

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL  
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS  
40 CHERRY STREET BALLINA,  
ON 25/06/15 AT 9.00 AM**

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**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 Sarah Carden (Secretary) were in attendance.

There were 40 people in the gallery at this time.

**1. Australian National Anthem**

The National Anthem was performed by Ballina Public 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 apologies.

**4. Confirmation of Minutes**

**250615/1        RESOLVED**

(Cr Sharon Cadwallader/Cr Ben Smith)

That Council confirms the Minutes of the Ordinary Meeting of Ballina Shire Council held on Thursday 28 May 2015 with the following alteration to Public Question Time Item 12.4 – John Truman advised Denis Magnay that the Coastal Recreational Path would take approximately six months to construct, once all the approvals were place to allow construction works to commence.

FOR VOTE - All Councillors voted unanimously.

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**5. Declarations of Interest and Reportable Political Donations**

Nil

**6. Deputations**

**Melissa Underwood** – spoke in favour of Item 9.5 – Wollongbar Preschool – Lease of Community Land.

**Alan Brown** – spoke in favour of Item 9.4 – Aboriginal Cultural Ways – Project Update.

**Eva Ramsey** – spoke in opposition of Item 13.1 – Notice of Motion – Indoor Sports and Culture Facility.

**Steve Connelly** – spoke in favour of Item 8.1 – DA 2014/609 – Ballina Street, Lennox Head.

**Tony Chavez** – spoke in opposition of Item 9.3 – Ballina Skateboarding Event.

**Gail Wilson-Latta** – spoke in opposition of Item 13.2 – Notice of Motion – Letter to Shadow Transport Minister

**Pat Carney, Wardell Progress Association** – spoke in relation to Item 10.5 – Delivery Program 2015/16 to 2018/19 and Operational Plan 2015/16 - Works and Services relating to Wardell.

**Katherine Buckley, Alstonville Community Preschool** – spoke in favour of Item 10.5 – Delivery Program 2015/16 to 2018/19 and Operational Plan 2015/16 – Works and Services relating to Alstonville Community Preschool.

**David Felsch** – spoke in opposition to item 10.5 – Delivery Program 2015/16 to 2018/19 and Operational Plan 2015/16 – Fees & Charges relating to Burns Point Ferry.

**7. Mayoral Minutes**

Nil

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**9.5 Wollongbar Preschool - Lease of Community Land**

**250615/2        RESOLVED**

(Cr Sharon Cadwallader/Cr Keith Johnson)

1. That Council, in accordance with s47(5)(a) and s47(6) of the Local Government Act 1993, grants a ten year lease to the Wollongbar Community Preschool for the continued operation of the preschool.
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 respondents to the public exhibition be notified of the circumstances in which the Council has agreed to the grant of the lease.
4. That Council receive a report on options to improve the safety in this location (ie. footpath, car parking)

FOR VOTE - All Councillors voted unanimously.

**9.4 Aboriginal Cultural Ways - Project Update**

A **Motion** was moved by Cr Susan Meehan and seconded by Cr Robyn Hordern)

1. That Council notes the information contained in this report with respect to the process undertaken to date in delivery of the Aboriginal Cultural Ways Project.
2. That Council authorises staff to proceed to finalise the manufacture and installation of the interpretive material, and associated web based information, in accordance with the steps outlined in this report.
3. That Council continue with the name Coastal Recreational Path until the project is completed.

An **Amendment** was moved by Cr Jeff Johnson.

That Council defer this matter until the amended project approval is in place.

The **Amendment LAPSED.**

The **Motion** was **CARRIED.**

FOR VOTE - Cr Jeff Johnson

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

ABSENT. DID NOT VOTE - Cr Keith Johnson

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL  
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**250615/3      RESOLVED**

(Cr Susan Meehan/Cr Robyn Hordern)

1. That Council notes the information contained in this report with respect to the process undertaken to date in delivery of the Aboriginal Cultural Ways Project.
2. That Council authorises staff to proceed to finalise the manufacture and installation of the interpretive material, and associated web based information, in accordance with the steps outlined in this report.
3. That Council continue with the name Coastal Recreational Path until the project is completed.

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 - Indoor Sports and Culture Facility**

**250615/4      RESOLVED**

(Cr Ben Smith/Cr Paul Worth)

1. That Council commence the process of preparing the designs and a development application for a four court indoor sport and cultural facility immediately, with this work to be expended from the funds currently available for this project (approximately \$260,000).
2. That the designs are to allow for the construction of a two/three court facility and the future expansion to four courts.
3. That the plans are to be based on the preferred site being Council owned land at Gallans Road or the Southern Cross Industrial Estate. The initial evaluation is to assess which is the optimum site for this facility with that evaluation to be reported back to Council for direction.
4. That the General Manager is to provide a report on funding options for this scale facility, with options including the use of reserve funds, land sales.
5. That Council continue to pursue additional grants and funding opportunities through State and Federal Government throughout the development process for this facility. If State or Federal funding opportunities become available Council will consider options to bring forward future provisions into the development such as the introduction of the two additional courts.

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

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

**Adjournment**

The Mayor declared the meeting adjourned at 10.44 am.

The meeting resumed at 11.05 am.

**8.1 DA 2014/609 - Ballina Street, Lennox Head**

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

That Council authorises the General Manager to approve DA 2014/609 as a mixed residential and commercial use, subject to standard conditions, including and subject to the following amendments/conditions:

1. That the proposed dwelling houses be independent free-standing buildings contained within their individual strata titled allotments
2. That the design be amended so that it does not facilitate the conversion of the dwelling house to dual key.

An **AMENDMENT** was moved by Cr Jeff Johnson and seconded by Cr Sue Meehan.

That Council authorises the General Manager to approve DA 2014/609 as a mixed residential and commercial use, subject to standard conditions, including and subject to the following amendments/conditions:

1. That the proposed dwelling houses be independent free-standing buildings contained within their individual strata titled allotments
2. That the design be amended so that it does not facilitate the conversion of the dwelling house to dual key.
3. That the traffic flow from the development enter via Ballina Road and exit via Rayners Lane.

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

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

The **Amendment** was **LOST**

The **Motion** was **CARRIED.**

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**250615/5      RESOLVED**

(Cr Paul Worth/Cr Ben Smith)

That Council authorises the General Manager to approve DA 2014/609 as a mixed residential and commercial use, subject to standard conditions, including and subject to the following amendments/conditions:

1. That the proposed dwelling houses be independent free-standing buildings contained within their individual strata titled allotments
2. That the design be amended so that it does not facilitate the conversion of the dwelling house to dual key.

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

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

**9.3      Ballina Skateboarding Event**

**250615/6      RESOLVED**

(Cr Sharon Cadwallader/Cr Susan Meehan)

That Council authorises the General Manager to provide the Ballina Skateboard Competition Committee up until Friday 17 July 2015 to satisfactorily address the outstanding matters in relation to their expression of interest for the Ballina Skateboarding Event. If the outstanding matters are addressed to the satisfaction of the General Manager, the General Manager is authorised to award the expression of interest to this group. If the matters are not satisfactorily addressed the expression of interest is to be awarded to Ownlife.

FOR VOTE - All Councillors voted unanimously.

**13.2      Notice of Motion - Letter to Shadow Transport Minister**

**250615/7      RESOLVED**

(Cr Ben Smith/Cr Paul Worth)

1. That Council confirms its support for the approved RMS route from Woodburn to Ballina.
2. That Council supports the continued amelioration of the impacts to the koala population
3. That Council write to Shadow Minister for Transport and/or Environment

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to clarify Council's support.

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

**10.5 Delivery Program 2015/16 to 2018/19 and Operational Plan 2015/16**

**250615/8            RESOLVED**

(Cr Robyn Hordern/Cr Ben Smith)

1. That Council, in respect to the Wardell Progress Association submission 1, amend the footpath works program to include works on Byron Street \$50,000 and Carlisle Street \$70,000 funded from the Wardell Town Centre Reserve.
2. That Council receive a report on the provision of disabled toilets in its town centres, specifically Wardell.

FOR VOTE - All Councillors voted unanimously.

**250615/9            RESOLVED**

(Cr Paul Worth/Cr Robyn Hordern)

That Council receive a report on funding options for construction of the Wardell boardwalk.

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

**250615/10        RESOLVED**

(Cr Paul Worth/Cr Robyn Hordern)

1. That in respect to the Alstonville Preschool funding, staff thoroughly assess all relevant documents with regards to any variations and then provide Council with a new report including commentary in respect of the price fluctuations from the original Quantity Surveyor's report.
2. That the money allocated for the storage tank near Crawford Park in 2014/15 be reallocated to the Alstonville Preschool.

FOR VOTE - All Councillors voted unanimously.

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A **Motion** was moved by Cr Sharon Cadwallader and seconded by Cr Ken Johnston)

That Council endorses the following amended fees and charges for Ferry Fees:

<b>Description</b>	<b>2014/15</b>	<b>Proposed 2015/16</b>	<b>Amended 2015/16</b>
Motor Car & Vehicles (under 3 tonnes carrying capacity)	\$5.00	\$5.20	\$5.50
Vehicles (3 to 10 tonnes carrying capacity)	\$12.50	\$12.90	\$13.00
Vehicles (3 to 10 tonnes carrying capacity) book of 25 (available at Council Chambers)	\$312.50	\$322.50	\$325.00
Car and trailer or caravan or boat or taking up two spaces	\$10.00	\$10.40	\$11.00
Vehicles (>10 tonnes carrying capacity) (Truck Only)	\$25.00	\$26	\$15.00
Vehicles (>10 tonnes carrying capacity) (Truck and Dog)	\$25.00	\$26	\$22.00
Vehicles (>10 tonnes carrying capacity) (Truck Only) book of 25 (available at Council Chambers)	\$625.00	\$650.00	\$375.00
Vehicles (>10 tonnes carrying capacity) (Truck and Dog) book of 25 (available at Council Chambers)	\$625.00	\$650	\$550
<b>Ferry Weekly Tickets</b>			
Motor car and vehicles (under 3 tonnes carrying capacity)	\$50.00	\$52.00	\$52.00
Motor Cycles	\$25.00	\$26.00	\$26.00
<b>Ferry Season Tickets - Resident/Ratepayer</b>			
Motor Vehicle (under 3 tonnes carrying capacity)	\$250	\$365	\$300.00
Motor Cycles	\$125	\$130	\$150.00
Agricultural Tractor	50% of annual and quarterly ticket	50% of annual and quarterly ticket	50% of annual and quarterly ticket
<b>Ferry Quarterly Season Ticket</b>			
(Applies from 1 Jul - 30 Sept; 1 Oct - 31 Dec; 1 Jan - 31 Mar; 1 Apr - 30 Jun)	25% of annual ticket plus \$5 admin fee	25% of annual ticket plus \$5 admin fee	25% of annual ticket plus \$7 admin fee
<b>Ferry Season Tickets - Non-Resident/Ratepayer</b>			
Motor Vehicle (under 3 tonnes carrying capacity)	\$450.00	\$365.00	\$300.00
Motor cycle	\$225.00	\$130.00	\$150.00
<b>Replacement Ferry Pass Stickers</b>			
Replacement Ferry Pass Stickers	\$6.80	\$7.00	\$7.00
<b>Bicycles</b>			



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Per Trip (subject to formal exhibition)			\$1.00
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FOR VOTE - Cr David Wright, Cr Sharon Cadwallader, Cr Keith Williams, Cr Susan Meehan and Cr Ken Johnston

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

The **Motion** was **LOST** on the casting vote of the Mayor.

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

That the ferry fees remain on hold while the matters raised in the ferry submissions are investigated.

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

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

The **Motion** was **LOST** with the casting vote of the Mayor.

A **Motion** was moved by Cr Paul Worth and seconded by Cr Robyn Hordern.

That Council endorses the following amended fees and charges for Ferry Fees:

Description	2014/15	2015/16	Amended
Motor Car & Vehicles (under 3 tonnes carrying capacity)	\$5.00	\$5.20	\$5.50
Vehicles (3 to 10 tonnes carrying capacity)	\$12.50	\$12.90	\$13.00
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Vehicles (>10 tonnes carrying capacity) (Truck Only)	\$25.00	\$26	\$15.00
Vehicles (>10 tonnes carrying capacity) (Truck and Dog)	\$25.00	\$26	\$22.00
Vehicles (>10 tonnes carrying capacity) (Truck Only) book of 25 (available at Council Chambers)	\$625.00	\$650.00	\$375.00
Vehicles (>10 tonnes carrying capacity) (Truck and Dog) book of 25 (available at Council Chambers)	\$625.00	\$650	\$550
<b>Ferry Weekly Tickets</b>			
Motor car and vehicles (under 3 tonnes carrying capacity)	\$50.00	\$52.00	\$52.00
Motor Cycles	\$25.00	\$26.00	\$26.00
<b>Ferry Season Tickets - Resident/Ratepayer</b>			
Motor Vehicle (under 3 tonnes	\$250	\$365	\$365.00

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40 CHERRY STREET BALLINA,  
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carrying capacity)			
Motor Cycles	\$125	\$130	\$180.00
Agricultural Tractor	50% of annual and quarterly ticket	50% of annual and quarterly ticket	50% of annual and quarterly ticket
<b>Ferry Quarterly Season Ticket</b>			
(Applies from 1 Jul - 30 Sept; 1 Oct - 31 Dec; 1 Jan - 31 Mar; 1 Apr - 30 Jun)	25% of annual ticket plus \$5 admin fee	25% of annual ticket plus \$5 admin fee	25% of annual ticket plus \$7 admin fee
<b>Ferry Season Tickets - Non-Resident/Ratepayer</b>			
Motor Vehicle (under 3 tonnes carrying capacity)	\$450.00	\$365.00	\$365.00
Motor cycle	\$225.00	\$130.00	\$180.00
<b>Replacement Ferry Pass Stickers</b>			
Replacement Ferry Pass Stickers	\$6.80	\$7.00	\$7.00
<b>Bicycles</b>			
Per Trip			\$1.00

An **Amendment** was moved by Cr Keith Williams and seconded by Cr Sharon Cadwallader

That Council endorses the following amended fees and charges for Ferry Fees:

Description	2014/15	Proposed 2015/16	Amended 2015/16
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40 CHERRY STREET BALLINA,  
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Motor Vehicle (under 3 tonnes carrying capacity)	\$250	\$365	\$295.00
Motor Cycles	\$125	\$130	\$148.00
Agricultural Tractor	50% of annual and quarterly ticket	50% of annual and quarterly ticket	50% of annual and quarterly ticket
<b>Ferry Quarterly Season Ticket</b>			
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Replacement Ferry Pass Stickers	\$6.80	\$7.00	\$7.00
<b>Bicycles</b>			
Per Trip (subject to formal exhibition)			\$1.00

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

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

The **Amendment** was **CARRIED** with the casting vote of the Mayor.

**250615/11 RESOLVED**

(Cr Keith Williams/Cr Sharon Cadwallader)

**The Amendment then became the Motion**

That Council endorses the following amended fees and charges for Ferry Fees:

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ON 25/06/15 AT 9.00 AM**

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Replacement Ferry Pass Stickers	\$6.80	\$7.00	\$7.00
<b>Bicycles</b>			
Per Trip (subject to formal exhibition)			\$1.00

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

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

The **Motion** was **CARRIED** with the casting vote of the Mayor.

**12. Public Question Time**

**12.1 Pat Carney - Commercial Property Reserves**

Pat Carney enquired in relation to the Wollongbar Sportsfields, what are commercial property reserves?

Paul Hickey advised property reserves are profits generated from land sales across the Shire and the funds are used for projects across the entire Shire (i.e. Wardell Town Centre monies).

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---

**12.2 Denis Magnay - Recreational Path**

Denis Magnay enquired does Council have the final working drawings and documents for the recreational path and are they available to inspect?

John Truman confirmed they are available and he will make an appointment with Mr Magnay.

Denis Magnay enquired will Council advise if the project is to be constructed by private enterprise or by Council workers.

John Truman advised at this stage, the project will be completed by a combination of both private enterprise and Council workers.

**12.3 Tony Ellis - Burns Point Ferry Variable Ticket**

Tony Ellis enquired if Council will extend the opportunity to purchase a variable ticket to him as a small business operator in South Ballina.

Mr Truman advised the variable ticket is only available with extenuating circumstances and by written application. A written application would need to be made to the General Manager identifying his extenuating circumstances.

**12.4 Ralph Moss - Floodplain Management**

Ralph Moss enquired if the old map on page 6 is to be used in the formulation of the new floodplain management plan and if so, why, when it has been shown to be faulty with no mention of geographical areas and topography. And when will an answer be received to his documents tabled in April/May.

John Truman advised the documents he is referring to were included submissions to a report voted on by Council. John Truman will provide a response to all the matters raised.

**Adjournment**

The Mayor declare the meeting adjourned at 1.23pm.

The meeting resumed at 2.03pm.

Cr Keith Johnson, Cr Jeff Johnson and Cr Ken Johnston left the meeting at 2:03 pm.

**10.5 Delivery Program 2015/16 to 2018/19 and Operational Plan 2015/16**

**250615/12      RESOLVED**

(Cr Ben Smith/Cr Keith Williams)

1. That Council adopts the 2015/16 to 2018/19 Draft Delivery Program and 2015/16 Operational Plan, as exhibited, inclusive of any amendments determined at this meeting.

2. That Council approves the formation of a Committee of three Councillors,

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representing each Ward, to consider the applications for the General and Hall Donations for 2015/16. Cr Hordern, Cr Smith and Cr Cadwallader.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Keith Johnson, Cr Jeff Johnson and Cr Ken Johnston

**250615/13      RESOLVED**

(Cr Ben Smith/Cr Susan Meehan)

That in respect to the various submissions for fees and charges Council endorses the following actions:

1. Stormwater Annual Charge Business - noted with no change recommended due to the delay that has occurred in implementing this revised charge.
2. Airport Brochure - noted with no change recommended as the fee is considered realistic based on passenger numbers at the airport.
3. Rous Section 64 Developer Contributions - that the reference to fees charged prior to 2010 be deleted from the document.
4. Public Event Fee - that the fee be amended as follows:

	2014/15	2015/16
Food Inspection (per hour, minimum 1/2 hour)	\$170	\$220

5. Developer Contribution Charges - that Council include the revised charges as per the following tables:

**Water Section 64 Charges**

Area	Draft 2015/16 (\$)	Revised 2015/16 (\$)
Charge per equivalent tenement		
A – Wardell	3,602	12,170
B – North/East/West		
Ballina, Ballina Island, Skennars Head, Lennox Head	3,602	3,159
C – WUEA	1,860	2,017
E – Alstonville, Wollongbar	3,602	3,159
F – CURA A, Ballina Heights	2,614	615
G – CURA B	2,614	615

**Wastewater Section 64 Charges**

Area	Draft 2015/16 (\$)	Revised 2015/16 (\$)
Charge per equivalent tenement		
A – Wardell	7,802	4,834
B – North/East/West	7,802	4,834

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL  
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS  
40 CHERRY STREET BALLINA,  
ON 25/06/15 AT 9.00 AM**

Ballina, Ballina Island,		
Skennars Head, Lennox Head		
<b>C – WUEA</b>	<b>10,847</b>	<b>13,484</b>
<b>E – Alstonville, Wollongbar</b>	<b>4,030</b>	<b>4,834</b>
<b>F – CURA A, Ballina Heights</b>	<b>7,802</b>	<b>3,078</b>
<b>G – CURA B</b>	<b>7,802</b>	<b>3,078</b>

FOR VOTE - All Councillors voted unanimously.  
ABSENT. DID NOT VOTE - Cr Keith Johnson, Cr Jeff Johnson and Cr Ken Johnston

Cr Jeff Johnson and Cr Ken Johnston returned to the meeting at 2:10 pm.

**250615/14      RESOLVED**

(Cr Ben Smith/Cr Robyn Hordern)

That in respect to the various submissions for works and services Council endorses the following actions:

1. Bulwinkle Park Landcare Group - noted with no change to the budget, however staff are to provide grant application support to this group.
2. House With No Steps - that Council not reallocate these monies as the funding source is allocated for major events.

Cr Ken Johnston and Cr Jeff Johnson returned to the meeting at 02:08 pm.

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

**250615/15      RESOLVED**

(Cr Keith Williams/Cr Sharon Cadwallader)

That in respect to the submission from the Lennox Head Residents association that \$15,000 be allocated to Ross Park. Consideration is to be given to fencing the southern side of the park as part of this funding, or any other funding available.

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

**250615/16      RESOLVED**

(Cr Paul Worth/Cr Ben Smith)

That in response to the various submissions on the increased ferry fees,

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40 CHERRY STREET BALLINA,  
ON 25/06/15 AT 9.00 AM**

---

Council:

- a) investigate advertising for the ferry
- b) review the annual slippage for the 2016 calendar year due to the change in licensing requirements
- c) continue to investigate other efficiencies including changes to the cable wheel size
- d) defer any action on conducting an external leasing process for the operation of the Burns Point Ferry due to the large costs that would be incurred through external leasing (i.e. redundancies) and to allow further time to assess the efficiencies to be gained from items a) to c).

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

**250615/17      RESOLVED**

(Cr Ben Smith/Cr Sharon Cadwallader)

That based on the latest available information Council endorses the following amendments to the Long Term Financial Plan:

- a) Regional Library Contribution - draft budget reduced by \$15,000.
- b) Overheads - superannuation budget increased by \$60,000 and the oncost income (internal) is increased by \$60,000.
- c) Telephone System – budget of \$100,000 to install a new telephone system to be deleted due to the higher than anticipated cost of this project.
- d) Customer Service Team Leader- that the salary budget be increased by \$25,000 to enable the employment of a five day team leader position with this cost significantly offset by contributions from other self-funded areas.
- e) Hutley Drive – include a budget of \$75,000 funded from Section 94 monies (pre-plan and current plan) to allow preliminary project works to be undertaken on this project.
- f) Airport Boulevard – include a budget of \$50,000 funded from the Property Development Reserve to allow an approval to be sought for this project.
- g) Ferry Income – a reduction of \$25,000 in estimated income to reflect elasticity in demand for this service.

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

**250615/18      RESOLVED**



**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL  
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS  
40 CHERRY STREET BALLINA,  
ON 25/06/15 AT 9.00 AM**

(Cr Ben Smith/Cr Sharon Cadwallader)

That Council resolves to make a base rating structure for the levy of the 2015/16 Ordinary Rate as per the following structure.

Rate Category	Rate in Dollar (cents in \$)	Base Amount (\$)	% Income from Base Amount
Residential	0.180828	449.00	49.84
Business	0.711775	449.00	14.78
Farmland	0.143208	449.00	32.48
Mining	0.711775	449.00	00.00

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

**250615/19      RESOLVED**

(Cr Sharon Cadwallader/Cr Robyn Hordern)

That based on the late submissions received \$25,000 be allocated to Rotary Club of Ballina to stage the Coastal Country Music Festival.

FOR VOTE - Cr David Wright, Cr Sharon Cadwallader, Cr Susan Meehan, Cr Ken Johnston and Cr Robyn Hordern  
AGAINST VOTE - Cr Jeff Johnson, Cr Keith Williams, Cr Paul Worth and Cr Ben Smith  
ABSENT. DID NOT VOTE - Cr Keith Johnson

**250615/20      RESOLVED**

(Cr Keith Williams/Cr Sharon Cadwallader)

That Council adopts the proposed fees and charges for hire of the Lennox Head CWA Hall as outlined below, and that the Lennox Head CWA Hall be managed by and operated as part of the Lennox Community Centre from 1 July 2015.

Fee Name	Pricing Policy	2014/15	GST Y/N	2015/16	GL Code
<b>CWA Hall</b>					
Commercial hourly rate	A	N/A	Y	\$30	26082.8678.124
Commercial half daily rate (6 hrs)	A	N/A	Y	\$90	26082.8678.124
Commercial daily rate	A	N/A	Y	\$150	26082.8678.124
Community hourly rate	C	N/A	Y	\$12.50	26082.8678.124
Community half daily rate (6 hrs)	C	N/A	Y	\$35	26082.8678.124
Community daily rate	C	N/A	Y	\$65	26082.8678.124

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL  
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS  
40 CHERRY STREET BALLINA,  
ON 25/06/15 AT 9.00 AM**

**Existing CWA Hall Community Users**

*The existing community users rate will only apply to NFP, NGO or community groups who have existing regular booking agreements in place as of 1 July 2015. The regular community or commercial rate will apply for new or occasional customers*

Hourly rate	C	\$8	Y	\$8	26082.8678.124
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FOR VOTE - All Councillors voted unanimously.  
ABSENT. DID NOT VOTE - Cr Keith Johnson

**8. Development and Environmental Health Group Reports**

**8.2 DA 2015/204 - Alterations to Existing Residential Units**

**250615/21 RESOLVED**

(Cr Ben Smith/Cr Paul Worth)

That Development Application 2015/204 be **REFUSED** in that the proposed development:

1. Does not comply with the Floor Space Ratio (FSR) Development Standards and objectives contained within the Ballina Local Environmental Plan (BLEP) 2012
2. Does not comply with the planning controls contained within the Ballina Shire Development Control Plan (DCP) 2012
3. The development is not in the public interest.

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

AGAINST VOTE - Cr Jeff Johnson

ABSENT. DID NOT VOTE - Cr Keith Johnson

**8.3 Compliance Work Plan 2014/15**

**250615/22 RESOLVED**

(Cr Ben Smith/Cr Paul Worth)

That Council notes the contents of this report on the outcomes from the Compliance Work Plan for the 2014/15 financial year.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Keith Johnson

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL  
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS  
40 CHERRY STREET BALLINA,  
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---

**8.4 Compliance Work Plan 2015/16**

**250615/23      RESOLVED**

(Cr Ben Smith/Cr Sharon Cadwallader)

That Council endorses the proposed annual Compliance Work Plan for 2015/16 as detailed within this report.

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

**8.5 Development Consent Statistics - May 2015**

**250615/24      RESOLVED**

(Cr Paul Worth/Cr Jeff Johnson)

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

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

**8.6 Development Applications - Works in Progress - June 2015**

**250615/25      RESOLVED**

(Cr Paul Worth/Cr Jeff Johnson)

That Council notes the contents of the report on the status of outstanding development applications for June 2015.

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

**9. Strategic and Community Facilities Group Reports**

**9.1 LEP Amendment Request and Planning Proposals - Status Report**

**250615/26      RESOLVED**

(Cr Sharon Cadwallader/Cr Ben Smith)

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.

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL  
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS  
40 CHERRY STREET BALLINA,  
ON 25/06/15 AT 9.00 AM**

---

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

**9.2 Ballina Major Regional Centre Strategy - Public Exhibition**

**250615/27      RESOLVED**

(Cr Ben Smith/Cr Sharon Cadwallader)

That Council endorses the Ballina Major Regional Centre Strategy Community Engagement Package, as detailed within this report, for public exhibition for a period of at least six weeks.

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

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

**250615/28      RESOLVED**

(Cr Sharon Cadwallader/Cr Robyn Hordern)

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.

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

**10. General Manager's Group Reports**

**10.1 Use of Council Seal**

**250615/29      RESOLVED**

(Cr Paul Worth/Cr Sharon Cadwallader)

That Council affix the Common Seal to the following documents.

US 15/08	The Trust Company (Australia) Limited ACN 000 000 993 of C/- Clarence Property Corporation Limited requests Ballina Shire Council create a Positive Covenant in respect to Lot 234 in DP 1104071 Pacific Pines Estate Conservation Zone.
US 15/09	Essential Energy - Deed as to Transfer of Easement <ul style="list-style-type: none"><li>• Transfer granting easement for Lot 1 DP 1171927 (future extension of Ballina Heights Drive).</li></ul>

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL  
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS  
40 CHERRY STREET BALLINA,  
ON 25/06/15 AT 9.00 AM**

---

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

**10.2 Investment Summary - May 2015**

**250615/30      RESOLVED**

(Cr Paul Worth/Cr Sharon Cadwallader)

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

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

**10.3 Policy (Review) - Financial Planning**

**250615/31      RESOLVED**

(Cr Ben Smith/Cr Sharon Cadwallader)

That Council revoke the Financial Planning Policy, as attached to this report, as the policy has been superseded by a range of mandatory reporting on financial ratios.

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

AGAINST VOTE - Cr Jeff Johnson

ABSENT. DID NOT VOTE - Cr Keith Johnson

**10.4 Policy (New) - Concealed Water Leaks - Step Rate**

**250615/32      RESOLVED**

(Cr Paul Worth/Cr Susan Meehan)

1. That Council notes the contents of this report and endorses the current water billing structure, which does not provide financial relief or adjustment of water consumption charges for any water leak events (concealed or otherwise).

2. That Council undertake a comprehensive review of our water billing structure during the 2015/16 rating year, including consideration of the removal of the two step tariff structure, with the results reported to Council for consideration in time for any changes to be introduced for the 2016/17 rating year.

FOR VOTE - Cr David Wright, Cr Susan Meehan, Cr Paul Worth, Cr Robyn

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL  
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS  
40 CHERRY STREET BALLINA,  
ON 25/06/15 AT 9.00 AM**

---

Hordern and Cr Ben Smith  
AGAINST VOTE - Cr Jeff Johnson, Cr Sharon Cadwallader, Cr Keith Williams  
and Cr Ken Johnston  
ABSENT. DID NOT VOTE - Cr Keith Johnson

**10.6 Senior Staff - Contract Conditions**

**250615/33      RESOLVED**

(Cr Paul Worth/Cr Ben Smith)

That Council notes the contents of this report relating to the senior staff contracts.

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

**11. Civil Services Group Reports**

**11.1 Pedestrian Crossing Warrants Review - Ballina**

**250615/34      RESOLVED**

(Cr Ben Smith/Cr Jeff Johnson)

That Council take no further action for removal of the three designated pedestrian crossings due to the high percentage of elderly persons using these crossings.

FOR VOTE - Cr David Wright, Cr Jeff Johnson, Cr Sharon Cadwallader, Cr Keith Williams, Cr Robyn Hordern and Cr Ben Smith  
AGAINST VOTE - Cr Susan Meehan, Cr Ken Johnston and Cr Paul Worth  
ABSENT. DID NOT VOTE - Cr Keith Johnson

**13. Notices of Motion**

All motions had been dealt with earlier in the meeting.

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL  
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS  
40 CHERRY STREET BALLINA,  
ON 25/06/15 AT 9.00 AM**

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**14. Advisory Committee Minutes**

**14.1 Finance Committee Minutes - 23 June 2015**

**250615/35 RESOLVED**

(Cr Ben Smith/Cr Keith Williams)

That Council confirms the minutes of the Finance Committee meeting held 23 June 2015 and that the recommendations contained within the minutes be adopted.

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

AGAINST VOTE - Cr Sharon Cadwallader

ABSENT. DID NOT VOTE - Cr Keith Johnson

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

**15.1 Mayoral Meetings**

**250615/36 RESOLVED**

(Cr Ben Smith/Cr Susan Meehan)

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

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Keith Johnson

**16. Questions Without Notice**

**16.1 Cr Susan Meehan - Ballina Heights Playing Fields**

**Cr Susan Meehan** – When are Ballina Heights playing fields going to start being used?

John Truman to follow up.

**16.2 Cr Susan Meehan - Roadside Weeds**

**Cr Susan Meehan** – There are overgrown weeds on the roadside between Flat Rock Road and Sharpes Beach car park and lantana is overgrown at Lennox Point near top mown area. Can we get extra help to improve this area?

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL  
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS  
40 CHERRY STREET BALLINA,  
ON 25/06/15 AT 9.00 AM**

---

John Truman to investigate.

**16.3 Cr Ken Johnston - Trees on Nature Strip**

**Cr Ken Johnston** – A neighbour wants to plant trees on his nature strip, who does he contact at Council?

The contact is John Truman.

**16.4 Cr Paul Worth - Teven Road Interchange Roundabout**

**Cr Paul Worth** – Teven Road Interchange roundabout is very overgrown. Whose responsibility is it to maintain?

John Truman advised it has been handed over to Council to maintain.

**16.5 Cr Paul Worth - Rayners Lane Tables on Footpath**

**Cr Paul Worth** – There are a large number of tables on the footpath in front of the café in Rayners Lane, Lennox Head, have these been approved by Council?

Rod Willis to follow up.

**16.6 Cr Robyn Hordern - Skydiving at Kingsford Smith Park**

**Cr Robyn Hordern** – Why is there no longer skydiving at Kingsford Smith Park?

John Truman to follow up.

**16.7 Cr Robyn Hordern - River Street Timed Parking**

**Cr Robyn Hordern** – Has the 30 minutes timed parking been changed at the eastern end of River Street, opposite Woolworths?

John Truman to provide further information on the mix of times allowed in River Street.

**16.8 Cr Robyn Hordern – Moon Street Paving**

**Cr Robyn Hordern** – How long will it take to finish the Moon Street paving?

John Truman to follow up.



**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL  
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS  
40 CHERRY STREET BALLINA,  
ON 25/06/15 AT 9.00 AM**

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**17. Confidential Session**

**250615/37 RESOLVED**

(Cr Robyn Hordern/Cr Keith Williams)

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.

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

(The Council moved into Confidential Session at 3.34 pm).

**Open Council**

**250615/38 RESOLVED**

(Cr Sharon Cadwallader/Cr Robyn Hordern)

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

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

(The Council moved into Open Council at 3.35 pm).

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

**17.1 Senior Staff - Confidential Contract Conditions**

**CF250615/39 RECOMMENDED**

(Cr Robyn Hordern/Cr Sharon Cadwallader)

That Council notes the contents of the annual report in respect to the employment conditions of senior staff as required by Section 339 of the Local Government Act.

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

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL  
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS  
40 CHERRY STREET BALLINA,  
ON 25/06/15 AT 9.00 AM**

---

**Adoption of Recommendations from Confidential Session**

**250615/40      RESOLVED**

(Cr Sharon Cadwallader/Cr Ben Smith)

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

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Keith Johnson

**MEETING CLOSURE**

3.37pm

The Minutes of the Ordinary Meeting held on 25/06/15 were submitted for confirmation by council on 23 July 2015 and amendments (if any) are contained in the confirming resolution. Such Minutes were signed by the Mayor at the meeting on 23 July 2015.