

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS
40 CHERRY STREET BALLINA,
ON 18/12/14 AT 9.00 AM**

Attendance

Crs David Wright (Mayor - in the chair), Jeff Johnson, Sharon Cadwallader, Keith Williams, Keith Johnson, Susan Meehan (arrived at 9.03 am), 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 26 people in the gallery at this time.

1. Australian National Anthem

The National Anthem was performed by Councillors.

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

Cr Susan Meehan arrived at the meeting at 09:03 am.

4. Confirmation of Minutes

181214/1 RESOLVED

(Cr Sharon Cadwallader/Cr Ben Smith)

That Council confirms the Minutes of the Ordinary Meeting of Ballina Shire Council held on Thursday 27 November 2014, with an amendment to Minute 271114/7 – DA 2010/962 – Sec 96 Amendment No. 12 – Highway Service Centre – the Condition numbers in point one of the resolution should read 2.1 and 3.4 (not 5.22).

FOR VOTE - All Councillors voted unanimously.

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5. Declarations of Interest and Reportable Political Donations

Nil

There were no reportable political donations.

6. Deputations

- **Tony Mannering** – spoke in opposition to Item 8.1 – DA 2014/512 – Mountain Bike Facility – Bruxner Highway Alstonville.
- **Geoff Parry** – spoke in favour of Item 8.1 – DA 2014/512 – Mountain Bike Facility – Bruxner Highway Alstonville.
- **David Westaway** – spoke in favour of Item 8.2 – DA 2014/377 – Multi Dwelling Housing – Burns Point Ferry Road.
- **Tracy Burke/Ralph Moss** – spoke in opposition to Item 8.2 – DA 2014/377 – Multi Dwelling Housing – Burns Point Ferry road.
- **Shaun Eastment, Lennox Head Residents' Association** – spoke in relation to Item 11.1 – Lake Ainsworth – South Eastern Precinct – Consultation.
- **John Wise** – spoke in favour of Item 13.2 – Notice of Motion – Ocean Pool.
- **Lyn Walker** – spoke in favour of Item 9.2 – Policy (Review) – 4WD Beach Access – Seven Mile Beach Lennox Head.

7. Mayoral Minutes

Nil items.

8. Development and Environmental Health Group Reports

8.1 DA 2014/512 - Mountain Bike Facility - Bruxner Highway Alstonville

181214/2 RESOLVED

(Cr Keith Williams/Cr Ben Smith)

That DA 2014/512 to establish a mountain bike facility and associated works at Lot 12 DP814359, Bruxner Highway, Alstonville be **APPROVED** subject to the imposition of the attached conditions and a condition that portable toilet facilities be provided on event days.

FOR VOTE - All Councillors voted unanimously.

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8.2 DA 2014/377 - Multi Dwelling Housing - Burns Point Ferry Road

181214/3 RESOLVED

(Cr Ben Smith/Cr Sharon Cadwallader)

That DA 2014/377 to undertake the erection and Strata Title subdivision of a multi dwelling housing development comprising 25 two storey dwelling units above basement car parking and associated works at Lot 1 DP 522558 No. 6 Burns Point Ferry Road, West Ballina be **APPROVED** subject to standard planning, building and engineering conditions of consent.

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

AGAINST VOTE - Cr Jeff Johnson, Cr Keith Williams and Cr Ken Johnston

11.1 Lake Ainsworth - South Eastern Precinct - Consultation

181214/4 RESOLVED

(Cr Jeff Johnson/Cr Ken Johnston)

That the eastern road be closed and the area be converted to public open space to improve the amenity of the area and to reduce erosion and stormwater runoff entering the Lake.

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

AGAINST VOTE - Cr Keith Johnson, Cr Paul Worth and Cr Ben Smith

10.4 Recognition of Long Serving Employees

181214/5 RESOLVED

(Cr Keith Williams/Cr Sharon Cadwallader)

That Council acknowledges and congratulates the staff members outlined in this report on their service with Council.

FOR VOTE - All Councillors voted unanimously.

Adjournment

The Mayor declared the meeting adjourned at 10.46 am

The meeting resumed at 11.14 am

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11.1 Lake Ainsworth - South Eastern Precinct - Consultation

A **Motion** was moved by Cr Susan Meehan and seconded by Cr Keith Williams

1. That Council notes the contents of this report in respect to the consultation process for the south eastern precinct of Lake Ainsworth.
2. That in respect to the provision of recreational facilities and boardwalk Council's preferred option is confirmed as the:
 - b) Removal of the boardwalk, playground equipment and exercise stations with the retention of limited BBQ and picnic facilities.
3. That in respect to car parking facilities, Council confirms it support for the additional car parking spaces as per the exhibited document, with these spaces subject to further detailed design and investigation.
4. That in respect to the Lennox Head Surf Club redevelopment Council endorses the redevelopment of a new Surf Club as the preferred option for the long term future of this building.
6. That Council authorises negotiations with Crown Lands in respect to formalising access around the Lake. The outcomes from these negotiations are to be reported back to Council before finalisation.
7. That Council supports the replacement of the overhead electrical power lines with underground conduits to eliminate the need for maintenance (pruning by the Electrical authorities) and that Council approach Essential Energy to have these works undertaken as a priority.
8. That subject to the above mentioned points, Council receive a further report providing updated estimates for the various works identified, along with a preferred allocation of the available funds, to allow Council to then determine the priority order of works and an implementation program.

An **Amendment** was moved by Cr Sharon Cadwallader and seconded by Cr Jeff Johnson

1. That Council notes the contents of this report in respect to the consultation process for the south eastern precinct of Lake Ainsworth.
2. That in respect to the provision of recreational facilities and boardwalk Council's preferred option is confirmed as the:
 - b) Removal of the boardwalk, playground equipment and exercise stations with the retention of limited BBQ and picnic facilities.
3. That in respect to car parking facilities, Council confirms it support for the additional car parking spaces as per the exhibited document, with these spaces subject to further detailed design and investigation.

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4. That in respect to the Lennox Head Surf Club redevelopment Council endorses the redevelopment of a new Surf Club as the preferred option for the long term future of this building.

6. That Council authorises negotiations with Crown Lands in respect to formalising access around the Lake with Council's preferred option being the use of the road reserve through the Caravan Park.. The outcomes from these negotiations are to be reported back to Council before finalisation.

7. That Council supports the replacement of the overhead electrical power lines with underground conduits to eliminate the need for maintenance (pruning by the Electrical authorities) and that Council approach Essential Energy to have these works undertaken as a priority.

8. That subject to the above mentioned points, Council receive a further report providing updated estimates for the various works identified, along with a preferred allocation of the available funds, to allow Council to then determine the priority order of works and an implementation program.

The **Amendment** was **CARRIED**.

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

The **Amendment** then became the **Motion** and was **CARRIED**.

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

181214/6 RESOLVED

(Cr Sharon Cadwallader/Cr Jeff Johnson)

1. That Council notes the contents of this report in respect to the consultation process for the south eastern precinct of Lake Ainsworth.

2. That in respect to the provision of recreational facilities and boardwalk Council's preferred option is confirmed as the:
 - b) Removal of the boardwalk, playground equipment and exercise stations with the retention of limited BBQ and picnic facilities.

3. That in respect to car parking facilities, Council confirms it support for the additional car parking spaces as per the exhibited document, with these spaces subject to further detailed design and investigation.

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4. That in respect to the Lennox Head Surf Club redevelopment Council endorses the redevelopment of a new Surf Club as the preferred option for the long term future of this building.

6. That Council authorises negotiations with Crown Lands in respect to formalising access around the Lake with Council's preferred option being the use of the road reserve through the Caravan Park.. The outcomes from these negotiations are to be reported back to Council before finalisation.

7. That Council supports the replacement of the overhead electrical power lines with underground conduits to eliminate the need for maintenance (pruning by the Electrical authorities) and that Council approach Essential Energy to have these works undertaken as a priority.

8. That subject to the above mentioned points, Council receive a further report providing updated estimates for the various works identified, along with a preferred allocation of the available funds, to allow Council to then determine the priority order of works and an implementation program.

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

13.2 Notice of Motion - Ocean Pool

181214/7 RESOLVED

(Cr Jeff Johnson/Cr Sharon Cadwallader)

1. The General Manager continue to liaise with Crown Lands and other relevant Government departments to gain in principle support for the construction of an ocean pool at Shelly Beach.

2. That Council investigate different funding options including grants, sponsorship and community partners.

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

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9.2 Policy (Review) - 4WD Beach Access - Seven Mile Beach Lennox Head

181214/8 RESOLVED

(Cr Keith Williams/Cr Sharon Cadwallader)

1. That Council (and Council as Reserve Trust Manager) adopts the amended 4WD Beach Access - Seven Mile Beach Lennox Head 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.

8.3 Commercial Use of Public Reserves - Adjoining Properties

181214/9 RESOLVED

(Cr Keith Johnson/Cr Ben Smith)

1. That Council provides in principle support for the use of Council owned or control public land for commercial purposes within the defined commercial centres, by adjoining properties, subject to the following minimum provisions:
 - a) the use is consistent with any plan of management applying to the land
 - b) no permanent structures are to be placed on the land
 - c) public access is to be maintained
 - d) a licence for use of the land is to be entered into with Council, with the licence including agreed lease fees and minimum insurance standards
 - e) the assessment of any car parking provisions and developer contributions payable for the public land component of a development application (i.e. Section 94 or Section 64 contributions) is to be consistent with the provisions applied in respect to the current Commercial Use of Footpaths Policy (i.e. waived) due to the non permanent nature of the use of the public land
 - f) along with any other relevant provisions identified in Council's Commercial Use of Footpath's Policy that may be relevant to this type of activity, as determined by the General Manager in the interim, until Council adopts a formal policy to manage these applications as per point two below.

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2. That the Council receive a further report providing either a new policy or amendments to existing policies to reflect the sentiments expressed in point one.
3. That in respect to the current development application relating to Captain Cook Park the General Manager is authorised to allow the assessment of that application to be determined, subject to consideration of the various provisions outlined in point one.

FOR VOTE - All Councillors voted unanimously.

Deputation

181214/10 RESOLVED

(Cr Sharon Cadwallader/Cr Keith Johnson)

That Mr John Day be granted a deputation on Item 13.3.

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

Mr Day spoke in opposition to Item 13.3 – Notice of Motion – Planning Proposal – Plateau Drive.

13.3 Notice of Motion - Planning Proposal - Plateau Drive

181214/11 RESOLVED

(Cr Paul Worth/Cr Keith Johnson)

That Council further consider the appropriateness of locating a skate park facility within the reconfigured RE1 zone during the preparation of a landscape masterplan for the proposed reserve.

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

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13.4 Notice of Motion - Private Native Forestry

181214/12 RESOLVED

(Cr Paul Worth/Cr Keith Williams)

1. That the Council endorse the preparation of a planning proposal to amend the Ballina Local Environmental Plan 1987 to establish a requirement for development consent to be obtained from Council for the undertaking of private native forestry activity in Ballina Shire.
2. That the Council authorise the submission of the planning proposal to the Department of Planning and Environment for review and Gateway determination.
3. That upon an affirmative Gateway determination being received, the procedural steps associated with the progression of the planning proposal, including public exhibition, be undertaken.
4. 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.

8.4 Compliance Work Plan - Six Month Update

181214/13 RESOLVED

(Cr Sharon Cadwallader/Cr Ben Smith)

That Council notes the contents of this report on the status of the Compliance Work Plan for 2014/15.

FOR VOTE - All Councillors voted unanimously.

8.5 Legal Proceedings - Unauthorised Clearing of Council Reserve

181214/14 RESOLVED

(Cr Susan Meehan/Cr Robyn Hordern)

1. That the resident be counselled on the inappropriateness of unauthorised works on public land.
2. That Council require Mr Chapman to contribute to rehabilitation works bringing Dalmacia Drive public reserve back to a suitable condition prior to the unauthorised clearing works being undertaken.
3. That a formal caution be issued to Mr Chapman.

FOR VOTE - All Councillors voted unanimously.

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12. Public Question Time

12.1 Ralph Moss - Proposed Special Rate Variation - Swimming Pool Upgrades

1. Why did Council bother to have a community consultation process when you knew beforehand that you would approve a special rate variation?

The Mayor advised that nobody knew what the Council decision would be on the special rate variation.

2. Why did you feel it necessary to have two separate surveys when you expected the Micromex survey to offset the bad results Council obtained from the Council website?

The Mayor advised that Council had no idea what the results of the survey would be. Micromex advised that they were surprised at the result.

3. Can people can write to IPART and object to Council's decision?

Paul Hickey advised that Council can write to IPART. We can supply the address to Mr Moss.

8.6 Development Consent Statistics - November 2014

181214/15 RESOLVED

(Cr Ben Smith/Cr Paul Worth)

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

FOR VOTE - All Councillors voted unanimously.

8.7 Development Applications - Works in Progress - December 2014

181214/16 RESOLVED

(Cr Ben Smith/Cr Paul Worth)

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

FOR VOTE - All Councillors voted unanimously.

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9. Strategic and Community Facilities Group Reports

9.1 Wollongbar Community Pre School

181214/17 RESOLVED

(Cr Keith Johnson/Cr Paul Worth)

1. That the Council notes the contents of this report concerning the Wollongbar Community Preschool.
2. That the General Manager is authorised to implement the various actions contained in this report to facilitate the preschool's ability to accept the grant funding which is currently available for alterations and additions to the premises. Further, that all costs associated with the proposed boundary adjustment subdivision and lease documentation shall be borne by Council.
3. The General Manager is authorised to affix the Council Seal in respect of any documentation associated with the subdivision, lease, mortgage on lease or caveat in relation to the Wollongbar Community Preschool Inc's occupation of the land the subject of this report.

FOR VOTE - All Councillors voted unanimously.

10. General Manager's Group Reports

10.1 Use of Council Seal

181214/18 RESOLVED

(Cr Ben Smith/Cr Keith Williams)

That Council affix the Common Seal to the following documents.

US14/41	Ballina Shire Council Agreement to Lease, Leases, Deed of Acknowledgement, Store Room Licence Agreement and Carpark Licence Agreement to Mogers Pty Ltd (Café Swish) for Shop 145 and 147 River Street, Ballina for a term of five years with a five year option.
US14/42	Ballina Shire Council Lease and Carpark Licence Agreement to Corrie Steadman for Shop 141 River Street, Ballina for a term of five years with a five year option.
US14/43	Ballina Shire Council Lease, Storeroom Licence Agreement and Carpark Licence Agreement to Troy Daley for Shops 9 & 10 Wigmore Arcade, River Street, Ballina for a term of five years with a five year option.
US14/44	Ballina Shire Council Lease and Carpark Licence Agreement to Cathy Munro for Shop 2 Wigmore Arcade, River Street, Ballina for a term of five years with a five year option.

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US14/45	Ballina Shire Council Lease to Pauline Rutten and Ann Hartley T/a Creative Artisans Gallery for Shop 1 Wigmore Arcade, River Street, Ballina for a term of one year with two x two year options.
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FOR VOTE - All Councillors voted unanimously.

10.2 Investment Summary - November 2014

181214/19 RESOLVED

(Cr Ben Smith/Cr Keith Williams)

That Council notes the record of banking and investments for November 2014.

FOR VOTE - All Councillors voted unanimously.

10.3 Investment Summary - Cash Flow Management

181214/20 RESOLVED

(Cr Sharon Cadwallader/Cr Ben Smith)

That Council notes the contents of this Investment Summary - Cash Flow Management report and the proposed actions outlined in the report.

FOR VOTE - All Councillors voted unanimously.

10.5 Community Donations

A **Motion** was moved by Cr Keith Williams and seconded by Cr Ken Johnston

That Council approves the donation of a various ferry pass for the Life Without Barriers carers.

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

FOR VOTE - Cr Jeff Johnson, Cr Keith Williams, Cr Keith Johnson and Cr Ken Johnston

AGAINST VOTE - Cr David Wright, Cr Sharon Cadwallader, Cr Susan Meehan, Cr Paul Worth, Cr Robyn Hordern and Cr Ben Smith

10.6 Councillor Expenses

181214/21 RESOLVED

(Cr Susan Meehan/Cr Robyn Hordern)

That Council authorises the claim for expenses from Cr Jeff Johnson in excess of the three month timeframe as per the contents of this report.

FOR VOTE - All Councillors voted unanimously.

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10.7 Flat Rock Tent Park - Adoption of Fees and Charges 2015/16

181214/22 RESOLVED

(Cr Sharon Cadwallader/Cr Ben Smith)

That Council adopts the draft Flat Rock Tent Park fees and associated notes, as exhibited for 2015/16.

FOR VOTE - All Councillors voted unanimously.

10.8 Ballina Byron Gateway Airport - Car Rental Car Park Overlay

181214/23 RESOLVED

(Cr Paul Worth/Cr Susan Meehan)

1. That Council notes the contents of this report in respect to funding options for the car rental car park overlay project.
2. That Council confirms that due to the current overdraft for the airport reserve, and the uncertainty over the forecast operating result for 2014/15, that it is not in a financial position to reinstate the car rental car park overlay project, in the 2014/15 budget.
3. That Council also confirms that as the financial year progresses it is prepared to review this decision, subject to their being improvements in the forecast operating budget, or greater certainty with respect to the forecast results for 2014/15.

FOR VOTE - All Councillors voted unanimously.

10.9 Land Sale - North Creek Road, Ballina

181214/24 RESOLVED

(Cr Robyn Hordern/Cr Sharon Cadwallader)

That Council again confirms its approval for the sale of 7 North Creek Road (Part Lot 2 DP 1172175), as detailed within this report, with the sale price to be determined as per the confidential report elsewhere in this agenda.

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

AGAINST VOTE - Cr Jeff Johnson

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11. Civil Services Group Reports

11.2 Sealed Road Surfacing Strategy and The Ridgeway, Ballina Heights

181214/25 RESOLVED

(Cr Keith Williams/Cr Sharon Cadwallader)

1. That Council endorses a two coat seal as the road wearing surface for The Ridgeway rehabilitation project on the basis that this change will provide significant financial savings to Council, is consistent with Council's current practice, and it is a surface type that provides a reasonable level of service.
2. That Council amends its Road Asset Management to include a Urban Road Resurfacing Strategy that follows a direction, all existing asphaltic concrete surfaces are to be converted to a bitumen spray seal at the time of their next renewal, except for the roads classed as NAASRA N6, and above, in Council's Road Asset Register. The Strategy will note that the application of this strategy is subject to technical assessment for each individual and the application of asphaltic concrete may be applied in certain circumstances.
3. That the amendments to the Council's Road Asset Management Plan proposed in point two above be placed on public exhibition.

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

AGAINST VOTE - Cr Susan Meehan

11.3 Alstonville Memorial - Request for Approval

181214/26 RESOLVED

(Cr Keith Johnson/Cr Sharon Cadwallader)

1. That Council approves the request from the Alstonville Plateau Historical Society for the installation of a memorial rock in Parkland Drive, Alstonville as per the contents of this report.
2. That Council allocate \$450 from the 2014/15 Donations Budget to cover the Council's costs to assist in the installation of the project in point one above.

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

AGAINST VOTE - Cr Ken Johnston

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11.4 E-Waste Recycling Scheme

181214/27 RESOLVED

(Cr Sharon Cadwallader/Cr Ben Smith)

That Council continue to accept, without charge, E-Waste at the Ballina Waste Management Facility and a \$20,000 budget in the waste program be established to accommodate the expense of recycling E-Waste.

FOR VOTE - All Councillors voted unanimously.

11.5 Tender - Resource Recovery Centre Management

181214/28 RESOLVED

(Cr Ben Smith/Cr Robyn Hordern)

1. That in accordance with the provisions contained in Clause 178 of the Local Government (General) Regulations 2005, as no tenders were received for the Waste Resource Recovery contract, Council resolves, having regard to the information in the above report, to enter negotiations with On Track Community Programs Ltd in relation to a proposed contract.
2. Subject to a satisfactory outcome being achieved through the negotiation process in point one above, Council authorises the General Manager to execute a contract with On Track Community Programs Ltd to provide the services to operate the Council's Resource Recovery Centre.

FOR VOTE - All Councillors voted unanimously.

11.6 Tender - Airport Lease Advisory Services (Scoping Study)

181214/29 RESOLVED

(Cr Keith Johnson/Cr Sharon Cadwallader)

That this matter be deferred to a Councillor briefing.

FOR VOTE - All Councillors voted unanimously.

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13. Notices of Motion

13.1 Notice of Motion - Electric Vehicles

181214/30 RESOLVED

(Cr Jeff Johnson/Cr Keith Williams)

1. That as part of Council's budget deliberations for 2015/2016 consideration is given to the purchase of electric vehicles as part of Council's car fleet renewal program
2. That Council provide a report on the costs/benefits of electric cars as part of Council's fleet renewal program.
3. That Council investigate the costs/benefits of installing a public electric vehicle charging station at the Ballina Byron Gateway Airport, Council's depot/administration building or other locations.

FOR VOTE - All Councillors voted unanimously.

14. Advisory Committee Minutes

Nil Items

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

15.1 Mayoral Meetings

181214/31 RESOLVED

(Cr Sharon Cadwallader/Cr Robyn Hordern)

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

FOR VOTE - All Councillors voted unanimously.

16. Questions Without Notice

16.1 Cr Ben Smith - Extraction Rates for Quarries - Haulage Contributions

Cr Ben Smith – enquired about extraction rates for quarries and sought clarification of the method of calculation for haulage rates.

Rod Willis advised that conditions of consent allow Council to have access to quarry records/extractions rates for calculation of haulage rates.

Cr Ben Smith - Can we do yearly audits?

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Rod Willis advised that if Council wished audits to be undertaken, Council's compliance program would need to be amended and other matters would be moved down in priority.

Paul Hickey advised that this matter will be investigated.

16.2 Cr Paul Worth - Alcohol Free Zones in Alstonville

Cr Paul Worth – enquired about the consumption of alcohol in Crawford Park, Alstonville for a BBQ in daylight hours.

Paul Hickey advised that alcohol free zones exist but would need to look at where in Alstonville these zones existed and the timeframes.

16.3 Cr Paul Worth - Ballina Heights Drive

Cr Paul Worth – it is good to see Ballina Heights Drive open. However, there are a set of steps on the right hand side that are closed. Why are these closed?

John Truman advised that Council has concerns that the steps are too steep and the width of the step is too small. Ardill Payne and Partners, as the designers of the steps, are checking the design standard they were constructed to.

16.4 Cr Paul Worth - Dogs Swimming in Lake Ainsworth

Cr Paul Worth – noticed last weekend a large number of dogs swimming in Lake Ainsworth. Can we police Lake Ainsworth and the dogs swimming in the lake?

Rod Willis will advise how many Penalty Infringement Notices were issued recently for this.

16.5 Cr Susan Meehan - Gateway Entrance Program

Cr Susan Meehan - is the gateway entrance program starting soon?

John Truman advised that quotes were obtained and were more expensive than Council staff undertaking the work. The work is programmed to start early February.

16.6 Cr Sharon Cadwallader - Water Charges - 262-268 Lismore Road, Wollongbar

Cr Sharon Cadwallader - can Council receive a report on the water charges for 262-268 Lismore Road, Wollongbar which were the subject of a recent email to Councillors from Leeanne Bartlett and Wayne Corney.

Paul Hickey advised that a report will be submitted to Council.

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS
40 CHERRY STREET BALLINA,
ON 18/12/14 AT 9.00 AM**

16.7 Cr Sharon Cadwallader - Wigmore Arcade Toilets

Cr Sharon Cadwallader – Had a report from someone who visited the Wigmore Arcade toilets at 10 am, the floor was wet and very slippery.

This information was noted.

16.8 Cr Jeff Johnson - Roundabouts - Plantings

Cr Jeff Johnson - can we look at having a policy of not planting grass on roundabouts to minimise maintenance?

John Truman to investigate.

17. Confidential Session

181214/32 RESOLVED

(Cr Keith Williams/Cr Ben Smith)

That Council moves into committee of the whole with the meeting closed to the public, to consider the following items in accordance with Section 10A (2) of the Local Government Act 1993.

17.1 Land Sale - North Creek Road Ballina

Reason for Confidentiality

This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) of the Local Government Act 1993. which permits the meeting to be closed to the public for business relating to the following:-

- c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business

and in accordance with 10D(2)(c), on balance, the discussion of the matter in an open meeting is not considered to be in the public interest as Council is in the process of negotiating a sale for the property in question and without the ability to have these discussions in confidential session Council may not be in a position to maximise the return on the sale of this land to the community.

FOR VOTE - All Councillors voted unanimously.

(The Council moved into Confidential Session at 1.50 pm). Paul Tsikleas, Commercial Services Manager was in attendance at this stage.

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS
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Open Council

181214/33 RESOLVED

(Cr Ben Smith/Cr Keith Johnson)

That Council move into Open Council and out of Committee of the Whole.

(The Council moved into Open Council at 2.04 pm).

The General Manager reported to the Open Meeting the recommendation made while in Confidential Session:

17.1 Land Sale - North Creek Road Ballina

CF181214/1 RECOMMENDED

(Cr Paul Worth/Cr Robyn Hordern)

1. That Council approves the sale price offered for 7 North Creek Road (Part Lot 2 DP 1172175) as detailed within option two of this report.
2. That Council authorises the Council seal to be attached to the contract for sale and subdivision documentation required, as well as any other related documents.

FOR VOTE - All Councillors voted unanimously.

Adoption of Recommendation from Confidential Session

181214/34 RESOLVED

(Cr Keith Williams/Cr Robyn Hordern)

That the recommendation made whilst in Confidential Session, be adopted.

FOR VOTE - All Councillors voted unanimously.

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS
40 CHERRY STREET BALLINA,
ON 18/12/14 AT 9.00 AM**

1.0 Motion of Urgency - Australia Day Nominations

181214/35 RESOLVED

(Cr Robyn Hordern/Cr Paul Worth)

That the matter of Australia Day nominations be dealt with as a matter of urgency, given that Council will not be meeting again with sufficient time to deal with nominations before Australia Day.

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

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

181214/36 RESOLVED

(Cr Keith Johnson/Cr Robyn Hordern)

That Council hold a formal meeting to confirm the 2015 Australia Day award recipients, to be held on Monday 22 December at 4 pm

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

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

MEETING CLOSURE

2.06 pm

The Minutes of the Ordinary Meeting held on 18/12/14 were submitted for confirmation by council on 22 January 2015 and amendments (if any) are contained in the confirming resolution. Such Minutes were signed by the Mayor at the meeting on 22 January 2015.