the question as they haven't responded.

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**12.4 Ballina Shire Council Planning Proposal BSCPP 14/006 -
Rifle Range Road and Plateau Drive, Wollongbar**

John Gray – enquired in relation to a proposed skatepark on the former drive-in site at Wollongbar. He was of the opinion that not many people knew of this proposal.

Steve Barnier advised that the Council has conceptually endorsed provision being made for a small scale skatepark within a future public reserve to be established in the next stage of development of Council's land. No development application has been made at this stage, with the rezoning of the land still under consideration.

Adjournment

The Mayor declared the meeting adjourned at 1.08 pm

The meeting resumed at 1.55 pm
Cr Jeff Johnson was not in attendance at this stage.

8.6 Development Applications - Works in Progress - October 2014

231014/10 RESOLVED

(Cr Ben Smith/Cr Sharon Cadwallader)

That Council notes the contents of the report on the status of outstanding development applications for October 2014.

FOR VOTE - All Councillors voted unanimously.
ABSENT. DID NOT VOTE - Cr Jeff Johnson

8.7 Development Consent Statistics - August 2014

231014/11 RESOLVED

(Cr Ben Smith/Cr Sharon Cadwallader)

That Council notes the contents of the report on development consent statistics for 1 September 2014 to 30 September 2014.

FOR VOTE - All Councillors voted unanimously.
ABSENT. DID NOT VOTE - Cr Jeff Johnson

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9. Strategic and Community Facilities Group Reports

9.1 Pacific Pines Development Lennox Head

231014/12 RESOLVED

(Cr Ben Smith/Cr Sharon Cadwallader)

That Council endorses the approval of the Traffic and Transportation Statement for the remaining stages of the Pacific Pines Estate development by staff for the purposes of meeting the Minister for Planning's condition of consent requiring preparation and Council approval of a traffic management plan prior to the release of a construction certificate for Stage 1B of the Pacific Pines Estate.

FOR VOTE - Cr David Wright, Cr Sharon Cadwallader, Cr Keith Williams, Cr Keith Johnson, Cr Ken Johnston, Cr Paul Worth, Cr Robyn Horder and Cr Ben Smith

AGAINST VOTE - Cr Susan Meehan

ABSENT. DID NOT VOTE - Cr Jeff Johnson

9.2 Ballina Local Environmental Plan 2012 - 12 Month Review

231014/13 RESOLVED

(Cr Susan Meehan/Cr Sharon Cadwallader)

1. That Council endorses the proposed adjustments to the Ballina Local Environmental Plan 2012 arising from the 12 month review of the plan as outlined in the planning proposal contained in Attachment One, excluding Item No. 2 – Ballina High School and Item No. 7 – Latta Avenue Waterfront.
2. That Council submit the planning proposal relating to the amendment of various provisions of the Ballina Local Environmental Plan 2012 (Attachment One) to the NSW Department of Planning & Environment for review and Gateway determination.
3. That upon an affirmative Gateway determination being received from the Department of Planning & Environment, Council staff will carry out the procedural steps associated with the progress of the planning proposal, including public exhibition.
4. That the matter be reported for further consideration by the Council following the mandatory public exhibition period.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Jeff Johnson

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9.3 LEP Amendment Request - Ballina Heights Estate, Cumbalum

231014/14 RESOLVED

(Cr Paul Worth/Cr Ben Smith)

1. That Council endorses the proposed adjustments to the R2 Low Density Residential, R3 Medium Density Residential, B2 Local Centre and RE1 Public Recreation zoning and related planning provisions in the *Ballina Local Environmental Plan 2012* as they apply to the Ballina Heights Estate at Cumbalum and in accordance with the attached planning proposal.
2. That Council authorises the submission of the planning proposal relating to the Ballina Heights Estate (as contained in Attachment One) to the Department of Planning and Environment for review and Gateway determination.
3. That upon an affirmative Gateway determination being received from the Department of Planning and Environment, the procedural steps associated with progression of the planning proposal, including public exhibition, be undertaken.
4. That prior to the public exhibition of the planning proposal, that parties contracted to purchase lots the subject of the amendment are notified of the proposed changes.
5. That a further report be presented to the Council in relation to this matter following the mandatory community consultation.

FOR VOTE - All Councillors voted unanimously.
ABSENT. DID NOT VOTE - Cr Jeff Johnson

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9.4 LEP Amendment Request and Planning Proposals - Status Report

231014/15 RESOLVED

(Cr Paul Worth/Cr Ben Smith)

1. That Council notes the contents of this report concerning the status and approach regarding the current LEP amendment requests and planning proposals that are being processed.
2. That Council discontinues further consideration of the Bletchingly Street, Wollongbar LEP amendment request on the basis that the proponent has not provided the required information to enable further processing of the proposal.
3. That the Council endorses the continuation of the approach outlined in this report for the processing of LEP amendment requests following a Council decision to proceed to finalise an amendment.

FOR VOTE - All Councillors voted unanimously.
ABSENT. DID NOT VOTE - Cr Jeff Johnson

9.5 Plan of Management (Review) - Community Land

231014/16 RESOLVED

(Cr Ben Smith/Cr Sharon Cadwallader)

1. That Council endorses the draft Ballina Shire Plan of Management for Community Land 2014 for public exhibition in accordance with the requirements of the *Local Government Act* 1993.
2. That following the conclusion of the public exhibition process Council receive a further report detailing the outcomes of the public exhibition process.

FOR VOTE - All Councillors voted unanimously.
ABSENT. DID NOT VOTE - Cr Jeff Johnson

9.6 Missingham Market Operation

231014/17 RESOLVED

(Cr Susan Meehan/Cr Robyn Hordern)

That this matter be deferred to a Council workshop.

FOR VOTE - All Councillors voted unanimously.
ABSENT. DID NOT VOTE - Cr Jeff Johnson

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9.7 Fair Go - Update

231014/18 RESOLVED

(Cr Sharon Cadwallader/Cr Ben Smith)

1. That Council enters into a one year sponsorship agreement with Ownlife for the management and coordination of Ballina's 2014 Fair Go Skateboarding Event, subject to the company demonstrating adequate insurance cover.
2. That Council provides a \$10,000 cash sponsorship to Ownlife and general in-kind support to prepare the Ballina skatepark for the 2014 event from the funds allocated to this project in the Tourism Section's 2014/15 budget.
3. That a further report is prepared to the elected Council post event to determine ongoing management and future financial support for this event.
4. That Council monitor the activity to determine whether or not to continue the allocation of \$10,000.

FOR VOTE - All Councillors voted unanimously.
ABSENT. DID NOT VOTE - Cr Jeff Johnson

10. General Manager's Group Reports

10.1 Use of Council Seal

231014/19 RESOLVED

(Cr Ben Smith/Cr Sharon Cadwallader)

That Council affix the Common Seal to the following documents.

US13/35	Lease to Ron Southon Drilling Pty Ltd for Folio Identifier 3/1130300 with a right of carriageway over Lot 2 DP 1130300 known as the Tuckombil Quarry for five years at market rent, plus a five year option.
US13/36	Roads Act approval - Alstonville Farmers Market - approval to occupy the car park in Alstonville for a three year period in accordance with Conditions of Development Consent 2014/437 and Council Resolution 250914/2 in relation to the continuation of the Alstonville Farmers Market.

FOR VOTE - All Councillors voted unanimously.
ABSENT. DID NOT VOTE - Cr Jeff Johnson

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10.2 Investment Summary - September 2014

231014/20 RESOLVED

(Cr Sharon Cadwallader/Cr Ben Smith)

1. That Council notes the record of banking and investments for September 2014.
2. That Council review its at-call options.

FOR VOTE - All Councillors voted unanimously.
ABSENT. DID NOT VOTE - Cr Jeff Johnson

10.3 Disclosure of Interest Returns

231014/21 RESOLVED

(Cr Ben Smith/Cr Sharon Cadwallader)

That Council notes the contents of the report on the disclosure of interest returns for the period 1 July 2013 to 30 June 2014.

FOR VOTE - All Councillors voted unanimously.
ABSENT. DID NOT VOTE - Cr Jeff Johnson

10.4 National Stronger Regions Fund - Project Priority

231014/22 RESOLVED

(Cr Susan Meehan/Cr Sharon Cadwallader)

1. That Council confirms that it will submit applications as follows:
 - (a) \$1 million for the construction of the Ballina Coastguard Tower
 - (b) Balance of the coastal recreational path east
 - (c) Airport Boulevard Road

as part of the round one applications for the Federal Government's National Stronger Regions Fund.
2. That Council confirms that for the round two applications a further report(s) is needed, to a separate committee meeting, to evaluate the merits of the various projects under consideration.

FOR VOTE - All Councillors voted unanimously.
ABSENT. DID NOT VOTE - Cr Jeff Johnson

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10.5 Flat Rock Tent Park - Fees and Charges 2015/16

231014/23 RESOLVED

(Cr Sharon Cadwallader/Cr Ken Johnston)

That this matter be deferred to a Council workshop with the General Manager authorised to exhibit the draft fees after the workshop.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Jeff Johnson

10.6 Policy (Review)- Donations - In-Kind Assistance on Public Land

231014/24 RESOLVED

(Cr Keith Johnson/Cr Ben Smith)

That Council rescinds the Donations – In-Kind Assistance for Sporting and Cultural Events and Community Works on Public Land Policy on the basis that the relevant information is covered in the Festivals and Events Policy and the Donations – Financial Assistance Policy.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Jeff Johnson

10.7 Policy (Review) - Fundraising in the Central Business Districts

231014/25 RESOLVED

(Cr Sharon Cadwallader/Cr Ben Smith)

1. That Council adopts the amended Fundraising for Community Groups Central Business Districts Policy, as attached to this report.

2. That Council place this policy on exhibition for public comment, with any submissions received to be resubmitted back to Council. If no submissions are received then no further action is required.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Jeff Johnson

10.8 Legal Matters - Update

231014/26 RESOLVED

(Cr Paul Worth/Cr Sharon Cadwallader)

That Council notes the contents of this legal matters update.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Jeff Johnson

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10.10 Delivery Program Review - 30 September 2014

231014/27 RESOLVED

(Cr Ben Smith/Cr Susan Meehan)

That Council notes the contents of the 30 September review of the 2014/15 Delivery Program and Operational Plan.

FOR VOTE - All Councillors voted unanimously.
ABSENT. DID NOT VOTE - Cr Jeff Johnson

Cr Worth declared an interest in Item 11.1 and departed the meeting at 3.35 pm

11. Civil Services Group Reports

11.1 Development Servicing Plans for Water and Wastewater - Re-exhibition

231014/28 RESOLVED

(Cr Ben Smith/Cr Keith Williams)

1. That Council reconfirm its policy to apply a cross-subsidy to the Wardell Wastewater Services DSP to provide a Developer Charge equal to the Ballina Wastewater Services Developer Charge.
2. The Council approves the exhibition of the draft Development Servicing Plans for Water Supply and Wastewater Infrastructure (2014), as attached to this report, for public comment.
3. That, there being no comments of significant impact to the Plans or the Developer Charge due to the exhibition period, Council adopts the plans and submit them to the NSW Office of Water for registration. If any submissions of significance are received then a further report is to be presented to Council.

FOR VOTE - All Councillors voted unanimously.
ABSENT. DID NOT VOTE - Cr Jeff Johnson and Cr Paul Worth

Cr Paul Worth returned to the meeting at 03:49 pm.

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11.2 Administration Centre - Air-Conditioning Status

231014/29 RESOLVED

(Cr Ben Smith/Cr Sharon Cadwallader)

1. That Council notes the contents of this report in respect to the current status of the air conditioning system at the Council Administration Centre.
2. That Council notes that no funds are currently available for the works identified in this report in the 2014/15 budget and that a further report be presented to Council outlining a recommended financial plan to finance the preferred program of works.

FOR VOTE - All Councillors voted unanimously.
ABSENT. DID NOT VOTE - Cr Jeff Johnson

11.3 Ballina Shire Road Safety Strategy (2014/15 - 2023/24)

231014/30 RESOLVED

(Cr Susan Meehan/Cr Ben Smith)

That Council endorses the draft Road Safety Strategy (2014/15-2023/24) for public exhibition.

FOR VOTE - All Councillors voted unanimously.
ABSENT. DID NOT VOTE - Cr Jeff Johnson

11.4 Tender - Construction of Car Park - Ballina Byron Airport.

231014/31 RESOLVED

(Cr Ben Smith/Cr Sharon Cadwallader)

1. That Council accepts the tender from Flintstone Group Pty Ltd, for the construction of an additional car park, design and construction of shade sails and associated infrastructure at the Ballina Byron Gateway Airport for the amount of \$667,093 (ex GST).
2. That Council authorises the Council seal to be attached to the contract documents.
3. That Council staff see whether there is any opportunity with this contract to provide solar panels as part of the shade structures and that solar panels be considered for any future shade structures.

FOR VOTE - All Councillors voted unanimously.
ABSENT. DID NOT VOTE - Cr Jeff Johnson

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11.5 Policy (Review) - Backflow Prevention

231014/32 RESOLVED

(Cr Sharon Cadwallader/Cr Ben Smith)

1. That Council adopts the amended Backflow Prevention Policy, as attached to this report.
2. That Council place this policy on exhibition for public comment, with any submissions received to be resubmitted back to Council. If no submissions are received then no further action is required.

FOR VOTE - All Councillors voted unanimously.
ABSENT. DID NOT VOTE - Cr Jeff Johnson

11.6 Policy (Review) - Grazing of Stock on Road Reserves

231014/33 RESOLVED

(Cr Paul Worth/Cr Robyn Hordern)

1. That Council adopt the amended Grazing of Stock on Road Reserves Policy, as attached to this report
2. That Council place this policy on exhibition for public comment, with any submissions received to be resubmitted back to Council. If no submissions are received then no further action is required.

FOR VOTE - All Councillors voted unanimously.
ABSENT. DID NOT VOTE - Cr Jeff Johnson

13. Notices of Motion

13.1 Notice of Motion - Festivals and Event Funding

231014/34 RESOLVED

(Cr Robyn Hordern/Cr Susan Meehan)

That this matter be dealt with as a matter of urgency due to the fact that the advertising deadline for the Tamworth County Music festival is mid November.

FOR VOTE - All Councillors voted unanimously.
ABSENT. DID NOT VOTE - Cr Jeff Johnson

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231014/35 RESOLVED

(Cr Robyn Hordern/Cr Ben Smith)

That Council approves funding of \$100,000 for the following events for the 2015/16 festivals and events program.

Event	2015/16 (\$)
Ballina Coastal Country Music Festival	25,000
Ballina Prawn Festival	25,000
Skullcandy Oz Grom Open	15,000
Alstonville New Years Eve	15,000
Riverside Carols, Ballina	5,000
Lennox Head Carols	5,000
Ballina Fine Food & Wine Affair	5,000
Country Fair	5,000
TOTAL	100,000

FOR VOTE - All Councillors voted unanimously.
ABSENT. DID NOT VOTE - Cr Jeff Johnson

14. Advisory Committee Minutes

14.1 Facilities Committee Minutes - 9 October 2014

231014/36 RESOLVED

(Cr Sharon Cadwallader/Cr Paul Worth)

That Council confirms the minutes of the Facilities Committee meeting held 9 October 2014 and that the recommendations contained within the minutes be adopted.

FOR VOTE - All Councillors voted unanimously.
ABSENT. DID NOT VOTE - Cr Jeff Johnson

15. Reports from Councillors on Attendance on Council's behalf

15.1 Mayoral Meetings

231014/37 RESOLVED

(Cr Paul Worth/Cr Sharon Cadwallader)

That Council notes the contents of the report on Mayoral meetings.

FOR VOTE - All Councillors voted unanimously.
ABSENT. DID NOT VOTE - Cr Jeff Johnson

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS
40 CHERRY STREET BALLINA,
ON 23/10/14 AT 9.00 AM**

16. Questions Without Notice

16.1 Cr Sharon Cadwallader - Dredging of North Creek

Cr Sharon Cadwallader – asked for an update on dredging of North Creek.

Paul Hickey advised that he had spoken with Crown Lands last week and provided Council with an update on this conversation.

16.2 Cr Sharon Cadwallader - Old Depot Site

Cr Sharon Cadwallader – have we heard anything from Crown Lands on the old depot site?

Paul Hickey advised that Council was waiting on the outcome of the Crown Lands White Paper.

16.3 Cr Keith Williams - Tamar Street Reconstruction

Cr Keith Williams - congratulated staff on the excellent job done on the Tamar Street construction. Can we paint the concrete around the roundabout and bollards around the trees?

John Truman advised that he would check with staff, however it is usual for linemarking to follow the works when contractors become available.

16.4 Cr Susan Meehan - Toilets and Bus Shelter in Lennox Head

Cr Susan Meehan – congratulated staff on the recent repainting of the toilets in the Lennox Head main street and also the floor in the bus shelter – good job, great improvement.

16.5 Cr Susan Meehan – NOROC

Cr Susan Meehan – would like some feedback on NOROC's expression of interest in becoming a pilot joint organisation.

Paul Hickey advised that NOROC had resolved to submit an expression of interest in becoming a pilot joint organisation. The Mayor advised that he had provided a letter of support from Council. Otherwise there was very little information available at this stage.

16.6 Cr Ken Johnston - Airport Leasing

Cr Ken Johnston – can we have an update on what is happening with the proposal to lease the Airport?

Paul Hickey advised that Council resolved to call expressions of interest for organisations to help guide it through the process. These expressions of interest have been advertised with a wide variety of interest being obtained. The tender panel will evaluate those expressions of interest in November.

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL
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Cr Keith Williams left the meeting at 04:31 pm.

16.7 Cr Paul Worth - Tuckombil and Stokers Quarries

Cr Paul Worth - could a report be prepared on the current situation with the Lismore City Council leases for these quarries and any other points of relevance?

John Truman advised that a report can be submitted.

16.8 Cr Paul Worth - Geoff Watt Oval - Graffiti

Cr Paul Worth – noticed some offensive graffiti on the cricket sight screen in Geoff Watt Oval. Can this please be removed?

John Truman advised yes.

16.9 Cr Robyn Hordern - Site of Recent Fire in Owen Street Ballina

Cr Robyn Hordern – enquired what is happening with the burnt out property in Owen Street Ballina.

Rod Willis advised that an Emergency Order is in place with a timeframe of 14 days for the owners to submit an engineering report to Council.

16.10 Cr Keith Johnson - Apology for November Ordinary meeting

Cr Keith Johnson - submitted an apology for the November Ordinary meeting.

MEETING CLOSURE

4.35 pm

The Minutes of the Ordinary Meeting held on 23/10/14 were submitted for confirmation by council on 27 November 2014 and amendments (if any) are contained in the confirming resolution. Such Minutes were signed by the Mayor at the meeting on 27 November 2014.