

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS
40 CHERRY STREET, BALLINA,
ON 27/09/12 AT 9.00 AM**

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), Vince Hunt (Acting Regulatory Services Group Manager), Steve Barnier (Strategic & Community Services Group Manager) and Sandra Bailey (Secretary) were in attendance.

There were 61 people in the gallery at this time.

Soprano singer Naoko Kakino from Fukuoka, Miyako gun Katsuyamacho, Japan, sang 'Madame Butterfly'. She was a guest of Taz McLaren.

1. Australian National Anthem

The National Anthem was performed by Nick Wheeler and Rachel Manwarring.

2. Acknowledgement of Country

In opening the meeting the Mayor provided an Acknowledgement of Country by reading the following statement on behalf of Council:

I would like to respectfully acknowledge past and present Bundjalung peoples who are the traditional custodians of the land on which this meeting takes place.

3. Apologies

Nil

4. Confirmation of Minutes

270912/1 RESOLVED

(Cr Ben Smith/Cr Susan Meehan)

That Council confirms the Minutes of the Ordinary Meeting of Ballina Shire Council held on Thursday 23 August 2012, with an amendment to Minute 230812/8 – LEP Amendment Request – Masters Proposal – an addition of point two as follows:

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That Council also consult with the proponents on this amendment request prior to the matter being reported back to Council.

FOR VOTE - All Councillors voted unanimously.

5. Declarations of Interest and Reportable Political Donations

Cr Susan Meehan – declared an interest in Item 10.1 – Use of Council Seal. (Nature of Interest: non significant, non pecuniary – a member of the Local Reference Group works part-time at her workplace and Cr Meehan owns a property in the vicinity of Porter Park). She will be remaining in the meeting while the matter is discussed and voting on the matter.

Cr Ken Johnston – declared an interest in Item 10.1 – Use of Council Seal. (Nature of Interest: non significant, non pecuniary – he lives in West Ballina). He will be remaining in the meeting while the matter is discussed and voting on the matter.

Cr Paul Worth – declared an interest in Item 10.5 – Ballina Cup 2013. (Nature of Interest: non significant, pecuniary – he is the owner of a retail business, Alstonville Furniture Company). He will be remaining in the meeting while the matter is discussed and voting on the matter.

6. Deputations

- **Bev Stoch/Lenkenyur Roberts/Heather Anderson** – spoke in favour of Item 10.1 – Use of Council Seal.

Deputation - Extension of Time

270912/2 RESOLVED

(Cr Robyn Hordern/Cr Ben Smith)

That the deputation be granted an extension of time.

FOR VOTE - All Councillors voted unanimously.

- **Ralph Moss** – spoke in opposition to Item 9.1 – LEP Amendment – Burns Point Ferry Road (Former Motel Site)
- **Ralph Moss** – spoke in opposition to Item 11.2 – Ballina Bypass – Handover.
- **Ralph Moss** – spoke in favour of Item 10.8 – Committees – Internal – Appointments.
- **John Shirm, Director, Ballina Jockey Club** – spoke in favour of Item 10.5 – Ballina Cup 2013.
- **Lyn Walker, Ballina Environment Society** – spoke in favour of Item 7.1 – Mayoral Minute – Lennox Head Surf Club Re-development.

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- **Bill McKee** – spoke in favour of Item 8.1 – DA 2012/300 – Strata Title Duplex Development, Lennox Head.
- **David Westaway** – spoke in favour of Item 9.1 – LEP Amendment – Burns Point Ferry Road (Former Motel Site)
- **Steve Connelly** – spoke in opposition to Item 8.2 – DA 2012315 – Caretakers Residence – Alstonville.

6.02 Deputation - Extension of Time

270912/3 RESOLVED

(Cr Keith Williams/Cr Keith Johnson)

That the deputation be granted an extension of time.

FOR VOTE - All Councillors voted unanimously.

10.1 Use of Council Seal

270912/4 RESOLVED

(Cr Susan Meehan/Cr Robyn Hordern)

That Council affix the Common Seal to the following documents.

US12/26	<p>a) Agreement for Lease and Lease Agreement to the Department of Family and Community Services for an Aboriginal Child and Family Centre to be located on Council community land, being a part area of Porter Park, Ballina. The proposed lease is for a period of 21 years at nil rental.</p> <p>b) Plan of subdivision and Section 88B Instrument for the subdivision of Lot 30 DP 260335, being part of Porter Park, Ballina – Community Land set aside for Child & Family Centre</p> <p>Comment: As the Minister's delegate has determined to grant approval under Section 47(8) of the Local Government Act for Council to grant a 21 year lease of Council community land to the Department of Family and Community Services, consent is now required to affix the Common Seal upon the Agreement for Lease and the Lease Agreement. This should be the final step in the proposal to lease this property to the Department of Family and Community Services and if the seal is approved the Department will be in a position to commence construction of the building. A brief summary of the history of this project to date is as follows:</p> <ul style="list-style-type: none"> • November 2010 - Council resolved to decline Treelands Reserve as the preferred site
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	<ul style="list-style-type: none"> • February 2011 – Council resolved to prepare an amendment to the plan of management for Porter Park • July 2011 – Council adopted the amendment to the plan of management for Porter Park and approved lodgment of the development application • August 2011 – Council approved minimum conditions for the proposed lease • December 2011 – Development application approved • May 2012 – Council approved the lease following exhibition and forwarded the document to the Minister for approval • September 2012 – Minister has approved lease and Council seal required to finalise lease. <p>FOR VOTE - Cr David Wright, Cr Keith Johnson, Cr Susan Meehan, Cr Paul Worth, Cr Robyn Hordern and Cr Ben Smith AGAINST VOTE - Cr Jeff Johnson, Cr Sharon Cadwallader, Cr Ken Johnston and Cr Keith Williams</p>
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7. Mayoral Minutes

7.1 Mayoral Minute - Lennox Head Surf Club Re-development

270912/5 RESOLVED

(Cr David Wright)

That Council authorises the allocation of \$400,000 from the proceeds of the Ross Street land sale to engage a suitably qualified firm to prepare the detailed designs and associated plans for the redevelopment of the Lennox Head Surf Club, including improved drainage and parking outcomes, along with the possible closure of the eastern road access, as per the Lake Ainsworth Master Plan. The remaining Ross Street land sale proceeds are to be retained for the balance of the works required for this project.

FOR VOTE - All Councillors voted unanimously.

7.2 Mayoral Minute - Draft Ballina Local Environmental Plan

270912/6 RESOLVED

(Cr David Wright)

That Council forward a submission, as per Attachment Two, to the Minister for Planning and Infrastructure advising of its deep disappointment in the outcome and process associated with the decision to remove the environmental protection zones from the draft Ballina Local Environmental Plan and to seek an immediate review of this decision.

FOR VOTE - All Councillors voted unanimously.

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270912/7 RESOLVED

(Cr Keith Johnson/Cr Susan Meehan)

That Council hold a workshop to consider the impacts of the change along with options to mitigate those changes.

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

AGAINST VOTE - Cr Ken Johnston

Adjournment

The Mayor declared the meeting adjourned at 10.44 am

The meeting resumed at 11.07 am

8. Regulatory Services Group Report

8.1 DA 2012/300 - Strata Title Duplex Development, Lennox Head

270912/8 RESOLVED

(Cr Ben Smith/Cr Keith Williams)

That Development Application 2012/300 for the construction of a two storey detached strata titled duplex be **APPROVED** subject to the following conditions. Additional standard consent conditions will also be applied.

1. The upper floor living room area northern sliding doors, eastern and southern windows of Unit Two are to consist of a minimum 6.38mm toughened glass
2. The upper floor kitchen area southern window of Unit Two is to consist of a minimum 6.38mm toughened glass
3. The upper floor living room/ kitchen areas eastern and southern walls of Unit Two are to be suitably foil sarked and provided with acoustic R2 insulation within the wall cavities.

FOR VOTE - All Councillors voted unanimously.

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8.2 DA 2012/315 - Caretakers Residence - Alstonville

270912/9 RESOLVED

(Cr Keith Johnson/Cr Ben Smith)

That this Development Application be deferred to allow the applicant and Council to examine options to mitigate the non compliance issues.

FOR VOTE - Cr Keith Johnson, Cr Ken Johnston, Cr Paul Worth, Cr Robyn Hordern, Cr Ben Smith and Cr Keith Williams

AGAINST VOTE - Cr David Wright, Cr Jeff Johnson, Cr Sharon Cadwallader and Cr Susan Meehan

8.3 Development Applications - Works in Progress - September 2012

270912/10 RESOLVED

(Cr Ben Smith/Cr Susan Meehan)

That Council notes the contents of the report on the status of outstanding development applications for September 2012.

FOR VOTE - All Councillors voted unanimously.

8.4 Development Consent Statistics - August 2012

270912/11 RESOLVED

(Cr Ben Smith/Cr Susan Meehan)

That Council notes the contents of the report on development consent statistics for 1 August 2012 to 31 August 2012.

FOR VOTE - All Councillors voted unanimously.

9. Strategic & Community Services Group Reports

9.1 LEP Amendment - Burns Point Ferry Road (Former Motel Site)

270912/12 RESOLVED

(Cr Ben Smith/Cr Susan Meehan)

That Council initiate a planning proposal for the application of an R3 Medium Density Residential zone (under the Draft Ballina Local Environmental Plan 2011) over Lot 1 DP 522558, No.8 Burns Point Ferry Road, West Ballina.

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

AGAINST VOTE - Cr Jeff Johnson

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9.2 Policy (Draft) - Naming of Council Owned Facilities

270912/13 RESOLVED

(Cr Ben Smith/Cr Susan Meehan)

That the draft policy relating to the Naming of Council Owned Facilities, as attached to this report, be exhibited for public comment, with any submissions received being reported back to the Council. If no submissions are received then the policy will be deemed to be adopted, with an addition to the assessment criteria as follows:

- f) Whether the person has served Australia with distinction and has an association with Ballina Shire.

FOR VOTE - All Councillors voted unanimously.

10. General Manager's Group Reports

10.2 Investment Summary - September 2012

270912/14 RESOLVED

(Cr Robyn Hordern/Cr Ben Smith)

That Council notes the record of banking and investments for August 2012.

FOR VOTE - All Councillors voted unanimously.

10.3 Councillor Attendance

270912/15 RESOLVED

(Cr Susan Meehan/Cr Ben Smith)

That Council authorise the attendance of Cr Keith Williams as its delegate to the 2012 Local Government Association Annual Conference to be held in Dubbo from 28-30 October 2012.

FOR VOTE - All Councillors voted unanimously.

270912/16 RESOLVED

(Cr Susan Meehan/Cr Ben Smith)

That Council authorise the attendance of Crs Robyn Hordern, Keith Williams and Ben Smith as its delegates to the 2012 Coastal Conference to be held in Kiama from 6 – 9 November 2012.

FOR VOTE - All Councillors voted unanimously.

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270912/17 RESOLVED

(Cr Susan Meehan/Cr Ben Smith)

That Council authorise the attendance of Cr Ben Smith at the 2012 Zero Waste Summit in Melbourne from 22 – 23 October 2012.

FOR VOTE - All Councillors voted unanimously.

270912/18 RESOLVED

(Cr Susan Meehan/Cr Sharon Cadwallader)

That Council authorise the attendance of Cr Sharon Cadwallader at the RV Futures Forum in Boonah on 19 October 2012.

FOR VOTE - All Councillors voted unanimously.

270912/19 RESOLVED

(Cr Keith Williams/Cr Ken Johnston)

That Council authorise the attendance of Cr Sharon Cadwallader at the ALGWA National Conference to be held in Ipswich from 8 – 10 November 2012.

FOR VOTE - All Councillors voted unanimously.

270912/20 RESOLVED

(Cr Sharon Cadwallader/Cr Jeff Johnson)

That Cr Sharon Cadwallader be authorised to run for the Executive of the ALGWA and that she be given approval to attend the ALGWA Executive meetings until re-election in March 2013.

FOR VOTE - All Councillors voted unanimously.

10.4 Rates and Charges Write Offs - 2011/12

270912/21 RESOLVED

(Cr Ben Smith/Cr Keith Johnson)

That Council notes the rates, charges, and interest written off under delegation of the General Manager for the 2011/12 rating year, pursuant to clause 131 of the Local Government (General) Regulation 2005, as outlined within this report.

FOR VOTE - All Councillors voted unanimously.

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10.5 Ballina Cup 2013

270912/22 RESOLVED

(Cr Susan Meehan/Cr Robyn Hordern)

1. That Council supports the declaration of a half-day public holiday throughout the Ballina Shire for 2013 in respect to the 2013 Ballina Cup.
2. That Council contact the NSW Student Transport Scheme to facilitate early negotiations re school transport on Cup Day.
3. That the Ballina Jockey Club be encouraged to consider whether Friday is the most suitable day for the Cup for future years (ie after 2013).

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

AGAINST VOTE - Cr David Wright and Cr Paul Worth

10.6 Councillor Fees

270912/23 RESOLVED

(Cr Robyn Hordern/Cr Ben Smith)

That Council adopts the maximum annual Councillor and Mayoral fees for a category three council for the 2012 – 2016 Council term.

FOR VOTE - All Councillors voted unanimously.

10.7 Deputy Mayor - Election

270912/24 RESOLVED

(Cr Susan Meehan/Cr Keith Johnson)

1. That Council elect a Deputy Mayor for the period to September 2013.
2. That the method of voting for the election of Deputy Mayor be by way of ordinary (secret) ballot.
3. That the number of votes at the ballot be revealed at the meeting and that the General Manager, following the meeting, destroy the ballot papers.

FOR VOTE - All Councillors voted unanimously.

The General Manager acted as Returning Officer.

After the ballot was taken and votes counted, the General Manager declared Cr Susan Meehan as Deputy Mayor by 6 votes to 4 for the period to September 2013.

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10.8 Committees - Internal - Appointments

270912/25 RESOLVED

(Cr Keith Johnson/Cr Ben Smith)

1. That Council confirms it will retain the following Standing Committees:
 - Civil Committee
 - Commercial Services Committee
 - Environmental & Sustainability Committee
 - Finance Committee
 - Reserve Trust

2. The terms of reference for these Standing Committees is to be as follows:
 - Civil Committee - To consider strategic and policy matters related to the objectives and functions of the Civil Services Group

 - Commercial Services Committee - To introduce, evaluate and review the commercial dealings and operations of Council, with the aim of any commercial activity being the provision of supplementary revenue streams that assist Council in the delivery of services to the community

 - Environmental & Sustainability Committee - To consider land use planning matters of a strategic and regulatory nature

 - Finance Committee - To consider financial matters of a strategic nature including Council's annual budget deliberations

 - Reserve Trust Committee - To consider crown land matters where Council is the appointed Trust Manager

3. Membership for the Standing Committees is to consist of all Councillors.

4. That Council defer a decision on the Airport and Facilities Committees subject to a further review.

5. The Civil, Commercial Services, Environment and Sustainability and Finance Committees will have no delegated authority.

6. The Reserve Trust Committee will have the following delegated authority being:

"To determine all matters presented to the Committee in respect to items where Ballina Shire Council is the Reserve Trust Manager, excluding those not able to be delegated as per Section 377 of the Local Government Act".

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7. Council confirms it will retain the existing structure and membership of the three Ward Committees, with expressions of interest to be called for additional membership, particularly from sporting bodies.
8. That Council notes the contents of this report in respect to the Local Traffic Committee and confirms that the General Manager (or nominated delegate) is the Council appointment to that Committee.
9. That Council appoint Crs Keith Johnson and Ben Smith as its two appointments, plus Cr Paul Worth as its alternate, to the Alstonville Leisure and Entertainment Centre Committee, and approves the calling of expressions of interest for the remaining three community representatives.
10. That Council notes the comments of this report in respect to the Access Committee.
11. That Council defer any decision on the Northern Rivers Community Gallery Committee subject to a further report being submitted on more relevant consultation structures for the future operation of the gallery.
12. That Council approves the reappointment of all the existing members of the current Conduct Review Panel, subject to the General Manager writing to the members to confirm their acceptance. If there is a substantial reduction in members the General Manager is authorised to call for expressions of interest for membership with the applications to be submitted to Council for approval.
13. That Council confirms its remuneration for Conduct Review Panel members is to be based on the NSW Parliament Sitting Fees, adjusted by CPI, with the 2012/13 fees being:

Chair	\$400 full day	\$200 half day
Member	\$244 full day	\$122 half day
14. That Council appoint Crs Susan Meehan, Jeff Johnson and Sharon Cadwallader as its three representatives to the Public Art Advisory Panel, with a representative from Arts Northern Rivers to be the other member on the Panel.
15. That Council confirms the General Manager's Performance Review Committee is to comprise the Mayor and Deputy Mayor.
16. That Council appoint Crs Ben Smith and Keith Johnson as its two representations to the Internal Audit Committee, with the Mayor and a representative from the appointed Internal Audit firm, forming the balance of the Committee.

FOR VOTE - All Councillors voted unanimously.

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10.9 Committees - External - Appointments

270912/26 RESOLVED

(Cr Keith Johnson/Cr Ben Smith)

1. That Council confirm its representation for the following external committees / organisations as follows:
 - a) Rous County Council (Rous Water) – Crs Susan Meehan and Keith Johnson
 - b) Richmond River County Council (RRCC) – Crs David Wright and Ben Smith
 - c) Far North Coast County Council (Far North Coast Weeds) (FNCCC) – Cr Robyn Hordern
 - d) Richmond-Tweed Regional Library Committee (RTRL) – Crs Jeff Johnson and Sharon Cadwallader with Cr Keith Williams as alternate
 - e) Arts Northern Rivers – Cr Susan Meehan with Gallery Co-ordinator as alternate
 - f) Australian Airports Association – One delegate – defer until a review of the Airport Committee is undertaken
 - g) Ballina & District Chamber of Commerce – Three A ward Councillors plus Mayor and Crs Sharon Cadwallader and Jeff Johnson
 - h) Lennox Head Chamber of Commerce - Three B ward Councillors plus Mayor and Cr Susan Meehan
 - i) Alstonville/Wollongbar Chamber of Commerce - Three C ward Councillors plus Mayor and Cr Sharon Cadwallader
 - j) Rural Fire Service Management Committee – Cr Paul Worth
 - k) Sustain Northern Rivers Steering Committee – Cr Jeff Johnson with Cr Sharon Cadwallader as alternate
 - l) Ballina Naval Museum – Cr Sharon Cadwallader
 - m) Ballina District Community Services Association – Cr Ken Johnston
2. That Council confirms its representation to the following organisations as listed below
 - a) Northern Rivers Regional Organisation of Councils (NOROC) – Mayor and General Manager

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- b) Joint Regional Planning Panel – Mayor with Deputy Mayor as the alternate. The Group Manager – Strategic and Community Services, with the Group Manager – Civil Services as the alternate. Council also adopts the maximum meeting fee as provided by the NSW Department of Planning and Infrastructure, which is currently \$600 per meeting, for the Councillor appointment.
3. That Council defer any new appointment to the Cape Byron Marine Park Authority Advisory Committee until the current State Government review of the marine parks is completed.

FOR VOTE - All Councillors voted unanimously.

Ballots were undertaken for the positions on Rous County Council, Richmond River County Council and Far North Coast County Council. The General Manager acted as Returning Officer.

Nominations were received as follows:

Rous County Council - Cr Jeff Johnson, Cr Keith Johnson, Cr Sharon Cadwallader and Cr Susan Meehan. (Cr Susan Meehan and Cr Keith Johnson elected)

Richmond River County Council – Cr Sharon Cadwallader, Cr Ben Smith, Cr Keith Williams and Cr David Wright. (Cr Ben Smith and Cr David Wright elected).

Far North Coast County Council – Cr Sharon Cadwallader and Cr Robyn Hordern. (Cr Robyn Hordern elected).

11. Civil Services Group Reports

11.1 Tender - Provision for Sprayed Bituminous Surfacing

270912/27 RESOLVED

(Cr Ben Smith/Cr Robyn Hordern)

1. That Council accept the tender from RPQ Pty Ltd for the Supply and Application of Bituminous Products for the period 1 October 2012 to 30 June 2015.
2. That Council accept the tender from Boral Asphalt Pty Ltd for the Supply and Application of Bituminous Products for the period 1 October 2012 to 30 June 2015 subject to the tenderer's acceptance of the terms and condition in Council's documentation.
3. That Council notes that it will also reserve the right to accept alternative quotes which may be sought from other contractors to meet program requirements, if necessary.

FOR VOTE - All Councillors voted unanimously.

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11.2 Ballina Bypass - Handover

270912/28 RESOLVED

(Cr Ben Smith/Cr Sharon Cadwallader)

That Council defer this matter to a workshop.

FOR VOTE - All Councillors voted unanimously.

11.3 Australian Research Council Grant - Southern Cross University

270912/29 RESOLVED

(Cr Susan Meehan/Cr Keith Johnson)

1. That in respect to the Australian Research Council grant for the Richmond River Council confirms its support for the project and that representations be made to Richmond River County Council requesting that the financial contribution be managed by the County Council in consultation with the constituent councils.
2. That Council invite representatives from Southern Cross University to provide an update to Councillors regarding this project.
3. That Richmond River County Council be contacted to place this item on their first meeting agenda for consideration.

FOR VOTE - All Councillors voted unanimously.

12. Public Question Time

12.1 Proposed Sports & Events Centre - Old Depot Site

Eva Ramsay – during the recent election campaign she believed it was shown by the public that we need to build at least a four court stadium. What are the results are the soil tests undertaken on the old depot site which Council resolved to have done. Why haven't these been commenced?

The General Manager advised that following Council's resolution, Council wrote to the Department of Lands to determine the process to be followed as Council is not the landowner. The Department advised that Council needed to obtain a licence first. The licence will be obtained and soil tests will then be undertaken.

12.2 Lennox Head Chamber of Commerce

Paul Button – introduced himself as the newly elected President of the Lennox Head Chamber of Commerce – how is it best to build a positive and creative relationship with Council and the individuals in the Council?

Cr Wright suggested that Mr Button invite Councillors to their meetings.

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- 12.3 Breast Screening Awareness**
Robyn Sparks from Ballina Breast Cancer Support Group – asked if Council could place in its Community Connect newsletter a few words to encourage women to have breast screening done regularly. The Breast Screen van only comes to Ballina two weeks per year.

The General Manager advised that Council receives many worthy requests to include items in the Community Connect newsletter. This should be a decision of the elected Council if they wished an individual organisation to have information included.

270912/30 RESOLVED

(Cr Sharon Cadwallader/Cr Susan Meehan)

That this matter be dealt with as a matter of urgency.

FOR VOTE - All Councillors voted unanimously.

270912/31 RESOLVED

(Cr Sharon Cadwallader/Cr Susan Meehan)

That Council incorporates into the next edition of Community Connect breast cancer awareness information as per the submission from Robyn Sparks.

FOR VOTE - All Councillors voted unanimously.

- 12.4 Floodplain Management Committee**
Ralph Moss – enquired in relation to a West Ballina Floodplain Committee – he didn't see anything mentioned in either Item 10.8 or 10.9 of the agenda today regarding membership of this committee.

John Truman advised that the floodplain management process was being progressed by Council's Civil Committee and that there had also been a community reference group formed. The reference group met on an as required basis and because of the advanced state of the work, it will meet less frequently in the future.

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13. Notices of Motion

13.1 Notice of Motion - Harvesting of Papis

270912/32 RESOLVED

(Cr Jeff Johnson/Cr Sharon Cadwallader)

1. That Council write to the Minister for Primary Industries, Katrina Hodgkinson, Premier Barry O'Farrell and the Member for Ballina and the North Coast, Mr Don Page calling for commercial harvesting of Papis on South Ballina Beach to cease until a full and thorough investigation into the sustainability of the Papi has been completed.
2. That the protection of the Papi on South Ballina Beach be incorporated into the recovery plan for the Endangered Pied Oyster Catcher.
3. That Council invite Dr Jeff Allen and the Minister to brief Council in an open workshop with stakeholders.

FOR VOTE - All Councillors voted unanimously.

14. Advisory Committee Minutes

Nil Items

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

Nil Items

16. Questions Without Notice

16.1 Cr Keith Johnson - Kentwell Community Centre Parking

Cr Keith Johnson – noticed that damage was occurring to the grass lawn areas around the Kentwell Community Centre caused by cars parking. He suggested that some directional signage was needed for the internal roundabout along with a check of the condition of the grass.

Strategic Services Group will investigate.

16.2 Cr Susan Meehan - Tree Planting

Cr Susan Meehan – can Council plant some trees on the verge near the vacant block of land on the corner of Brunswick and River Streets?

Civil Services Group to investigate.

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16.3 Cr Susan Meehan - Request for Mowing

Cr Susan Meehan – Has had a request from an elderly resident who is unable to continue to mow the road reserve on the corner of Bentinck and Cherry Streets, Ballina. Can Council look at mowing this area?

Civil Services Group to investigate.

16.4 Cr Robyn Hordern - Twilight Markets - Transport

Cr Robyn Hordern – with the commencement of the twilight markets shortly it is possible to provide a bus service to allow people to be more accessible to the markets.

Strategic Services Group staff will pass this request onto the market organisers.

16.5 Cr Robyn Hordern - Drainage

Cr Robyn Hordern – the drainage in front of 47-49 Alston Avenue, Alstonville requires attention.

Civil Services Group to investigate.

17. Confidential Session

270912/33 RESOLVED

(Cr Keith Johnson/Cr Sharon Cadwallader)

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.

(The Council moved into Confidential Session at 1.09 pm).

Open Council

270912/34 RESOLVED

(Cr Sharon Cadwallader/Cr Ben Smith)

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

FOR VOTE - All Councillors voted unanimously.

(The Council moved into Open Council at 1.50 pm).

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

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40 CHERRY STREET, BALLINA,
ON 27/09/12 AT 9.00 AM**

17.1 Lease - 64 Crane Street, Ballina

CF270912/35 RECOMMENDED

(Cr Sharon Cadwallader/Cr Ben Smith)

That this matter be deferred until staff investigate the sale and other options for this property.

FOR VOTE - All Councillors voted unanimously.

17.2 Tender - Construction of Apron Extension and Taxiway

CF270912/36 RECOMMENDED

(Cr Sharon Cadwallader/Cr Robyn Hordern)

1. That Council accepts the tender for the construction of the Apron Extension and Taxiway – Ballina Byron Gateway Airport, revised Package 3 from Hazell Bros Pty Ltd.
2. The General Manager is delegated the authority to negotiate the final contract pricing with Hazell Bros Pty Ltd.
3. That Council authorises the council seal to be attached to the contract documents.
4. That Council approves the revised funding model and forward financial plan for the airport as per the attachments to this report.

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

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Adoption of Recommendations from Confidential Session

270912/37 RESOLVED

(Cr Robyn Hordern/Cr Sharon Cadwallader)

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

FOR VOTE - All Councillors voted unanimously.

MEETING CLOSURE

1.52 pm

The Minutes of the Ordinary Meeting held on 27/09/12 were submitted for confirmation by council on 25 October 2012 and amendments (if any) are contained in the confirming resolution. Such Minutes were signed by the Mayor at the meeting on 25 October 2012.