

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS
40 CHERRY STREET BALLINA,
ON 28/03/19 AT 9.00 AM**

Attendance

Crs David Wright (Mayor - in the chair), Phillip Meehan, Sharon Parry, Jeff Johnson, Eoin Johnston, Stephen McCarthy, Nathan Willis (arrived at 9.04 am), Keith Williams, Sharon Cadwallader and Ben Smith.

Paul Hickey (General Manager), John Truman (Director Civil Services Division), Matthew Wood (Director Planning and Environmental Health Division) and Sandra Bailey (Secretary) were in attendance.

There were 12 people in the gallery at this time.

1. Australian National Anthem

The National Anthem was performed by Sing Australia.

2. Acknowledgement of Country

In opening the meeting the Mayor provided an Acknowledgement of Country.

Cr Nathan Willis arrived at the meeting at 9.04 am

3. Apologies

Nil

4. Confirmation of Minutes

280319/1 RESOLVED

(Cr Sharon Cadwallader/Cr Sharon Parry)

That Council confirms the Minutes of the Ordinary Meeting of Ballina Shire Council held on Thursday 28 February 2019.

FOR VOTE - All Councillors voted unanimously.

5. Declarations of Interest and Reportable Political Donations

- **Cr Sharon Parry** – declared an interest in Item 12.1 – Rescission Motion – Notice of Motion – Boral Plant, Gap Road, Alstonville. (Nature of Interest: non significant, non pecuniary – she lives in the area surrounding the Plant). She will be remaining in the meeting while the matter is discussed and voting on the matter.

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- **Cr Sharon Cadwallader** – declared an interest in Item 12.1 - Rescission Motion – Notice of Motion – Boral Plant, Gap Road, Alstonville. (Nature of Interest: non significant, non pecuniary – her daughter has recently moved into the vicinity in question). She will be remaining in the meeting while the matter is discussed and voting on the matter.
- **Cr Nathan Willis** – declared an interest in Item 9.4 – Donations – Assistance with Council Fees for Community Groups. (Nature of Interest: significant pecuniary – he receives referrals for his work from St Vincent de Paul). He will be departing the meeting while the matter is discussed.
- **Cr Eoin Johnston** – declared an interest in Item 9.4 – Donations – Assistance with Council Fees for Community Groups. (Nature of Interest: non significant, non pecuniary – he is a life member of the Ballina Rugby Club). He will be remaining in the meeting while the matter is discussed and voting on the matter.
- **Cr Eoin Johnston** – declared an interest in Item 12.1 - Rescission Motion – Notice of Motion – Boral Plant, Gap Road, Alstonville. (Nature of Interest: non significant, non pecuniary – he has a family member who lives in the vicinity). He will be remaining in the meeting while the matter is discussed and voting on the matter.
- **Cr Sharon Cadwallader** – later in the meeting declared an interest in Item 13.2 – Finance Committee Minutes – 20 March 2019 and in particular to Item 4.11 of those minutes – Water Pricing Structure. (Nature of Interest: she is the owner of a property affected by extra water charges for additional tenements). She left the meeting while the matter was discussed.

There were no reportable political donations.

6. Deputations

- **Erin Abbott** – spoke in favour of Item 10.1 – Wollongbar – Alstonville – Skate Park Site Options.
- **Marilyn Perkins, Wollongbar Progress Association** – spoke in opposition to Item 10.1 – Wollongbar – Alstonville – Skate Park Site Options.
- **Pam Dunn** – spoke in favour of Item 12.2 – Notice of Motion – Ballina Ocean Pool.
- **Meg Pickup** - spoke in favour of Item 12.3 – Notice of Motion - Naming of Beach at Shaws Bay.
- **Kelly Bannister** – spoke in favour of Item 12.4 – Notice of Motion – Dementia Friendly Community.

7. Mayoral Minutes

Nil

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10.1 Wollongbar - Alstonville - Skate Park Site Options

A **Motion** was moved by Cr Phillip Meehan and seconded by Cr Jeff Johnson

That Council approves a public exhibition process to seek community feedback on the draft concept design for the district park at Plateau Drive, as per Attachment 1, inclusive of the proposed skate park.

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

1. That Council approves a public exhibition process to seek community feedback on the draft concept design for the district park at Plateau Drive, as per Attachment 1, inclusive of the proposed skate park.
2. That Council seek a further report assessing in more detail the feasibility of developing a skate park at Geoff Watt Oval.

A **Motion** was moved by Cr Cadwallader

That the Amendment be put to the vote.

The **Motion** to put the Amendment to the vote was **LOST**.

FOR VOTE - Cr Sharon Parry, Cr Eoin Johnston and Cr Sharon Cadwallader
AGAINST VOTE - Cr David Wright, Cr Phillip Meehan, Cr Jeff Johnson, Cr Stephen McCarthy, Cr Nathan Willis, Cr Keith Williams and Cr Ben Smith

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

FOR VOTE - Cr Sharon Parry, Cr Eoin Johnston, Cr Nathan Willis, Cr Keith Williams and Cr Sharon Cadwallader
AGAINST VOTE - Cr David Wright, Cr Phillip Meehan, Cr Jeff Johnson, Cr Stephen McCarthy and Cr Ben Smith and the casting vote of the Mayor

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

FOR VOTE - Cr David Wright, Cr Phillip Meehan, Cr Sharon Parry, Cr Jeff Johnson, Cr Stephen McCarthy, Cr Nathan Willis, Cr Keith Williams, Cr Sharon Cadwallader and Cr Ben Smith
AGAINST VOTE - Cr Eoin Johnston

280319/2 RESOLVED

(Cr Phillip Meehan/Cr Jeff Johnson)

That Council approves a public exhibition process to seek community feedback on the draft concept design for the district park at Plateau Drive, as per Attachment 1, inclusive of the proposed skate park.

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FOR VOTE - Cr David Wright, Cr Phillip Meehan, Cr Sharon Parry, Cr Jeff Johnson, Cr Stephen McCarthy, Cr Nathan Willis, Cr Keith Williams, Cr Sharon Cadwallader and Cr Ben Smith
AGAINST VOTE - Cr Eoin Johnston

12.2 Notice of Motion - Ballina Ocean Pool

280319/3 RESOLVED

(Cr Phillip Meehan/Cr Sharon Cadwallader)

That Council, as part of the May 2019 Ordinary meeting, receive an update report on the development of the planning application for Ballina Ocean Pool. The report should include information on the issue of Native Title, design and engineering plans, the use of and balance of the \$50,000 preliminary works grant, together with an overview of other necessary components of the application.

FOR VOTE - Cr David Wright, Cr Phillip Meehan, Cr Sharon Parry, Cr Eoin Johnston, Cr Stephen McCarthy, Cr Sharon Cadwallader and Cr Ben Smith
AGAINST VOTE - Cr Jeff Johnson, Cr Nathan Willis and Cr Keith Williams

12.3 Notice of Motion - Naming of Beach at Shaws Bay

280319/4 RESOLVED

(Cr Sharon Cadwallader/Cr Keith Williams)

1. That Council invite submissions for the naming of the small beach area to the immediate east of the northern end of Missingham Bridge.
2. That Council actively engage with our Indigenous community in relation to an Indigenous name appropriate to the area.
3. That once submissions are closed Council receive a report on the preferred option for Council endorsement.

FOR VOTE - All Councillors voted unanimously.

12.4 Notice of Motion - Dementia Friendly Community

280319/5 RESOLVED

(Cr Sharon Cadwallader/Cr Ben Smith)

That Council receive a report on the strategies and actions we can put in place to be defined as a Dementia Friendly Community.

FOR VOTE - All Councillors voted unanimously.

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Adjournment

The Mayor declared the meeting adjourned at 11.04 am

The meeting resumed at 11.24 am

Cr Keith Williams was not in attendance at this stage.

8. Planning and Environmental Health Division Reports

8.1 Land Acquisition - Healthy Waterways Program

280319/6 RESOLVED

(Cr Ben Smith/Cr Sharon Cadwallader)

That Council notes that a confidential report has been included in this agenda in respect to a strategic land purchase for Council's Healthy Waterways Program.

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

8.2 Development Applications - Works in Progress - March 2019

280319/7 RESOLVED

(Cr Ben Smith/Cr Sharon Cadwallader)

That Council notes the contents of the report on the status of outstanding development applications for March 2019.

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

8.3 Development Applications – Variation to Development Standards

280319/8 RESOLVED

(Cr Ben Smith/Cr Sharon Cadwallader)

That Council notes that there have been two applications approved under delegation for variations to development standards of 10% or less for January – March 2019.

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

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9. Corporate and Community Division Reports

9.1 Investment Summary - February 2019

280319/9 RESOLVED

(Cr Sharon Cadwallader/Cr Ben Smith)

That Council notes the record of banking and investments for February 2019.

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

Cr Keith Williams returned to the meeting at 11:27 am.

9.2 Australia Day 2020

280319/10 RESOLVED

(Cr Sharon Cadwallader/Cr Nathan Willis)

1. That Council confirms the Ballina Shire Australia Day Award Categories for 2020 are as follows:

- Young Citizen of the Year
- Senior Citizen of the Year
- Volunteer of the Year
- Sporting Achievement Award
- Arts and Culture Award
- Community Event of the Year
- Citizen of the Year (as determined by Council)
- Environmental Award

2. The Ballina Shire Australia Day 2020 ceremony venue is to be either the Lennox Head Community Centre or the Ballina Indoor Sports Centre, to be determined by the General Manager, pending the completion timeframe for the Lennox Head Community Centre upgrade.

FOR VOTE - All Councillors voted unanimously.

9.3 Donations - Australian Representation

280319/11 RESOLVED

(Cr Nathan Willis/Cr Sharon Cadwallader)

That Council approves the request from Ms Jan Saul for a donation of \$246 towards the cost of Australian selection as per Council's Donations - Australian Representation Policy.

FOR VOTE - All Councillors voted unanimously.

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Cr Nathan Willis declared an interest in Item 9.4 and left the meeting at 11:36 am.

9.4 Donations - Assistance with Council Fees for Community Groups

280319/12 RESOLVED

(Cr Sharon Cadwallader/Cr Ben Smith)

1. That Council approves the reimbursement of Council processing fees of \$2,593.21 relating to DA 2018/153 for the Ballina Rugby Club Inc., as per the attached request.
2. That Council does not approve the reimbursement of the Council processing fees relating to DA 2018/467 for the St Vincent de Paul Society NSW, as per the attached request, as the proposed works are not on Council owned or controlled land and therefore inconsistent with the Donations – Assistance with Council Fees for Community Groups Policy.
3. That Council approves the waiver of the Council developer contributions relating to DA 2018/467, totalling \$5,046.96, for the St Vincent de Paul Society NSW, as per the attached request, as this request is consistent with the Developer Contribution Plans, as the organisation is for not for profit.
4. That Council write to Rous County Council seeking their support to waive the contributions payable by St Vincent de Paul Society NSW to the Rous Water Contributions Plan with the total amount being \$3,864.60

FOR VOTE - All Councillors voted unanimously.
ABSENT. DID NOT VOTE - Cr Nathan Willis

Cr Nathan Willis returned to the meeting at 11:39 am.

9.5 Policy (Review) - Code of Meeting Practice - Adoption

280319/13 RESOLVED

(Cr Ben Smith/Cr Sharon Parry)

That Council adopts the draft Code of Meeting Practice, as per Attachment 1, as exhibited, subject to the inclusion of the Public Question Time guidelines in Part 4, as per Council's existing Code of Meeting Practice, with the meeting to be adjourned during Public Question Time.

FOR VOTE - All Councillors voted unanimously.

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10. Civil Services Division Reports

10.2 Tender - Boeing Avenue and Airport Boulevard - Earthworks and Fill

280319/14 RESOLVED

(Cr Sharon Cadwallader/Cr Keith Williams)

1. That Council, in accordance with the *Local Government (General) Regulation 2005 Section 178 (1)(b)*, declines to accept any tenders for the *Construction of Bulk Earthworks, Drainage & Associated Components at Southern Cross Industrial Estate Stage 2 (Site A) and Airport Boulevard (Site B)*.
2. That Council, in accordance with the *Local Government (General) Regulation 2005 Section 178 (3)(e)* authorises the General Manager to enter into negotiations with CD Excavations with a view to entering into a contract.
3. That in accordance with the *Local Government (General) Regulation 2005 Section 178(4)(a)* the Council records the following reasons for declining to invite fresh tenders:
 - the tenders were completed using preliminary design documentation
 - detailed design for construction certificate approval has varied the construction schedule quantities, the tender schedule rates may still apply
 - ecological (wallum Froglet) protection plans have required additional construction schedule items, these costs may be negotiated with a contractor
 - retendering exposes Council and the market to unnecessary cost and inconvenience
 - pricing and other terms are expected to remain in accordance with the tender schedule costs
 - it is expected Council will be able to execute a contract on terms generally very consistent with the original tenders
 - the preferred tenderer has submitted pricing that is the most competitive for the project
 - it is unlikely retendering would result in a better advantage for Council.
4. That in accordance with the *Local Government (General) Regulation 2005 Section 178(4)(b)* the Council records it has determined to enter negotiations with CD Excavations as they are the preferred tenderer following assessment against the mandatory and weighted evaluation criteria established for this tender, as per the confidential information provided to Councillors.

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5. That, upon the conclusion of any successful negotiations, Council authorises the General Manager to execute and affix the Council seal to the relevant contract documents.

FOR VOTE - All Councillors voted unanimously.

12. Notices of Motion

12.1 Rescission Motion - Notice of Motion - Boral Plant, Gap Road Alstonville

A **Motion** was moved by Cr Eoin Johnston and seconded by Cr Sharon Parry

That Resolution 280219/6, as follows, be rescinded:

Notice of Motion - Boral Plant, Gap Road Alstonville

That Council convene a meeting with Boral to determine an exit strategy and/or options to improve the current operating conditions to the benefit of local residents.

A **Motion** was moved by Cr Ben Smith

That the Motion be put to the vote.

The **Motion** to put the Motion to the vote was **CARRIED**.

FOR VOTE - Cr David Wright, Cr Sharon Parry, Cr Jeff Johnson, Cr Eoin Johnston, Cr Stephen McCarthy, Cr Nathan Willis, Cr Keith Williams, Cr Sharon Cadwallader and Cr Ben Smith

AGAINST VOTE - Cr Phillip Meehan

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

FOR VOTE - Cr Sharon Parry, Cr Eoin Johnston, Cr Stephen McCarthy, Cr Nathan Willis, Cr Keith Williams and Cr Sharon Cadwallader

AGAINST VOTE - Cr David Wright, Cr Phillip Meehan, Cr Jeff Johnson and Cr Ben Smith

280319/15 RESOLVED

(Cr Eoin Johnston/Cr Sharon Parry)

That Resolution 280219/6, as follows, be rescinded:

Notice of Motion - Boral Plant, Gap Road Alstonville

That Council convene a meeting with Boral to determine an exit strategy and/or options to improve the current operating conditions to the benefit of local residents.

FOR VOTE - Cr Sharon Parry, Cr Eoin Johnston, Cr Stephen McCarthy, Cr Nathan Willis, Cr Keith Williams and Cr Sharon Cadwallader

AGAINST VOTE - Cr David Wright, Cr Phillip Meehan, Cr Jeff Johnson and Cr Ben Smith

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Adjournment

The Mayor declared the meeting adjourned at 12.23 pm

The meeting resumed at 12.25 pm

12.1 Rescission Motion - Notice of Motion - Boral Plant, Gap Road Alstonville

A **Motion** was moved by Cr Eoin Johnston and seconded by Cr Nathan Willis

1. With respect to the uncertainty and conflict of views surrounding the effects, if any, that noise and air pollutants, emanating from the Boral hot mix plant on Gap Road, Alstonville, may have on surrounding residential properties, that Council take immediate action to obtain accurate and impartial data.
2. That Council engage an independent contractor to obtain accurate and impartial data on noise and air pollutants with information to be forwarded to the EPA, with funds expended not to exceed income received from Boral for the leasing of the plant and Council write to the State Government seeking reimbursement for the costs incurred.
3. That Council initiate discussions with Boral Senior Management pertaining to a potential exit strategy from the five year lease option and/or options to improve the current operating conditions to the benefit of local residents, such as relocation to an Industrial Estate.

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

1. With respect to the noise and odours emanating from the Boral hot mix plant on Gap Road, Alstonville, that Council take immediate action to obtain accurate and impartial data related to these matters.
2. That Council engage an independent contractor to obtain accurate and impartial data on noise and air pollutants with information to be forwarded to the EPA, with funds expended not to exceed income received from Boral for the leasing of the plant and Council write to the State Government seeking reimbursement for the costs incurred.
3. That Council initiate discussions with Boral Senior Management pertaining to an exit strategy from the five year lease option and/or options to improve the current operating conditions to the benefit of local residents, such as relocation to an Industrial Estate or location away from any residential area.

The **Amendment LAPSED.**

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

1. With respect to the uncertainty and conflict of views surrounding the effects, if any, that noise and air pollutants, emanating from the Boral hot mix plant on Gap Road, Alstonville, may have on surrounding residential properties, that Council take immediate action to obtain accurate and impartial data.
2. That Council engage an independent contractor to obtain accurate and impartial data on noise and air pollutants with information to be forwarded to the EPA, with funds expended not to exceed income received from Boral for the leasing of the plant and Council write to the State Government seeking reimbursement for the costs incurred.
3. That Council initiate discussions with Boral Senior Management pertaining to a potential exit strategy from the five year lease option and/or options to improve the current operating conditions to the benefit of local residents, such as relocation to an Industrial Estate.
- 4., That the action involving the independent testing is deferred until the meeting with the EPA has occurred.

The **Amendment LAPSED.**

A **Motion** was moved by Cr Sharon Parry

That the Motion be put to the vote.

The **Motion** to put the Motion to the vote was **CARRIED.**

FOR VOTE - Cr Sharon Parry, Cr Jeff Johnson, Cr Eoin Johnston, Cr Stephen McCarthy, Cr Nathan Willis, Cr Keith Williams and Cr Sharon Cadwallader

AGAINST VOTE - Cr David Wright, Cr Phillip Meehan and Cr Ben Smith

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

FOR VOTE - Cr Sharon Parry, Cr Jeff Johnson, Cr Eoin Johnston, Cr Stephen McCarthy, Cr Nathan Willis, Cr Keith Williams and Cr Sharon Cadwallader

AGAINST VOTE - Cr David Wright, Cr Phillip Meehan and Cr Ben Smith

280319/16 RESOLVED

(Cr Eoin Johnston/Cr Nathan Willis)

1. With respect to the uncertainty and conflict of views surrounding the effects, if any, that noise and air pollutants, emanating from the Boral hot mix plant on Gap Road, Alstonville, may have on surrounding residential properties, that Council take immediate action to obtain accurate and impartial data.

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2. That Council engage an independent contractor to obtain accurate and impartial data on noise and air pollutants with information to be forwarded to the EPA, with funds expended not to exceed income received from Boral for the leasing of the plant and Council write to the State Government seeking reimbursement for the costs incurred.
3. That Council initiate discussions with Boral Senior Management pertaining to a potential exit strategy from the five year lease option and/or options to improve the current operating conditions to the benefit of local residents, such as relocation to an Industrial Estate.

FOR VOTE - Cr Sharon Parry, Cr Jeff Johnson, Cr Eoin Johnston, Cr Stephen McCarthy, Cr Nathan Willis, Cr Keith Williams and Cr Sharon Cadwallader

AGAINST VOTE - Cr David Wright, Cr Phillip Meehan and Cr Ben Smith

13. Advisory Committee Minutes

13.1 Commercial Services Committee Minutes - 11 March 2019

280319/17 RESOLVED

(Cr Sharon Cadwallader/Cr Sharon Parry)

That Council confirms the minutes of the Commercial Services Committee meeting held 11 March 2019 and that the recommendations contained within the minutes be adopted.

FOR VOTE - Cr David Wright, Cr Phillip Meehan, Cr Sharon Parry, Cr Eoin Johnston, Cr Stephen McCarthy, Cr Nathan Willis, Cr Keith Williams, Cr Sharon Cadwallader and Cr Ben Smith

AGAINST VOTE - Cr Jeff Johnson

13.2 Finance Committee Minutes - 20 March 2019

280319/18 RESOLVED

(Cr Nathan Willis/Cr Keith Williams)

That Council confirms the minutes of the Finance Committee meeting held 20 March 2019 and that the recommendations contained within the minutes be adopted, with an exception to Item 4.2 – Economic Development and Business Support and Item 4.11 – Water Pricing Structure, which shall be dealt with separately.

FOR VOTE - Cr David Wright, Cr Sharon Parry, Cr Eoin Johnston, Cr Stephen McCarthy, Cr Nathan Willis, Cr Keith Williams and Cr Sharon Cadwallader

AGAINST VOTE - Cr Phillip Meehan, Cr Jeff Johnson and Cr Ben Smith

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4.2 Economic Development and Business Support

280319/19 RESOLVED

(Cr Nathan Willis/Cr Keith Williams)

That Council receive a briefing on our current Economic Development Strategy and the outstanding actions to date.

FOR VOTE - All Councillors voted unanimously.

Cr Sharon Cadwallader – at this stage declared an interest in Item 4.11 – Water Pricing Structure. (Nature of Interest: she is the owner of a property affected by extra water charges for additional tenements). She left the meeting at 12.50 pm.

4.11 Water Pricing Structure

A **Motion** was moved by Cr Phillip Meehan

1. That in respect to water access charges for 2019/20, Council confirms the implementation of the second phase of the access charge being applied in full to multi tenement properties.
2. The draft water access charges for the exhibition of the draft 2019/20 Operational Plan are to remain the same as the 2018/19 charges, to recognise that Council will generate additional income though the change in point one.
3. That Council supports, in principle, the removal of the two-step pricing structure for water consumption, by adopting a staged approach whereby the current 50% premium will be reduced to nil over a period of years (i.e. 10% reduction – 40%, 30%, 20%, 10%). That Council receive a report to the April 2019 Finance Committee outlining the preferred approach to implementing and funding this change in pricing structure.
4. That Council continue to monitor the balance of water income received from annual charges and consumption charges with the long term objective being to achieve 75% or more of the total income from these two sources from consumption charges, as per the State Government's best practice guidelines.

The **Motion LAPSED.**

280319/20 RESOLVED

(Cr Ben Smith/Cr Sharon Parry)

1. That in respect to water access charges for 2019/20, Council confirms the implementation of the second phase of the access charge being applied in full to multi tenement properties.

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2. The draft water access charges for the exhibition of the draft 2019/20 Operational Plan are to remain the same as the 2018/19 charges, to recognise that Council will generate additional income though the change in point one.
3. That for the exhibition of the draft 2019/20 Operational Plan, Council retain the existing consumption charging structure, based on a 50% premium to Step 1 for any consumption over 350 kilolitres per annum, based on a 2.7% increase.
4. That Council continue to monitor the balance of water income received from annual charges and consumption charges with the long term objective being to achieve 75% or more of the total income from these two sources from consumption charges, as per the State Government's best practice guidelines.

FOR VOTE - All Councillors voted unanimously.
ABSENT. DID NOT VOTE - Cr Sharon Cadwallader

Cr Sharon Cadwallader returned to the meeting at 12:52 pm.

11. Public Question Time

11.1 Street Lighting - Tamarind Drive and Deadmans Creek Road

Anne Marchment – why is there no light at the Tamarind Drive and Deadmans Creek Road intersection?

John Truman advised that Council's view has been to prioritise its resources to other projects within the Shire and referenced a report to the last Ordinary meeting of Council.

11.2 Assistance for People on Lower Incomes

Able Knight – what projections are you making for the lower income people – do you have a plan moving forward?

Paul Hickey advised that Ballina Shire has the some of the lowest rates and charges in the region, water and sewer charges are comparable to other areas and we try to make land affordable.

11.3 Street Lighting - Tamarind Drive and Deadmans Creek Road

Georgina Clutten – there are two lights at the intersection at Summerhill Crescent and no light at Tamarind Drive and Deadmans Creek Road.

John Truman advised that this matter was reported to the last Ordinary meeting and the elected Council decided to maintain the status quo.

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11.4 Requests for Mowing

Laurie Marchment – in relation to grass growing – who can I contact in order to get the grass mown?

John Truman advised that the report referred to in Council's last meeting identified service levels for mowing in the precinct Mr Marchment refers to. Residents are also able to report matters to our customer service staff.

11.5 Letter to the Editor

John Bout – question to the General Manager - does it bother you that an outsider from Western Australia made a negative comment in the Advocate Editorial about Ballina Shire Council?

Paul Hickey advised that whenever anybody criticises Council he is concerned but also realises we can't please everyone.

11.6 Councillors

Anne Marchment – how many Councillors live at Cumbalum?

The Mayor advised none.

11.7 Government Services

Able Knight – he is having difficulty accessing Government services. Who can he go to so that his concerns can be heard?

Paul Hickey suggested that he set up a meeting with the Mayor. We will obtain his contact details.

11.8 Side Mowing

Georgina Clutten – question to John Truman - did you write that while side mowing improves vision it is not a design requirement?

John Truman advised that we use Ausroads guidelines – he was not sure how old the guidelines were but they are the current guidelines.

11.9 Street Lighting - Tamarind Drive and Deadmans Creek Road

Anne Marchment – how soon will a light be constructed there or do we have to wait for an accident?

Paul Hickey advised that the 10 April Finance Committee Council will review its four year priority for street lighting. It will be a matter for Councillors to adopt that location as a priority if they wish.

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11.10 Assistance for Unemployed

Able Knight – lower income people – he has an idea about interaction with unemployed people – are there any plans to interact with unemployed people to obtain employment?

Paul Hickey advised that from a human resource perspective we are always looking at opportunities to assist. We have many trainees and apprentices and a regional works crew. Confirmed this matter could be raised at the meeting with the Mayor.

11.11 Risk Assessment

John Bout – read from some minutes from 30 November 2016 – Item 2.4 . Can you confirm why I haven't received that risk assessment as it says I have?

Paul Hickey advised that he has reviewed Mr Bout's correspondence and the risk assessment referred to had been included with correspondence to Mr Bout. Council would be further confirming that with another follow up letter to Mr Bout today.

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

14.1 Cr Sharon Parry - International Women's Day Lunch

280319/21 RESOLVED

(Cr Sharon Parry/Cr Nathan Willis)

That Council notes the contents of the report from Cr Parry on her attendance at the 2019 International Women's Day Lunch on 8 March 2019.

FOR VOTE - All Councillors voted unanimously.

14.2 Mayoral Meetings

280319/22 RESOLVED

(Cr Ben Smith/Cr Nathan Willis)

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

FOR VOTE - All Councillors voted unanimously.

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One Minute's Silence

280319/23 RESOLVED

(Cr Sharon Cadwallader/Cr Keith Williams)

That Council observe a one minute's silence in remembrance of the victims and families of the recent Christchurch tragedy.

FOR VOTE - All Councillors voted unanimously.

15. Confidential Session

280319/24 RESOLVED

(Cr Sharon Cadwallader/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.

15.1 Land Acquisition - Healthy Waterways Program

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 the release of that information may adversely influence the market for the proposed land acquisition.

FOR VOTE - All Councillors voted unanimously.

(The Council moved into Confidential Session at 1.12 pm).

Cr Jeff Johnson was not in attendance at this stage.

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS
40 CHERRY STREET BALLINA,
ON 28/03/19 AT 9.00 AM**

Open Council

280319/25 RESOLVED

(Cr Sharon Cadwallader/Cr Nathan Willis)

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

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

(The Council moved into Open Council at 1.28 pm).

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

15.1 Land Acquisition - Healthy Waterways Program

CF280319/1 RECOMMENDED

(Cr Sharon Cadwallader/Cr Sharon Parry)

1. That Council authorises the General Manager to take the necessary steps to acquire the land the subject of this report consistent with the price parameters set out in this report.
2. That Council authorises the Council seal to be attached to any contracts associated with this acquisition.

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

Adoption of Recommendations from Confidential Session

280319/26 RESOLVED

(Cr Keith Williams/Cr Nathan Willis)

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

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

MEETING CLOSURE

1.28 pm

The Minutes of the Ordinary Meeting held on 28/03/19 were submitted for confirmation by council on 24 April 2019 and amendments (if any) are contained in the confirming resolution. Such Minutes were signed by the Mayor at the meeting on 24 April 2019.