

**MINUTES OF THE ENVIRONMENTAL & SUSTAINABILITY COMMITTEE
MEETING OF BALLINA SHIRE COUNCIL
HELD IN THE COUNCIL CHAMBERS, BALLINA, ON
01/12/11 AT 4.40 PM**

Attendance

Cr P W Silver (Mayor - in the chair), S L Cadwallader (arrived at 5.00 pm), B C Smith, K H Johnson (arrived at 4.46 pm), R A Hordern, D E Wright, J L Johnson (arrived at 5.02 pm), A J Brown and S M Meehan.

Steve Barnier (Strategic Services Group Manager), Matthew Wood (Strategic Planning Manager), Simon Scott (Strategic Planner) and Kate Singleton (Strategic Planner) were in attendance.

There were 48 people in the gallery at this time.

1. Apologies

An apology was received from Cr Peter Moore.

(Crs K Johnson, J Johnson and Cadwallader were not in attendance at this stage).

RESOLVED

(Cr David Wright/Cr Robyn Hordern)

That such apology be accepted.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Cadwallader, Cr K Johnson, Cr Moore, Cr J Johnson

2. Declarations of Interest

Cr Silver – declared interests in Item 4.2, 4.4 and 4.9 (Nature of Interest: pecuniary – property owner in those locations).

Cr Meehan – declared interests in Item 4.3, 4.7 and 4.8. (Nature of Interest: pecuniary – property owner in those locations).

Cr Cadwallader – declared an interest in Item 4.6. (Nature of Interest: pecuniary – property owner in that location).

Cr Brown – declared an interest in Item 4.5. (Nature of Interest: pecuniary – property owner in that location).

**MINUTES OF THE ENVIRONMENTAL & SUSTAINABILITY COMMITTEE
MEETING OF BALLINA SHIRE COUNCIL
HELD IN THE COUNCIL CHAMBERS, BALLINA, ON
01/12/11 AT 4.40 PM**

3. Deputations

1. Tim Reilly (51)
2. Bill Allen, Ballina Investments (57)
3. David Johnston (30)
4. Dave Bouren (45)
5. Dennis McCarthy (19)
6. Fran Byrne, Ballina Coastcare (9) (5 minutes)
7. Paul Earner (23)
8. Barry Campey (42)
9. Ruth Bennett (55)
10. David Lewis-Hughes (48)
11. Jim Kalinowski (14)
12. Steve Connelly - Highway Service Centre - East (72)
13. Steve Connelly - Highway Service Centre - West (56)
14. Simon or Terry Prendergast (15/15a)
15. Marco Veronesi (31)
16. Steve Connelly - Roman Catholic Church, Lennox Head (74)
17. Steve Connelly - Angels Beach Estate (68)
18. Steve Connelly - The Dunes, East Ballina (64)
19. Steve Connelly - Michael Hickey (49/49a)
20. Lyn Walker, Ballina Environment Society (12/12a) (5 minutes)
21. Bill Grace (71)
22. Lou Wilson, Pollid Pty Ltd (46/62)
23. Steve Connelly - Riverbend (70)
24. Michael Petrie (n/a)

- Draft Ballina LEP 2011 submission number is shown in (brackets). Submission numbers relate to the general submissions set and the information contained in attachment 3.
- Deputations are scheduled for 3 minutes duration unless made on behalf of a community organisation. Community organisations have had 5 minutes allotted for deputations.

Cr K Johnson arrived at 4.46 pm, during the Deputation session.
Cr Cadwallader arrived at 5.00 pm, during the Deputation session.
Cr J Johnson arrived at 5.02 pm, during the Deputation session.

**MINUTES OF THE ENVIRONMENTAL & SUSTAINABILITY COMMITTEE
MEETING OF BALLINA SHIRE COUNCIL
HELD IN THE COUNCIL CHAMBERS, BALLINA, ON
01/12/11 AT 4.40 PM**

4. Committee Reports

4.1 Ballina LEP Renewal - Re-exhibition and LEP Finalisation - Principal Report

RECOMMENDATIONS

(Cr Robyn Hordern/Cr Alan Brown)

1. That Council amend the Draft Ballina Local Environmental Plan 2011 as exhibited based on:
 - (a) the amendments set out in Attachments 3, 4, 5 and 6 and associated consequential adjustments to descriptions, numbering and plan formatting (in relation to both the written instrument and mapping); and
 - (b) Council's decisions with respect to each of the items relating to the content of the LEP contained elsewhere in this business agenda; and
 - (c) general typographical adjustments in relation to text, grammar, labelling and formatting; and
 - (d) other directions provided in relation to the content of the draft LEP 2011 with respect to the items identified below:

Submissions: Couch (28), Veronesi (31), Allen (57), Highway Service Centre East (72), Catholic Church Lennox Head (74), Grace (71), Prendergast (15/15a), Earner (23), Macadamia Castle (6), Hickey (49,49a), Dodgson (46), Lewis-Hughes (48) and Ballina Environment Society (12/12a).

2. That Council submit the revised Draft Ballina Local Environmental Plan 2011 to the Department of Planning & Infrastructure and request that the plan be finalised for implementation in accordance with the terms of the *Environmental Planning and Assessment Act* and associated Regulation.

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

Cr Silver declared a pecuniary interest in Items 4.2, 4.4 and 4.9 and left the meeting at 7.40 pm. Cr David Wright, Deputy Mayor, assumed the Chair.

Cr Meehan left the meeting at 7.40 pm
Cr Hordern left the meeting at 7.40 pm

**MINUTES OF THE ENVIRONMENTAL & SUSTAINABILITY COMMITTEE
MEETING OF BALLINA SHIRE COUNCIL
HELD IN THE COUNCIL CHAMBERS, BALLINA, ON
01/12/11 AT 4.40 PM**

4.2 Report A - Duck Creek/ Gum Creek Catchment Area

RECOMMENDATIONS

(Cr Keith Johnson/Cr Ben Smith)

That Council endorse the planning framework for the Duck Creek/ Gum Creek catchment area as exhibited under the Draft Ballina Local Environmental Plan 2011.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Silver, Cr Moore, Cr Hordern, Cr Meehan

Cr Hordern returned at 7.41 pm

4.4 Report C - Fawcett Street, Ballina

RECOMMENDATIONS

(Cr Alan Brown/Cr Keith Johnson)

That Council endorse the planning framework for Fawcett Street in the vicinity of Fawcett Park, Ballina as exhibited in the Draft Ballina Local Environmental Plan 2011.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Silver, Cr Moore, Cr Meehan

Cr Meehan returned at 7.41 pm

4.9 Report E - Alstonville Village Centre

RECOMMENDATIONS

(Cr Keith Johnson/Cr Ben Smith)

That Council endorse the planning framework for the Alstonville Village Centre as exhibited in the Draft Ballina Local Environmental Plan 2011 but with amendment to apply a 9m building height standard to the site of Crawford House.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Silver, Cr Moore

Cr Wright left the meeting at 7.42 pm

Cr Silver returned at 7.42 pm and resumed the Chair

Cr Meehan declared a pecuniary interest in Item 4.3 and left the meeting at 7.42 pm

**MINUTES OF THE ENVIRONMENTAL & SUSTAINABILITY COMMITTEE
MEETING OF BALLINA SHIRE COUNCIL
HELD IN THE COUNCIL CHAMBERS, BALLINA, ON
01/12/11 AT 4.40 PM**

4.3 Report B - Summerhill Crescent, Cumbalum

RECOMMENDATIONS

(Cr Robyn Hordern/Cr Keith Johnson)

That Council endorse the application of an R2 Low density residential zone and 2ha minimum lot size for subdivision for the Summerhill Crescent locality.

FOR VOTE - Cr Silver, Cr K Johnson, Cr Hordern, Cr Brown

AGAINST VOTE - Cr Cadwallader, Cr Smith, Cr J Johnson

ABSENT. DID NOT VOTE - Cr Moore, Cr Wright, Cr Meehan

Cr Brown declared a pecuniary interest in Item 4.5 and left the meeting at 8.01 pm
Cr Meehan returned at 8.02 pm

4.5 Report D - North Creek Road North Ballina

RECOMMENDATIONS

(Cr Sharon Cadwallader /Cr Ben Smith)

That Council endorse the planning framework for the southern end of North Creek Road at North Ballina as exhibited in the Draft Ballina Local Environmental Plan 2011.

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

AGAINST VOTE - Cr J Johnson

ABSENT. DID NOT VOTE - Cr Moore, Cr Wright, Cr Brown

Cr Brown returned at 8.02 pm
Cr Cadwallader declared a pecuniary interest in Item 4.6 and left the meeting at 8.02 pm

4.6 Report F - Brighton Street and Easton Place, East Ballina

RECOMMENDATIONS

(Cr Ben Smith/Cr Alan Brown)

That Council endorse the planning framework for the residential areas in Brighton Street and Easton Place, East Ballina as exhibited in the Draft Ballina Local Environmental Plan 2011.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Cadwallader, Cr Moore, Cr Wright

**MINUTES OF THE ENVIRONMENTAL & SUSTAINABILITY COMMITTEE
MEETING OF BALLINA SHIRE COUNCIL
HELD IN THE COUNCIL CHAMBERS, BALLINA, ON
01/12/11 AT 4.40 PM**

Cr Cadwallader returned at 8.06 pm

Cr Meehan declared a pecuniary interest in Items 4.7 and 4.8 and left the meeting at 8.06 pm

4.7 Report G - Oakland Avenue West Ballina

RECOMMENDATIONS

(Cr Keith Johnson/Cr Ben Smith)

That Council endorse the planning framework for the southern end of Oakland Avenue, West Ballina as exhibited in the Draft Ballina Local Environmental Plan 2011.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Moore, Cr Wright, Cr Meehan

4.8 Report H - Camoola Avenue, Ballina

RECOMMENDATIONS

(Cr Sharon Cadwallader /Cr Ben Smith)

That Council endorse the planning framework for the land in the vicinity of Camoola Avenue, Ballina as exhibited in the Draft Ballina Local Environmental Plan 2011.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Moore, Cr Wright, Cr Meehan

Cr Meehan returned at 8.08 pm

MEETING CLOSURE

8.08 pm