

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL
HELD IN THE COUNCIL CHAMBERS, BALLINA, ON
24/02/11 AT 9.00 AM**

Attendance

Cr P W Silver (Mayor - in the chair), S L Cadwallader, B C Smith, K H Johnson, P J Moore, R A Hordern, D E Wright, J L Johnson and S M Meehan.

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

There were 55 people in the gallery at this time.

1. Australian National Anthem

The National Anthem was performed by Empire Vale 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

An apology was received from Cr Alan Brown.

240211/ 1 RESOLVED

(Cr David Wright/Cr Keith Johnson)

That such apology be accepted.

Council held one minute silence for the victims of the Christchurch NZ Earthquake.

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

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4. Confirmation of Minutes

240211/ 2 RESOLVED

(Cr Sharon Cadwallader /Cr Susan Meehan)

That Council confirms the Minutes of the Ordinary Meeting of Ballina Shire Council held on Thursday 27 January 2011.

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

5. Declarations of Interest and Reportable Political Donations

- **Cr Meehan** – declared an interest in Item 9.1 – Site Options – Proposed Aboriginal Child and Family Centre. (Nature of Interest: non significant, non pecuniary – she owns a home in the vicinity and works with a member of the Local Reference Group). She will be remaining in the meeting while the matter is discussed and voting on the matter.
- **Cr Silver** – declared an interest in Item 9.4 – Community Land – Reclassification to Operational. (Nature of Interest: pecuniary – he owns land adjacent to one of the parcels of land mentioned in the report [Commercial Road Public Car Park, Alstonville]). He will be departing the meeting while the matter is discussed.
- **Cr Moore** – later in the meeting declared an interest in Item 9.2 - West Ballina – Planning Study and Structure Plan. (Nature of Interest: non pecuniary – perceived conflict of interest regarding a former friendship with one of the proponents for possible development of one or more of the landholdings identified in the Structure Plan). He departed the meeting while the matter was discussed.

There were no reportable political donations.

6. Deputations

- **Ken Johnston** - spoke in opposition to Item 9.1 - Site Options - Proposed Aboriginal Child and Family Centre.
- **Mike Svikis, GHD/Gary Couch** – spoke in opposition to the recommendation in Item 8.2 – DA 2010/723 – Goat Island.
- **Sonja Stewart/Lenkunyar Roberts** – spoke in favour of Item 9.1 - Site Options - Proposed Aboriginal Child and Family Centre.

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240211/ 3 RESOLVED

(Cr Susan Meehan/Cr Sharon Cadwallader)

That the deputation from Sonja Stewart be granted an extension of time.

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

- **Mia Spain** – spoke in opposition to Item 8.1 – DA 1996/29 and 1996/30 – Increase in Extraction Rates – Quarries.
- **Mia Spain** – spoke in relation to Item 9.4 – Community Land – Reclassification to Operational and in particular in relation to Lot 5 DP 843369, Old Bagotville Road, Wardell.
- **Craig Long** – spoke in favour of Item 8.1 – DA 1996/29 and 1996/30 – Increase in Extraction Rates – Quarries.
- **Steve O’Neill** – spoke in favour of Item 8.3 – DA 2010/945 – Lennox Head Cricket Club.

7. Mayoral Minutes

Nil items

8. Regulatory Services Group Reports

9.1 Site Options - Proposed Aboriginal Child and Family Centre

240211/ 4 RESOLVED

(Cr Keith Johnson/Cr David Wright)

1. That Council prepare an amendment to the Ballina Shire Generic Plan of Management for Community Land that would have the effect of changing the categorization of part of Porter Park in West Ballina from “Sportsground” to “General Community Use”.
2. The purpose of the amendment is to facilitate the establishment of the proposed Aboriginal Child and Family Centre as provided for under the Federal and State Government “Closing the Gap” initiatives. The section of the park to be re categorized contains an area of approximately 3,800m² within the north-eastern corner of the reserve, as per the attached concept plan.
3. That following exhibition of the proposed amendment for public comment, including the associated public hearing, this matter be brought back to Council for determination.

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4. The purpose of approving the exhibition is to allow a structured consultation process to occur, as no formal Council consultation process has occurred to date, with the entire community.
5. In approving the exhibition of the proposed amendment Council wishes to emphasise that this does not provide a commitment that the land will be re-categorised as the outcomes from the consultation process will be reported back to Council for further consideration.
6. That Council authorises the Mayor and General Manager to hold discussions with the NSW State Government regarding Council's concerns and disappointment that our local community is being asked to provide land to a State and Federal Government project, without any compensation being provided back to Council.

FOR VOTE - Cr Silver, Cr K Johnson, Cr Smith, Cr Moore, Cr Hordern, Cr Wright, Cr Meehan

AGAINST VOTE - Cr Cadwallader, Cr J Johnson

ABSENT. DID NOT VOTE - Cr Brown

8.1 DA 1996/29 and 1996/30 - Increase in Extraction Rates - Quarries

File Reference	DA 1996/29 & DA 1996/30
Applicant	Ardill Payne and Partners
Property	DA 1996/29 Lot 3 DP 619233 Old Bagotville Road Bagotville DA 1996/30 Lot 1 DP 787102 Old Bagotville Road Bagotville
Proposal	Section 96(2) application to amend DA 1996/29 by increasing the annual maximum rate of extraction from 50,000 tonnes per annum to 150,000 tonnes per annum. Section 96(2) application to amend DA 1996/30 by increasing the annual maximum rate of extraction from 56,000 tonnes per annum to 150,000 tonnes per annum.

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Effect of Planning Instrument Lot 3 DP 619233 (DA 1996/29) is zoned 1(e) Rural (Extractive and Mineral Resources) under the provisions of the Ballina LEP 1987.

Lot 1 DP 787102 (DA 1996/30) is partly zoned 1(b) Rural (Secondary Agricultural Land) & partly zoned 1(e) Rural (Extractive and Mineral Resources) under the provisions of the Ballina LEP 1987.

240211/ 5 RESOLVED

(Cr David Wright/Cr Sharon Cadwallader)

That this application be deferred so that issues raised by the Environmental Defender's Office can be considered, along with the additional community concerns.

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

8.2 DA 2010/723 - Goat Island

File Reference DA 2010/723

Applicant Gary & Mary Couch

Property Lot 245 in DP 755691 comprising Goat Island

Proposal Erection of a dwelling house

Effect of Planning Instrument The land is zoned part 1(b) – Rural (Secondary Agricultural Land) and part 7(a) – Environmental Protection (Wetlands) under the provisions of the Ballina LEP

240211/ 6 RESOLVED

(Cr Sharon Cadwallader /Cr Robyn Hordern)

That the determination of development application 2010/723 to undertake the erection of a dwelling house on Lot 245 DP 755691, Goat Island, be deferred to allow Council to consider whether or not Council can be indemnified in respect to flooding as part of the development consent conditions. The application to be resubmitted to the March Ordinary meeting.

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FOR VOTE - Cr Silver, Cr Cadwallader, Cr K Johnson, Cr Smith, Cr Moore, Cr Hordern, Cr J Johnson, Cr Meehan
AGAINST VOTE - Cr Wright
ABSENT. DID NOT VOTE - Cr Brown

8.3 DA 2010/945 - Lennox Head Cricket Club

File Reference	DA 2010/945
Applicant	Lennox Head Cricket Club
Property	Lot 74 DP 774896, No. 20 Megan Crescent, Lennox Head (Megan Crescent Sporting Field)
Proposal	To Undertake Staged Alterations & Additions to an Existing Amenities Building to provide a Canteen, First Floor Viewing Room, Storage and Shelter Shed
Effect of Planning Instrument	The land is zoned 6(a) Open Space under the provisions of the Ballina LEP
Locality Plan	The subject land is depicted on the locality plan attached

A **Motion** was moved by Cr Peter Moore and seconded by Cr David Wright.

1. That Development Application No. 2010/945 for Staged Alterations & Additions to an Existing Amenities Building to provide a Canteen, First Floor Viewing Room, Storage and Shelter Shed be **APPROVED** subject to the normal conditions for such a structure in this locality.
2. That Council confirms that Section 94 Road Contributions will not be required due to the community nature of this development and the fact that it caters for existing users of the facility.
3. That Council confirms that Section 64 water and sewer contributions will be required due to the impact of the development on water and sewer infrastructure and that Rous Water charges are a matter for Rous Water to determine.

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

1. That Development Application No. 2010/945 for Staged Alterations & Additions to an Existing Amenities Building to provide a Canteen, First Floor Viewing Room, Storage and Shelter Shed be **APPROVED** subject to the normal conditions for such a structure in this locality.
2. That Council confirms that Section 94 Road Contributions will not be required due to the community nature of this development and the fact that it caters for existing users of the facility.

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3. That Council exempt the Section 64 water and sewer contributions from the application.

The **Amendment LAPSED**.

The **Motion** was **CARRIED**, therefore it was

240211/ 7 RESOLVED

(Cr Peter Moore/Cr David Wright)

1. That Development Application No. 2010/945 for Staged Alterations & Additions to an Existing Amenities Building to provide a Canteen, First Floor Viewing Room, Storage and Shelter Shed be **APPROVED** subject to the normal conditions for such a structure in this locality.
2. That Council confirms that Section 94 Road Contributions will not be required due to the community nature of this development and the fact that it caters for existing users of the facility.
3. That Council confirms that Section 64 water and sewer contributions will be required due to the impact of the development on water and sewer infrastructure and that Rous Water charges are a matter for Rous Water to determine.

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

Cr Silver declared a pecuniary interest in this item and left the meeting at 11:05 AM. Cr Sue Meehan, Deputy Mayor assumed the Chair.

9.4 Community Land - Reclassification to Operational

240211/ 8 RESOLVED

(Cr Sharon Cadwallader /Cr Robyn Hordern)

1. That Council prepare a planning proposal for the reclassification of the land referred to below from Community Land to Operational Land for the purpose of the Local Government Act 1993.
 - Part Lot 11 DP 260847, North Creek Road, Ballina (that part fronting North Creek Road)
 - Lot 1 DP 858199, Richmond River, Ballina
 - Lot 34 DP 1121058, Alexander Circuit, Lennox Head
 - Lot 4 DP 1036635, Brunswick Street, Teven
 - Lot 116, DP 1111892, Commercial Road Public Car Park, Alstonville

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2. That Council receive a report on Lot 5 DP 843369, Old Bagotville Road, Wardell - (Quarry)

FOR VOTE - Cr Cadwallader, Cr K Johnson, Cr Smith, Cr Moore, Cr Hordern, Cr Wright, Cr Meehan

AGAINST VOTE - Cr J Johnson

ABSENT. DID NOT VOTE - Cr Silver, Cr Brown

Adjournment

The Mayor declared the meeting adjourned at 11.08 am.

The meeting resumed at 11.34 am

The Mayor returned to the meeting at this stage and resumed the Chair.

8.4 Outstanding DA Report - February 2011

240211/ 9 RESOLVED

(Cr Ben Smith/Cr Robyn Hordern)

That Council notes the contents of the report on the status of outstanding development applications for February 2011.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Brown

8.5 DA Statistic Report - 1 January to 31 January 2011

240211/ 10 RESOLVED

(Cr Susan Meehan/Cr Robyn Hordern)

That Council notes the contents of the report on development consent statistics for 1 January 2011 to 31 January 2011.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Brown

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9. Strategic & Community Services Group Reports

9.2 West Ballina - Planning Study and Structure Plan

240211/ 11 RESOLVED

(Cr Keith Johnson/Cr Ben Smith)

That a workshop be held followed closely by an Extraordinary meeting to review material relating to the West Ballina Planning Study and Structure Plan.

Cr Moore declared a non pecuniary interest in this item (following provision of information on one or more of the proponents of one of the parcels of land contained in the Study area) and left the meeting 11.56 am

(Nature of Interest: non pecuniary – perceived conflict of interest regarding a former friendship with one of the proponents for possible development of one or more of the landholdings identified in the Structure Plan).

FOR VOTE - All Councillors voted unanimously.
ABSENT. DID NOT VOTE - Cr Moore, Cr Brown

9.3 Community Land - Amendment to the Generic Plan of Management

240211/ 12 RESOLVED

(Cr Ben Smith/Cr David Wright)

1. That Council prepare and exhibit a draft amendment to the Ballina Shire Generic Plan of Management for Community Land for the following actions:
 - a. to confirm the suitability of "Brooklet Park" located on the corner of Friday Hut Road and Brooklet Road, Brooklet for the establishment of a Rural Fire Service Shed;
 - b. to reflect Council's decision for the siting of a reservoir, landscaping and children's playground on the Kings Court Reserve, Lennox Head; and
 - c. to confirm the Pacific Pines Playing Fields at Lennox head as a sportsground.
2. That the outcomes of the public exhibition and consultation processes be reported to Council prior to this matter being finally determined.

FOR VOTE - All Councillors voted unanimously.
ABSENT. DID NOT VOTE - Cr Moore, Cr Brown

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Cr Moore returned at 12:02 PM

10. General Manager's Group Reports

10.1 Use of Council Seal

240211/ 13 RESOLVED

(Cr Susan Meehan/Cr Sharon Cadwallader)

That Council affix the Common Seal to the following document.

US11/06	<p>Deed of Discharge of Charge - Mowing Encumbrance No. P129907, Lot 38 DP 246774 being developed property at 8 Mellis Circuit, Alstonville.</p> <p>Explanation: Encumbrance No. P129907 to the Council of the former Shire of Tintenbar was attached to the property when the residential estate was initially developed. The encumbrance was for an annual mowing charge. The charge ceased on the construction of a dwelling house or residential unit approved by the Council as encumbrancee. The current owner of the property is now in the process of selling the developed property, hence the requirement for the encumbrance to be formally discharged.</p>
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FOR VOTE - All Councillors voted unanimously.
ABSENT. DID NOT VOTE - Cr Brown

10.2 Investments - January 2011

240211/ 14 RESOLVED

(Cr Sharon Cadwallader /Cr Ben Smith)

That Council notes the record of banking and investments for January 2011.

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

10.3 Policy (Draft) - Concealed Water Leaks

240211/ 15 RESOLVED

(Cr Susan Meehan/Cr Robyn Hordern)

1. That Council advertise the attached draft Concealed Water Leaks policy, for public comment.
2. If no comments are received, or if the comments are all favourable the policy shall be considered as being adopted by Council.

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3. That the policy, if adopted, is to have an effective date of 1 January 2011.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Brown

10.4 Donations - Australian Representation

240211/ 16 RESOLVED

(Cr Ben Smith/Cr Susan Meehan)

That Council approves a donation of \$410 to Theora-Skye Walke as per the submission attached to this report.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Brown

10.5 Festival and Event Support Program - Funding 2011/12

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

That Council approves the following funding allocation for the 2011/12 Festival and Event Program.

Ref	Organisation/Person	Name of Festival/Event	Funding Requested (\$)	Approved Funding (\$)
1	Alstonville Rotary	Antiques and Collectables Fair	10,000	0
2	Apex Club of Alstonville	Alstonville Apex New Years Eve Family Festival	15,000	12,000
3	Ballina Lighthouse and Lismore SLSC Inc.	The Ballina Island Paddle Challenge	5,500	500
4	Ballina & District Ministers	Riverside Carols	14,000	3,000
5	Cancer Council NSW	Ballina Relay for Life	10,000	3,000
6	Lennox Head Chamber of Commerce	Carols in the Park	7,000	3,000
7	Marine Rescue NSW	Ballina Boat & Leisure Show	16,725	13,000
8	Paradise FM Community Radio Association Inc	Ballina Coastal Country Music Festival	20,000	17,000
Total			98,225	51,500

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The **Motion LAPSED**.

A **Motion** was moved by Cr Robyn Hordern and seconded by Cr David Wright.

1. That Council approves the following funding allocation for the 2011/12 Festival and Event Program.

Ref	Organisation/Person	Name of Festival/Event	Funding Requested (\$)	Approved Funding (\$)
1	Alstonville Rotary	Antiques and Collectables Fair	10,000	0
2	Apex Club of Alstonville	Alstonville Apex New Years Eve Family Festival	15,000	14,000
3	Ballina Lighthouse and Lismore SLSC Inc.	The Ballina Island Paddle Challenge	5,500	500
4	Ballina & District Ministers	Riverside Carols	14,000	0
5	Cancer Council NSW	Ballina Relay for Life	10,000	0
6	Lennox Head Chamber of Commerce	Carols in the Park	7,000	0
7	Marine Rescue NSW	Ballina Boat & Leisure Show	16,725	16,725
8	Paradise FM Community Radio Association Inc	Ballina Coastal Country Music Festival	20,000	20,000
Total			98,225	51,225

2. That Lennox Head Chamber of Commerce and the Ballina & District Ministers Association be advised that they should apply for a donation through the donation process.

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An **Amendment** was moved by Cr Jeff Johnson and seconded by Cr Peter Moore

That Council approves the following funding allocation for the 2011/12 Festival and Event Program.

Ref	Organisation/Person	Name of Festival/Event	Funding Requested (\$)	Approved Funding (\$)
1	Alstonville Rotary	Antiques and Collectables Fair	10,000	0
2	Apex Club of Alstonville	Alstonville Apex New Years Eve Family Festival	15,000	13,000
3	Ballina Lighthouse and Lismore SLSC Inc.	The Ballina Island Paddle Challenge	5,500	500
4	Ballina & District Ministers	Riverside Carols	14,000	0
5	Cancer Council NSW	Ballina Relay for Life	10,000	0
6	Lennox Head Chamber of Commerce	Carols in the Park	7,000	3,000
7	Marine Rescue NSW	Ballina Boat & Leisure Show	16,725	16,000
8	Paradise FM Community Radio Association Inc	Ballina Coastal Country Music Festival	20,000	19,000
Total			98,225	51,500

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

FOR VOTE - Cr K Johnson, Cr Smith, Cr Moore, Cr J Johnson

AGAINST VOTE - Cr Silver, Cr Cadwallader, Cr Hordern, Cr Wright, Cr Meehan

ABSENT. DID NOT VOTE - Cr Brown

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The **Motion** was **CARRIED**, therefore it was

240211/ 17 RESOLVED

(Cr Robyn Hordern/Cr David Wright)

1. That Council approves the following funding allocation for the 2011/12 Festival and Event Program.

Ref	Organisation/Person	Name of Festival/Event	Funding Requested (\$)	Approved Funding (\$)
1	Alstonville Rotary	Antiques and Collectables Fair	10,000	0
2	Apex Club of Alstonville	Alstonville Apex New Years Eve Family Festival	15,000	14,000
3	Ballina Lighthouse and Lismore SLSC Inc.	The Ballina Island Paddle Challenge	5,500	500
4	Ballina & District Ministers	Riverside Carols	14,000	0
5	Cancer Council NSW	Ballina Relay for Life	10,000	0
6	Lennox Head Chamber of Commerce	Carols in the Park	7,000	0
7	Marine Rescue NSW	Ballina Boat & Leisure Show	16,725	16,725
8	Paradise FM Community Radio Association Inc	Ballina Coastal Country Music Festival	20,000	20,000
Total			98,225	51,225

2. That Lennox Head Chamber of Commerce and the Ballina & District Ministers Association be advised that they should apply for a donation through the donation process.

FOR VOTE - Cr Silver, Cr Cadwallader, Cr Smith, Cr Hordern, Cr Wright, Cr J Johnson, Cr Meehan

AGAINST VOTE - Cr K Johnson, Cr Moore

ABSENT. DID NOT VOTE - Cr Brown

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10.6 Quarterly Budget Review Statement - December 2010

A **Motion** was moved by Cr Keith Johnson and seconded by Cr David Wright.

1. That Council notes the contents of the December 2010 Quarterly Budget Review and approves the changes identified within the report.
2. Council approves a reduction in the internal charge levied by Commercial Waste on Domestic Waste Management to deposit mixed waste and recyclables by 15% for the six months from 1 January 1 2011 to 30 June 2011 due to the healthy state of the Commercial Waste operation and the current financial difficulties facing Domestic Waste Management.

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

1. That Council notes the contents of the December 2010 Quarterly Budget Review and approves the changes identified within the report.
2. Council approves a reduction in the internal charge levied by Commercial Waste on Domestic Waste Management to deposit recyclables by an amount that is equivalent to a 15% for recyclables and mixed waste for the six months from 1 January 1 2011 to 30 June 2011 due to the healthy state of the Commercial Waste operation and the current financial difficulties facing Domestic Waste Management.
3. That Council allocates more money for its education to increase the recycling rates in the Ballina Shire.

The **Amendment LAPSED**.

The **Motion** was **CARRIED**, therefore it was

240211/ 18 RESOLVED

(Cr Keith Johnson/Cr David Wright)

1. That Council notes the contents of the December 2010 Quarterly Budget Review and approves the changes identified within the report.
2. Council approves a reduction in the internal charge levied by Commercial Waste on Domestic Waste Management to deposit mixed waste and recyclables by 15% for the six months from 1 January 1 2011 to 30 June 2011 due to the healthy state of the Commercial Waste operation and the current financial difficulties facing Domestic Waste Management.

FOR VOTE - Cr Silver, Cr Cadwallader, Cr K Johnson, Cr Smith, Cr Moore, Cr Hordern, Cr Wright, Cr Meehan

AGAINST VOTE - Cr J Johnson

ABSENT. DID NOT VOTE - Cr Brown

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12. Public Question Time

Ralph Moss – advised that another meeting of the Ballina & District Ratepayers Association will be held Thursday 3 March to consider the issue of the Aboriginal Child & Family Centre. Mr Moss left copies of invitations for Councillors.

Adjournment

The Mayor declared the meeting adjourned at 1.03 pm.

The meeting resumed at 1.52 pm

Cr Smith departed the meeting during the adjournment break.

11. Civil Services Group Reports

11.1 Home Composting Initiatives

240211/ 19 RESOLVED

(Cr David Wright/Cr Sharon Cadwallader)

1. That the Council's fees and charges be amended to reduce the current fee for compost bins and worm farms from \$117 to \$42.50 (Compost Bins) and \$57.80 (Worm Farms) ex GST and that notification of this change be exhibited in accordance with the Local Government Act.
2. That Council offer, free of charge, an aerator to purchasers of a compost bin from Council.
3. That the proposals outlined in points one and two be subject to a further review after approximately 12 months of operation, or earlier if needed, to assess the effectiveness of the program.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Smith, Cr Brown

11.2 Tender - Waste Water Treatment Plants Upgrade

240211/ 20 RESOLVED

(Cr Jeff Johnson/Cr Keith Johnson)

1. That the tender submitted by Tenix Australia P/L be passed over as not meeting the minimum requirements; and
2. That Council accept the tender of Haslin Constructions P/L for RFT / Contract Number 0902774 being for the Design and construction of MBR WWTP at Ballina for an amount of \$45,437,315 including GST.

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3. That Council authorises the General Manager to sign the contracts and attach the Council seal to the documents.

FOR VOTE - All Councillors voted unanimously.
ABSENT. DID NOT VOTE - Cr Smith, Cr Brown

11.3 Tender - Design of Recycled Water Distribution and Storage System

240211/ 21 RESOLVED

(Cr David Wright/Cr Robyn Hordern)

1. That Council accept the tender of NSW Water Solutions, being RFT 1000665 in the amount of \$741,345 (inclusive of GST), for the design and preparation of documentation of the recycled water distribution and storage system.
2. That Council authorises the General Manager to sign the contracts and attach the Council seal to the documents.

FOR VOTE - All Councillors voted unanimously.
ABSENT. DID NOT VOTE - Cr Smith, Cr Brown

13. Motions on Notice

13.1 Notice of Motion - Town Entry Maintenance and Improvements

240211/ 22 RESOLVED

(Cr Susan Meehan/Cr Robyn Hordern)

That in conjunction with the January 2011 resolution of Council that requests a report on the condition of Smith Drive, that Council receive information on the condition and possibility of improved maintenance of the Pacific Highway roadside environment at the entrances to Ballina from the 60km/hr signs both North and South.

FOR VOTE - All Councillors voted unanimously.
ABSENT. DID NOT VOTE - Cr Smith, Cr Brown

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13.2 Notice of Motion - Building Standards

240211/ 23 RESOLVED

(Cr Jeff Johnson/Cr Keith Johnson)

That Council receive a report in respect of the suitability of the current Building Code of Australia for the Ballina climate with particular reference to cyclone/wind ratings.

FOR VOTE - Cr Silver, Cr Cadwallader, Cr K Johnson, Cr Moore, Cr Hordern, Cr Wright, Cr J Johnson

AGAINST VOTE - Cr Meehan

ABSENT. DID NOT VOTE - Cr Smith, Cr Brown

240211/ 24 RESOLVED

(Cr Jeff Johnson/Cr Phillip Silver)

That Council receive a report outlining the opportunities for removing asbestos from the built environment.

FOR VOTE - Cr Silver, Cr Cadwallader, Cr Moore, Cr Hordern, Cr Wright, Cr J Johnson

AGAINST VOTE - Cr K Johnson, Cr Meehan

ABSENT. DID NOT VOTE - Cr Smith, Cr Brown

14. Advisory Committee Minutes

14.1 Finance Committee Minutes - 17 February 2011

240211/ 25 RESOLVED

(Cr Keith Johnson/Cr Susan Meehan)

That Council confirms the minutes of the Finance Committee meeting held Thursday 17 February 2011 and that the recommendations contained within the minutes be adopted, excluding Items 4.1.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Smith, Cr Brown

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL
HELD IN THE COUNCIL CHAMBERS, BALLINA, ON
24/02/11 AT 9.00 AM**

Item 4.1 of Finance Committee Minutes - Water Charges - 2011/12

240211/ 26 RESOLVED

(Cr Keith Johnson/Cr Susan Meehan)

That Council receive a report on the options and assumptions available to achieve increases of less than 10% in the water charging structure in the draft 2011/12 Delivery Plan.

FOR VOTE - Cr Silver, Cr Cadwallader, Cr K Johnson, Cr Moore, Cr Hordern, Cr J Johnson, Cr Meehan

AGAINST VOTE - Cr Wright

ABSENT. DID NOT VOTE - Cr Smith, Cr Brown

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

15.1 Mayoral Meetings

240211/ 27 RESOLVED

(Cr Phillip Silver /Cr Sharon Cadwallader)

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

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Smith, Cr Brown

16. Questions Without Notice

16.1 Cr Meehan - Tree Removal Tamar Street

Cr Meehan – enquired if staff had followed up on the removal of coconuts and date palms from the road reserve outside Centrelink office.

John Truman to follow up.

16.2 Cr Meehan - Sealing of Section of Tweed Street

Cr Meehan – can we investigate sealing or fixing the road at the end of Tweed Street.

John Truman advised that he had emailed a response to her on this matter and would follow it up again.

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16.3 Cr Jeff Johnson - Lennox Head Landslide

Cr Jeff Johnson – is there a timeframe for the removal of traffic lights at the lane closure at the site of the Lennox Head landslide.

John Truman advised that the geotechnical report was expected to be received next week and more information will be known at that time.

16.4 Cr Jeff Johnson - Composting Service

Cr Jeff Johnson – has Council confirmed a price for Lismore City Council composting.

John Truman replied no.

16.5 Cr Wright - Bullwinkle Park

Cr David Wright – with the recent heavy rain there are a number of trees/branches blocking the creek at Bullwinkle Park

John Truman to follow up.

16.6 Cr Wright - Biochar

Cr Wright – is there any further happening with Biochar?

John Truman advised that two teleconferences had been held since December and negotiations are continuing..

16.7 Cr Keith Johnson - Ipad Use

Cr Keith Johnson – advised that this was the second Council meeting using the ipad. Business paper attachments need to be dealt with separately.

16.8 Cr Cadwallader - Ramp at Shelly Beach

Cr Sharon Cadwallader – enquired when the ramp was to be replaced at Shelly Beach (south of the Café). Ramp hasn't been replaced since it was damaged by storms last year.

John Truman to investigate.

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16.9 Cr Cadwallader - Bore drill site

Cr Sharon Cadwallader – had heard an ABC radio interview with Wayne Franklin from Rous Water about a test bore drill site near Ballina’s water supply. What are we doing about the bore hole site?

Cr Keith Johnson, as delegate to Rous will take the matter up with Rous.

16.10 Crs Silver and Brown - Leave of Absence

Cr Silver – requires leave of absence from the March 2011 Ordinary meeting and also for Cr Brown.

240211/ 28 RESOLVED

(Cr David Wright/Cr Susan Meehan)

That Crs Silver and Brown be granted leave of absence for the March Ordinary meeting.

FOR VOTE - All Councillors voted unanimously.
ABSENT. DID NOT VOTE - Cr Smith, Cr Brown

17. Confidential Session

Nil

MEETING CLOSURE

3.03 pm

The Minutes of the Ordinary Meeting held on 24/02/11 were submitted for confirmation by council on 24 March 2011 and amendments (if any) are contained in the confirming resolution. Such Minutes were signed by the Mayor at the meeting on 24 March 2011.