

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS
40 CHERRY STREET BALLINA,
ON 26/02/15 AT 9.00 AM**

Attendance

Crs David Wright (Mayor - in the chair), Jeff Johnson (arrived at 9.02 am), 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), Steve Barnier (Strategic and Community Facilities Group Manager), Sarah Carden (Secretary) and Sandra Bailey (Secretary) were in attendance.

There were ten people in the gallery at this time.

1. Australian National Anthem

The National Anthem was performed by Ellen Northey, Mikayla Russo and Taylor from Ballina High School.

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

260215/1 RESOLVED

(Cr Sharon Cadwallader/Cr Ben Smith)

That Council confirms the Minutes of the Ordinary Meeting of Ballina Shire Council held on Thursday 22 January 2015.

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

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5. Declarations of Interest and Reportable Political Donations

Cr Paul Worth – declared an interest in Item 10.4 - BBRC Funding Agreements - Request for Variation. (Nature of interest: a perceived pecuniary interest as he owns land in the Wollongbar Urban Release Area). He will be departing the meeting while the matter is discussed.

Cr Jeff Johnson arrived at the meeting at 09:02 am.

Cr Ben Smith – declared an interest in Item 10.1 – Use of Council Seal. (Nature of interest: non significant, non pecuniary – he has a business interest with one of the lessees.) He will be remaining in the meeting while the matter is discussed and voting on the matter.

Cr Susan Meehan – declared an interest in Item 8.2 – Cooper Close, Lennox Head – Low Pressure Sewer System. (Nature of interest: non significant, non pecuniary – she is an owner of a low pressure sewer system). She will be remaining in the meeting while the matter is discussed and voting on the matter.

There were no reportable political donations.

6. Deputations

- **Col Lee** - spoke in opposition to Item 14.1 – Finance Committee Minutes – 11 February 2015 and in particular to Item 4.7 of those minutes – Festival and Support Program – Additional Funds.
- **Adam Garvin** - spoke in opposition to Item 8.1 – Review of Contribution Changes – 11 Tara Downs, Lennox Head.
- **Bill Knobel, Intrapac** - spoke in opposition to Item 9.1 – Cumbalum Precinct A – DCP and Contributions Plan.
- **Val Pinney** – spoke in favour of Item 13.1 – Notice of Motion – Community Poll on Fluoride.
- **Jennifer Thomson** – spoke in relation to Item 9.1 – Cumbalum Precinct A – DCP and Contributions Plan.

7. Mayoral Minutes

Nil Items

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HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS
40 CHERRY STREET BALLINA,
ON 26/02/15 AT 9.00 AM**

14.1 Finance Committee Minutes - 11 February 2015

A **Motion** was moved by Cr Sharon Cadwallader and seconded by Cr Keith Williams

That Item 4.7 of the Finance Committee Minutes (Festival and Event Support Program – Additional Funds) be amended as follows:

1. That Council approves additional funds as requested by the Ballina Fine Wine and Food Festival and the Ballina Prawn Festival for an additional \$10,000 (\$20,000 in total).
2. That Council conduct an expression of interest process for the allocation of Festival and Event Support Program annually, even if funds have been allocated to existing events, to assess whether there are other events that may benefit from funding support, with the allocation of the additional funds to be considered as part of the annual budget process.

An **Amendment** was moved by Cr Susan Meehan

That Item 4.7 of the Finance Committee Minutes (Festival and Event Support Program – Additional Funds) be amended as follows:

1. That Council approves additional funds as requested by the Ballina Fine Wine and Food Festival and the Ballina Prawn Festival for an additional \$10,000 (\$20,000 in total), with the additional funds to be allocated from the Fair Go Skate event.
2. That Council conduct an expression of interest process for the allocation of Festival and Event Support Program annually, even if funds have been allocated to existing events, to assess whether there are other events that may benefit from funding support, with the allocation of the additional funds to be considered as part of the annual budget process.

The **Amendment LAPSED.**

The **Motion** 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

260215/2 RESOLVED

(Cr Sharon Cadwallader/Cr Keith Williams)

That Item 4.7 of the Finance Committee Minutes (Festival and Event Support Program – Additional Funds) be amended as follows:

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS
40 CHERRY STREET BALLINA,
ON 26/02/15 AT 9.00 AM**

1. That Council approves additional funds as requested by the Ballina Fine Wine and Food Festival and the Ballina Prawn Festival for an additional \$10,000 (\$20,000 in total).
2. That Council conduct an expression of interest process for the allocation of Festival and Event Support Program annually, even if funds have been allocated to existing events, to assess whether there are other events that may benefit from funding support, with the allocation of the additional funds to be considered as part of the annual budget process.

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

Finance Committee Minutes - 11 February 2015

260215/3 RESOLVED

(Cr Paul Worth/Cr Susan Meehan)

That Council confirms the minutes of the Finance Committee meeting held 11 February 2015 and that the recommendations contained within the minutes be adopted, with the exception of Item 4.7 which was dealt with separately, and with an amendment to Item 4.6 (Wollongbar Sporting Fields – Tender) with the recommendation to read

1. That Council approves the interim deferral of the tennis court related works (courts, fencing and clubhouse) from the construction of the Wollongbar Sporting Fields, due to the total funding not being currently available for these works.
2. That Council authorises the General Manager to proceed with the tennis court related works, if the current contingency figure is not required and funds are available for the works.
3. That Council approves a revised budget (including deferral of the tennis court related works) and funding sources for this project as follows:

Item	Amount (\$)
Project Management Consultant	150,000
Statutory and Approvals Fees	30,000
Council Inspections and Fees	55,000
Consultant Fees	313,000
Contract Administration	80,000
Architect Fees	58,000
Early Works	1,622,300
Engineering / Landscaping (Synergy)	4,157,800
Less Deferral of Tennis Courts and Fencing (Synergy)	(420,000)
Construction of New Buildings	880,000
Less Deferral of Tennis Courts Club House	(380,000)
Other Miscellaneous Expenses	50,000

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS
40 CHERRY STREET BALLINA,
ON 26/02/15 AT 9.00 AM**

Sub Total	6,596,100
Contingency	416,000
Tennis Courts Allowance (deferred)	209,800
Total	7,221,900

Funding Sources	Amount (\$)
BBRC Grant	4,496,000
Interest Accrued on Grant	209,900
Sport and Recreation Grant	25,000
Sports Fields Capital Budget	123,000
Ballina Heights Loan Reserve	284,000
Property Reserves	2,084,000
Total Estimated Project Cost	7,221,900

4. That Council also confirms the \$156,000 available in Council's 2015/16 Long Term Financial Plan for sporting fields is available for the Wollongbar Sports Fields tennis court related works, if adequate funds are available to complete the balance of these works as per point two above.

FOR VOTE - Cr Jeff Johnson, Cr Keith Williams, Cr Susan Meehan, Cr Ken Johnston, Cr Paul Worth and Cr Robyn Hordern

AGAINST VOTE - Cr David Wright, Cr Sharon Cadwallader, Cr Keith Johnson and Cr Ben Smith

8. Development and Environmental Health Group Reports

8.1 Review of Contribution Charges - 11 Tara Downs, Lennox Head

260215/4 RESOLVED

(Cr Paul Worth/Cr Ben Smith)

1. That in respect to the attached request from Garvin, Collins and Collins Council confirms that it is not in a position to alter the developer contribution charges payable for development 2011/274 consent as the circumstances are not sufficient to justify such an amendment when considered against all the various circumstances that Council must deal with in its role as a statutory planning authority.
2. That Council authorises the General Manager, or nominated delegate, to enter an agreement with Garvin, Collins and Collins, to allow a time payment plan for the developer contribution charges applicable to the consent.

FOR VOTE - 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 Jeff Johnson, Cr Sharon Cadwallader and Cr Keith Williams

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS
40 CHERRY STREET BALLINA,
ON 26/02/15 AT 9.00 AM**

Adjournment

The Mayor declared the meeting adjourned at 10.30 am

The Meeting resumed at 10.52am.

9.1 Cumalum Precinct A - DCP and Contributions Plan

260215/5 RESOLVED

(Cr Paul Worth/Cr Ben Smith)

1. That Council adopts Amendment No.4 to the Ballina Development Control Plan 2012 (Cumalum Precinct A), with amendments as outlined in this report and with a change to Chapter 3 – Precinct-Specific Controls – Cumalum Views Stormwater sub-clause xvii to remove the word “significantly”.
2. That Council adopts the Cumalum Urban Release Area Precinct A Contributions Plan 2014 as exhibited.
3. That the provisions for Cumalum Precinct A under Amendment No.4 to the Ballina Development Control Plan 2012 and the Precinct A Contributions Plan take effect on 11 March 2015.
4. That Council acknowledges that the downstream stormwater situation continues to be difficult and this will be addressed at the DA stage.
5. That Council receive a current assessment on the downstream situation, including reference to the Floodplain Management Plan.

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

13.1 Notice of Motion - Community Poll on Fluoride

A **Motion** was moved by Cr Jeff Johnson and seconded by Cr Keith Williams

That Ballina hold a poll at the next Council election (September 2016) to determine whether residents want the water supply fluoridated.

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

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

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL
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40 CHERRY STREET BALLINA,
ON 26/02/15 AT 9.00 AM**

8.2 Cooper Close, Lennox Head - Low Pressure Sewer System

260215/6 RESOLVED

(Cr Paul Worth/Cr Ben Smith)

1. That based on the contents of this report, Council supports the installation of a Low Pressure Sewer System to connect properties in Cooper Close, Lennox Head to Council's reticulated sewerage system in accordance with Council's Pressure Sewer Policy.
2. The provision of this Lower Pressure System is only to proceed subject to Council reaching agreement with all seven property owners benefiting from the system and signing an agreement with Council based on the following minimum terms and conditions:
 - a) Council providing upfront funding for the cost of installation of the sewerage system up to and including the pump well on each property and recovering 100% of those costs from each property owner over a five year timeframe (estimated cost is \$140,000 including GST)
 - b) Council will not charge interest on the five year instalments, subject to the repayments being made in accordance with the terms of the agreement
 - c) Any late repayments will be charged Council's overdue rates and charges interest rate
 - d) Council approving the waiver of application and inspection fees for the subject connections
 - e) The debt is to be shown on the subject property to guarantee the collection of the debt as per Council's standard rates and charges recovery procedures.
3. That Council authorises the allocation of funding from the Wastewater Fund reserves to finance these works, if they proceed.

FOR VOTE - Cr David Wright, 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 Jeff Johnson and Cr Susan Meehan

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL
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40 CHERRY STREET BALLINA,
ON 26/02/15 AT 9.00 AM**

8.3 Companion Animals Management Plan

260215/7 RESOLVED

(Cr Sharon Cadwallader/Cr Ben Smith)

That Council adopts the Companion Animals Management Plan, as exhibited and as attached to this report.

FOR VOTE - All Councillors voted unanimously.

8.4 Development Consent Statistics - January 2015

260215/8 RESOLVED

(Cr Ben Smith/Cr Sharon Cadwallader)

That Council notes the contents of the report on development consent statistics for 1 January 2015 to 31 January 2015.

FOR VOTE - All Councillors voted unanimously.

8.5 Development Applications - Works in Progress - February 2015

260215/9 RESOLVED

(Cr Ben Smith/Cr Sharon Cadwallader)

1. That Council notes the contents of the report on the status of outstanding development applications for February 2015.
2. That Council make a submission to the JRPP on DA 2014/615.

FOR VOTE - All Councillors voted unanimously.

9. Strategic and Community Facilities Group Reports

9.2 LEP Amendment Request - Greenwood Place, Lennox Head

260215/10 RESOLVED

(Cr Paul Worth/Cr Susan Meehan)

1. That Council prepare a planning proposal for the application of an R2 Residential zone over Lot 12 DP 581159 and that part of Lot 21 DP 1007134 designated as a Strategic Urban Growth Area in Ballina LEP 2012 as well as incorporating the road link to Blue Horizon Drive and the area of the proposed Lot 8.

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL
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40 CHERRY STREET BALLINA,
ON 26/02/15 AT 9.00 AM**

2. That the subdivision potential and associated minimum lot size for the possible future development of Lot 12 DP 581159 and part of Lot 21 DP 1007134 be determined following assessment of additional technical information.
3. That for the purpose of supporting further investigation, the planning proposal is to identify a minimum lot size for subdivision of 800 m².
4. That a further report be presented to the Council documenting the planning proposal prior to its submission for Gateway determination.

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

9.3 LEP Amendment Request and Planning Proposals - Status Report

260215/11 RESOLVED

(Cr Ben Smith/Cr Sharon Cadwallader)

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.

FOR VOTE - All Councillors voted unanimously.

9.4 Alstonville Community Preschool - Lease Proposal

260215/12 RESOLVED

(Cr Paul Worth/Cr Ben Smith)

1. In accordance with s47(5)(a) and s47(6) of the Local Government Act 1993, Council resolves to grant a twenty year lease to the Alstonville Community Preschool for the establishment and operation of a preschool on land containing an area of approximately 2,132m², being part of Crawford Park in Alstonville.
2. That Council make application for the consent of the NSW Minister for Local Government for the lease proposal referred to in point one above.
3. That the existing fenceline between the leased areas and the Alstonville pool be retained.

FOR VOTE - Cr David Wright, 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 Jeff Johnson and Cr Ken Johnston

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS
40 CHERRY STREET BALLINA,
ON 26/02/15 AT 9.00 AM**

9.5 Plan of Management (Review) - Community Land

260215/13 RESOLVED

(Cr Ben Smith/Cr Robyn Hordern)

1. That Council adopts the draft Plan of Management for Community Land (2015) as attached to this report.
2. That the adopted Plan of Management for Community Land (2015) be reviewed after its initial 12 months of operation.

FOR VOTE - All Councillors voted unanimously.

9.6 Missingham Market - Preferred Management Model

260215/14 RESOLVED

(Cr Sharon Cadwallader/Cr Ben Smith)

That Council call for expressions of interest for the management of the Missingham Market based on the principles for operation of the market expressed in this report.

FOR VOTE - All Councillors voted unanimously.

9.7 Fair Go - Update

260215/15 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 Fair Go Skateboarding event in 2015. This arrangement to be reviewed annually subject to successful outcomes of the event.
2. That Council provides \$10,000 cash sponsorship in 2015, as provided for in its current budget, for the Ballina Fair Go event to Ownlife.

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

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS
40 CHERRY STREET BALLINA,
ON 26/02/15 AT 9.00 AM**

9.8 Australia Day Awards - Review

260215/16 RESOLVED

(Cr Ben Smith/Cr Robyn Hordern)

That Council confirms the categories for the 2016 Ballina Shire Australia Day Awards Program are to be as follows, with the Citizen of the Year to be selected by Council from one of these categories:

- Young Citizen of the Year (30 years or under)
- Senior Citizen of the Year (60 years or over)
- Sports Award
- Arts/Cultural Award
- Volunteer of the Year
- Community Event of the Year

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

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

A **Motion** was moved by Cr Sharon Cadwallader and seconded by Cr Jeff Johnson.

That Council receive a report on options for award selections.

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

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

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

12. Public Question Time

12.1 Ralph Moss - Floodplain Management Plan

Ralph Moss enquired if the Floodplain Management Plan was currently on exhibition and if this will be reported back to Council.

John Truman advised that a report will be submitted to Council following the exhibition period.

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS
40 CHERRY STREET BALLINA,
ON 26/02/15 AT 9.00 AM**

12.2 Fred Goodman - Kings Court Reservoir

Fred Goodman enquired what further action has been taken at Kings Court reservoir and when will works be completed.

John Truman advised a Councillor workshop was held last year regarding design amendments and staff will circulate advice to key stakeholders shortly with construction planned to follow.

12.3 Fred Goodman - Ross Park, Lennox Head Landscape Plan

Fred Goodman enquired on the progress of the Ross Park, Lennox Head new landscape plan.

John Truman advised the plan is nearly finished and this will be forwarded to the Residents' Association shortly.

10. General Manager's Group Reports

10.1 Use of Council Seal

260215/17 RESOLVED

(Cr Sharon Cadwallader/Cr Ben Smith)

That Council affix the Common Seal to the following documents.

US15/01	Ballina Shire Council Lease to St Andrews Village Ballina Ltd for part of the building known as the Kentwell Community Centre situated on the corner of Bangalow Road and Moon Street Ballina and identified as "Activities 2" and "Quiet 2" areas for a period of five years at a commencing rental of \$13,708.83 excl GST.
US15/02	Ballina Shire Council Lease to Tweed Byron and Ballina Community Transport Incorporated for part of the building known as the Kentwell Community Centre situated on the corner of Bangalow Road and Moon Street Ballina and identified as "Office 1" and "Store" areas for a period of five years at a commencing rental of \$9,139.18 excl GST.
US15/03	Ballina Shire Council Lease to Ballina District Community Services Association Incorporated for part of the building known as the Kentwell Community Centre situated on the corner of Bangalow Road and Moon Street Ballina and identified as "Office Areas" and "Activities 1 and Quiet 1 and shared use of kitchen" areas for a period of five years at a commencing rental of \$61,449.80 excl GST.

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 26/02/15 AT 9.00 AM**

10.2 Investment Summary - January 2015

260215/18 RESOLVED

(Cr Keith Williams/Cr Ben Smith)

That Council notes the record of banking and investments for January 2015.

Cr Susan Meehan left the meeting at 12:59 pm.

FOR VOTE - All Councillors voted unanimously.
ABSENT. DID NOT VOTE - Cr Susan Meehan

10.3 Legal Matters - Update

260215/19 RESOLVED

(Cr Ben Smith/Cr Ken Johnston)

That Council notes the contents of this legal matters update.

Cr Susan Meehan returned to the meeting at 01:01 pm.

FOR VOTE - All Councillors voted unanimously.

Adjournment

The Mayor declared the meeting adjourned at 1.02pm

The meeting resumed at 1.45pm

Cr Paul Worth - declared a pecuniary interest in this item. and left the meeting at 1:48 pm.

10.4 BBRC Funding Agreements - Request for Variation

260215/20 RESOLVED

(Cr Sharon Cadwallader/Cr Ben Smith)

That Council advise the NSW Department of Social Services that, as requested, it has considered amending the land buyers subsidy scheme for the Wollongbar Urban Expansion Area, Ballina Heights Estate and the Cumbalum Urban Release Area A, however an amendment is not supported for the following reasons:

- a) The current \$25,000 rebate is considered to be an adequate amount to provide a sufficient incentive and stimulus for the program
- b) A reduction in the rebate may substantially extend the life the program;
and

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL
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40 CHERRY STREET BALLINA,
ON 26/02/15 AT 9.00 AM**

- c) A reduction now is considered inequitable when almost 100 applicants would have already received a rebate of \$25,000.

Cr Keith Williams left the meeting at 01:53 pm.

FOR VOTE - All Councillors voted unanimously.
ABSENT. DID NOT VOTE - Cr Keith Williams and Cr Paul Worth

Cr Paul Worth returned to the meeting at 01:54 pm.

10.5 Donations - Planning Fees

260215/21 RESOLVED

(Cr Keith Johnson/Cr Ben Smith)

1. That in respect to the Section 94 and Section 64 developer contributions payable for development consent 2014/333, Council confirms it support for the General Manager, or nominated delegate, to either amend the existing consent, or through the applicant, being the Alstonville Preschool Inc, submitting a Section 96 application to amend the consent, that results in the exemption for the developer contributions payable.
2. Council endorses this application for the following reasons:
 - a) The applicant is a not for profit organisation providing a community service within the Ballina Shire; and
 - b) The consent relates to a capital infrastructure project that will deliver community based services; and
 - c) The project is being located on Council owned or controlled land.
3. Council also authorises the General Manager to make application to Rous Water County Council for the waiver of their developer contribution charges with the waiver of those charges a matter for Rous to determine.

Cr Keith Williams returned to the meeting at 01:55 pm.

FOR VOTE - Cr David Wright, 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 Jeff Johnson and Cr Ken Johnston

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS
40 CHERRY STREET BALLINA,
ON 26/02/15 AT 9.00 AM**

10.6 Financial Review - 31 December 2014

260215/22 RESOLVED

(Cr Sharon Cadwallader/Cr Ben Smith)

1. That Council notes the contents of the December 2014 Quarterly Budget Review and approves the changes identified within this report.
2. That Council increase the dividend from Landfill and Resource Management (LRM) from \$100,000 to \$180,000 to rehabilitate Southern Cross Drive.

FOR VOTE - All Councillors voted unanimously.

11. Civil Services Group Reports

11.1 Development Servicing Plans for Water and Wastewater

260215/23 RESOLVED

(Cr Sharon Cadwallader/Cr Ben Smith)

1. That Council adopts the Development Servicing Plans for Water and for Wastewater, as attached to this report, and forwards these Plans for registration with NSW Office of Water.
2. That Council writes to the two respondents and informs them of Council's response to their submissions and thanks them for their useful contribution.

FOR VOTE - All Councillors voted unanimously.

11.2 Policy (New) - Donation of Waste Fees for Certain Fauna

260215/24 RESOLVED

(Cr Sharon Cadwallader/Cr Ben Smith)

1. That Council places on exhibition the proposed 'Donations – Waste Disposal Fees for the "Not-for-Profit Disposal of Feral, Orphaned Animals and Native Fauna" Policy, as attached to this report, with any submissions received to be reported to Council.
2. If no submissions are received then the Policy will be considered to 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 26/02/15 AT 9.00 AM**

11.3 Policy (Review) - Liquid Trade Waste

260215/25 RESOLVED

(Cr Ben Smith/Cr Keith Johnson)

1. That Council adopts the amended Liquid Trade Waste 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.
3. That Council distribute this policy to key stakeholders during the exhibition period.

FOR VOTE - All Councillors voted unanimously.

11.4 Policy (Review) - Urban Vegetation and Tree Management on Public Land

260215/26 RESOLVED

(Cr Paul Worth/Cr Sharon Cadwallader)

1. That Council adopts the amended Urban Vegetation on Public Land 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.
3. That Council lobby the relevant Government authorities and election candidates for the State seat of Ballina to place a stop on the current private native forestry approval process until the Koala Management Plan is in place for Ballina Shire.

FOR VOTE - All Councillors voted unanimously.

11.5 Tender - Smith Drive to Uralba Water Main Replacement

260215/27 RESOLVED

(Cr Ben Smith/Cr Sharon Cadwallader)

1. That Council awards construction contract RFT 1400987 for the Smith Drive Water Main Replacement to Newlands Civil Construction, subject to the completion of satisfactory financial and reference checks, for the lump sum contract amount of \$683,098.59 inclusive of GST.
2. That Council authorises the seal to be attached to the contract documents.

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS
40 CHERRY STREET BALLINA,
ON 26/02/15 AT 9.00 AM**

3. That Council authorises an increase in the previously amended budget for this work of \$370,000 being the difference in tender amounts following the withdrawal of the original preferred tenderer.

FOR VOTE - All Councillors voted unanimously.

11.6 Tender - Reinforced Concrete Storage Vessels

260215/28 RESOLVED

(Cr Ben Smith/Cr Keith Williams)

1. That Council accepts the tender from Rocla in the lump sum amount of \$170,002 (GST inclusive) for the Supply and Delivery of Reinforced Concrete Storage Vessels for The Serpentine, Anderson Street, Bayview Drive (option 1), Cawley Close, and Cedar Court (option 1) Sewer Pumps Stations and Provisional Sum for the works for the Rutherford St Sewer Pump Station.
2. That Council authorises the Council seal to be attached to the contract documents.

FOR VOTE - All Councillors voted unanimously.

13. Notices of Motion

13.2 Notice of Motion - Library Funding

260215/29 RESOLVED

(Cr Sharon Cadwallader/Cr Susan Meehan)

That Council write to all the local candidates for the NSW State Election, along with the Premier and Opposition Leader seeking a commitment for the funding to Public Libraries by the State Government to be substantially increased during the next term of Government.

FOR VOTE - All Councillors voted unanimously.

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL
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40 CHERRY STREET BALLINA,
ON 26/02/15 AT 9.00 AM**

14. Advisory Committee Minutes

14.2 Commercial Services Committee Minutes - 17 February 2015

260215/30 RESOLVED

(Cr Paul Worth/Cr Ben Smith)

That Council confirms the minutes of the Commercial Services Committee meeting held 17 February 2015 and that the recommendations contained within the minutes be adopted.

FOR VOTE - All Councillors voted unanimously.

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

15.1 Mayoral Meetings

260215/31 RESOLVED

(Cr Ben Smith/Cr Susan Meehan)

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

FOR VOTE - All Councillors voted unanimously.

16. Questions Without Notice

16.1 Cr Robyn Hordern - Mowing of edges of North Wall

Cr Robyn Hordern – enquired on behalf of Jan Brady who had concerns that the North Wall edges required mowing.

John Truman to investigate.

16.2 Cr Robyn Hordern - Tree Lopping Pine Avenue

Cr Robyn Hordern – enquired on behalf of Jan Brady who had concerns that the trees adjoining the stairs from Pine Avenue to Shaws Bay required lopping.

John Truman to investigate.

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16.3 Cr Robyn Hordern - Shaws Bay Management Plan

Cr Robyn Hordern – enquired why we didn't act on a permit from 2001 to remove silt and mangroves from Shaws Bay.

John Truman advised Council sought approval from NSW Fisheries for removal of seagrass beds in accordance with the plan however a permit was not able to be approved.

16.4 Cr Ken Johnston - Trawler Harbour Grass needs Mowing

Cr Ken Johnston – advised grass is high at the Trawler Harbour and requires mowing.

John Truman to investigate.

MEETING CLOSURE

3.00pm

The Minutes of the Ordinary Meeting held on 26/02/15 were submitted for confirmation by council on 26 March 2015 and amendments (if any) are contained in the confirming resolution. Such Minutes were signed by the Mayor at the meeting on 26 March 2015.