

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS
CNR CHERRY & TAMAR STREETS, BALLINA,
ON 24/01/13 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), Rod Willis (Regulatory Services Group Manager), Steve Barnier (Strategic & Community Services Group Manager) and Joanne Cordery (Secretary) were in attendance.

There were 4 people in the gallery at this time.

1. Australian National Anthem

The National Anthem was performed by Bodhi Scott-Jones.

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

240113/1 RESOLVED

(Cr Sharon Cadwallader/Cr Ben Smith)

That Council confirms the Minutes of the Ordinary Meeting of Ballina Shire Council held on Thursday 20 December 2012.

FOR VOTE - All Councillors voted unanimously.

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS
CNR CHERRY & TAMAR STREETS, BALLINA,
ON 24/01/13 AT 9.00 AM**

5. Declarations of Interest and Reportable Political Donations

Nil Declarations of Interest.

There were no reportable political donations.

6. Deputations

- **Fiona Folan, Ballina Environment Society** – spoke in opposition to Item 10.6 – Policy (Review) Code of Meeting Practice.
- **Fred Goodman, Lennox Head Residents Association** – spoke in favour of Item 10.10 Capital Expenditure Quarterly Update.
- **Fred Goodman, Lennox Head Residents Association** – spoke in favour of Item 13.1 Notice of Motion – Christmas Decorations.

10.6 Policy (Review) - Code of Meeting Practice

A **Motion** was moved by Cr Jeff Johnson

That Council adopt the Policy (Review) – Code of Meeting Practice as exhibited but the restriction of two speakers only on a deputation be removed.

The **Motion LAPSED.**

240113/2 RESOLVED

(Cr Jeff Johnson/Cr Keith Williams)

That Council adopt the Policy (Review) – Code of Meeting Practice as exhibited, with the removal of the proposal to delete the Councillors' Questions Without Notice.

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

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS
CNR CHERRY & TAMAR STREETS, BALLINA,
ON 24/01/13 AT 9.00 AM**

10.10 Capital Expenditure - Quarterly Update

240113/3 RESOLVED

(Cr Ben Smith/Cr Sharon Cadwallader)

1. That Council notes the contents of the Capital Expenditure - Quarterly Update report for the period ended 31 December 2012.
2. That Council approves the budget changes as identified in the "New Variations" column as per the attachments to this report.
3. That Council authorises the interim occupation works for the Lennox Head Rural Fire Shed to proceed as per the information outlined in this report. These works are proceeding as they will provide a community benefit, they largely will remain with the existing site when the Fire Shed is relocated and there still remains a great deal of uncertainty as to when the shed will be relocated.

FOR VOTE - All Councillors voted unanimously.

13.1 Notice of Motion - Christmas Decorations

240113/4 RESOLVED

(Cr Susan Meehan/Cr Robyn Hordern)

That Council provide adequate funding in the 2013/14 budget to allow the decoration of a tree in the Ballina Town Centre as part of the 2013/14 Christmas / New Year festive season and invite community groups to sponsor some decorations.

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

AGAINST VOTE - Cr Sharon Cadwallader

A **Motion** was moved by Cr S Cadwallader and seconded by Cr Jeff Johnson

That Council calls for expressions of interest to sponsor Christmas decorations for Ballina, Lennox Head and Alstonville.

An **Amendment** was moved by Cr Jeff Johnson and seconded by Cr S Meehan.

That Council calls for expressions of interest from community groups to sponsor Christmas decorations for Ballina, Lennox Head and Alstonville.

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS
CNR CHERRY & TAMAR STREETS, BALLINA,
ON 24/01/13 AT 9.00 AM**

The **Amendment** was **CARRIED**.

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

The **Amendment** then became the **Motion** and was **CARRIED**.

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

240113/5 RESOLVED

(Cr Jeff Johnson/Cr Susan Meehan)

That Council calls for expressions of interest from community groups to sponsor Christmas decorations for Ballina, Lennox Head and Alstonville.

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

7. Mayoral Minutes

Nil.

8. Regulatory Services Group Report

8.1 Half Yearly Update - Compliance Work Plan 2012/2013

240113/6 RESOLVED

(Cr Ben Smith/Cr Susan Meehan)

That Council notes the contents of the report on the status of the Compliance Work Plan for 2012/13.

FOR VOTE - All Councillors voted unanimously.

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS
CNR CHERRY & TAMAR STREETS, BALLINA,
ON 24/01/13 AT 9.00 AM**

8.2 Development Applications - Works in Progress - January 2013

240113/7 RESOLVED

(Cr Keith Johnson/Cr Susan Meehan)

That Council notes the contents of the report on the status of outstanding development applications for January 2013.

Cr Jeff Johnson left the meeting at 10:06 am and returned at 10:08 am.

FOR VOTE - All Councillors voted unanimously.

8.3 Development Consent Statistics - December 2012

240113/8 RESOLVED

(Cr Ben Smith/Cr Robyn Hordern)

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

FOR VOTE - All Councillors voted unanimously.

9. Strategic & Community Services Group Reports

Nil Items

10. General Manager's Group Reports

10.1 Use of Council Seal

240113/9 RESOLVED

(Cr Sharon Cadwallader/Cr Robyn Hordern)

That Council affix the Common Seal to the following documents.

US01/13	Instrument of Delegation – Plumbing and Drainage Act 2011. Council resolved in December 2012 to accept the delegations from the NSW Department of Fair Trading under the Plumbing and Drainage Act 2011. The Instrument of Delegation requires the seal to be affixed.
US01/14	Request to remove Encumbrance P165885 from Lot 39 DP 246774, being 10 Mellis Circuit, Alstonville as owned by T J & N S Smee. A mowing encumbrance was placed upon vacant residential land within DP 246774 such that while ever the land remained vacant, the owner was to pay an annual mowing fee to Council. The charging of the fee ceased once a dwelling was erected upon the land. Lot 39 DP 246774 has a dwelling erected

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS
CNR CHERRY & TAMAR STREETS, BALLINA,
ON 24/01/13 AT 9.00 AM**

	upon it.
US01/15	<p>Requests to remove mowing encumbrances relating to the former Tintenbar Shire Council.</p> <p>As per the previous item Council receives requests from time to time to remove mowing encumbrances on land typically originating from the former Tintenbar Shire Council. These encumbrances were placed on the land titles and entitled Council to charge the landowner the cost of mowing of the land until such time as a dwelling was built on the land. Most of the land encumbered has dwellings already erected and it is not until a change in ownership that the removal of the encumbrance is required. At times the requests for removal are urgent due to pressing land sales and Council's inability to respond until a formal Council resolution is obtained can cause some distress, particularly for elderly people. Therefore it is proposed that Council provide a resolution authorizing the removal of mowing encumbrances placed by the former Tintenbar Shire Council to avoid any unnecessary delays into the future.</p>

FOR VOTE - All Councillors voted unanimously.

10.2 Investment Summary - December 2012

240113/10 RESOLVED

(Cr Ben Smith/Cr Sharon Cadwallader)

That Council notes the record of banking and investments for 31 December 2012.

FOR VOTE - All Councillors voted unanimously.

10.3 Facilities Committee - Chair

240113/11 RESOLVED

(Cr Keith Johnson/Cr Ben Smith)

That Council notes Cr Meehan's notice to withdraw as Chair of the Facilities Committee and seeks nominations for a replacement Chair.

FOR VOTE - All Councillors voted unanimously.

Councillors Ben Smith and Keith Williams were nominated for the position. Following a vote being taken by a show of hands, Cr Ben Smith was elected as the Chair for the Facilities Committee by six votes to four.

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS
CNR CHERRY & TAMAR STREETS, BALLINA,
ON 24/01/13 AT 9.00 AM**

10.4 Ward Committees - Membership

240113/12 RESOLVED

(Cr Ben Smith/Cr Robyn Hordern)

That Council approves additional membership to the "C" Ward Committee from the Alstonville Community Pre-School.

FOR VOTE - All Councillors voted unanimously.

10.5 Flat Rock Tent Park - Adoption of Fees

240113/13 RESOLVED

(Cr Susan Meehan/Cr Ben Smith)

That Council adopts the draft Flat Rock Tent Park fees and associated notes, as exhibited, for 2013/14.

FOR VOTE - All Councillors voted unanimously.

10.7 Policy (Review) - Code of Conduct

240113/14 RESOLVED

(Cr Ben Smith/Cr Robyn Hordern)

1. That Council adopts the New Model Code of Conduct and Administrative Procedures, as produced by the Division of Local Government, and as attached to this report, as its Code of Conduct.
2. That Council appoints the positions of Manager – Human Resources and Risk as Complaints Co-ordinator and Manager – Finance and Governance as Alternate Complaints Co-ordinator.
3. That Council approves an expression of interest process for nominees for Council's Conduct Review Committee Panel, with existing members offered the opportunity to reapply. That prior to calling for expressions of interest that Council write to the Division of Local Government seeking an exemption from readvertising for panel members having recently reaffirmed our existing panel.
4. The following fee structure is to apply for remuneration for panel members:

Chair	\$400 full day	\$200 half day
Member	\$250 full day	\$125 half day

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS
CNR CHERRY & TAMAR STREETS, BALLINA,
ON 24/01/13 AT 9.00 AM**

These figures are exclusive of GST. The Chair rate is payable when only one panel member is managing a complaint and the figures are subject to annual CPI increases.

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

Adjournment

The Mayor declared the meeting adjourned at 10.32am.

The Meeting resumed at 10.51am.

10.8 Policy (Review) - Councillor Expenses and Facilities

240113/15 RESOLVED

(Cr Ben Smith/Cr Keith Williams)

That Council authorises the exhibition of the following changes to Clauses 2.1.2 and 3.2.1 of the Councillor Expenses & Facilities Policy:

Clause 2.1.2 Establishment of Monetary Limits and Standards

Telephone and Tablets

Councillors will be reimbursed for Council related telecommunication charges (ie: landline, mobile phone, internet etc) up to a maximum figure of \$80 per calendar month (with line rental and connection charges to be provided as additional reimbursements), upon receipt of a copy of the tax invoice(s) and a declaration by that Councillor that the amount claimed relates to Council related activities.

*If the cost of calls made from a Council provided phone are less than \$5.00 for any one month, that cost will **not** be deducted from the Councillor's allowance as the administrative cost of deducting that charge more than offsets the return to Council.*

Where Council provides a telephone service to Councillors, that number will be available for publication in Council documents and media.

Any excess data charges incurred on smart phones or tablets shall be deducted from a Councillor's allowance.

3.2.1 Telecommunications and Auxiliary Equipment

Each Councillor shall be entitled to:

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS
CNR CHERRY & TAMAR STREETS, BALLINA,
ON 24/01/13 AT 9.00 AM**

- *Provision of a smart phone (1GB limit per month) including a suitable hands free device for the Councillor's private vehicle (one only)*
- *Provision of tablet technology (i.e. IPAD or similar with a 3GB limit per month)*
- *Installation of one home telephone line*
- *Provision of a laser multi-function centre device that allows scanning, copying and printing (excluding facsimile) along with consumables such as cartridges and paper for printing.*

The above equipment will be provided to a standard as determined by the General Manager in accordance with Council approved budgets and the communication needs of Council. Internet services, in accordance with the Council's corporate internet service provider plan, will be available to Councillors through the provision of the Council supplied smart phone and / or tablet computer.

FOR VOTE - All Councillors voted unanimously.

10.9 Delivery Program and Operational Plan - Quarterly Review

240113/16 RESOLVED

(Cr Susan Meehan/Cr Ben Smith)

That Council notes the contents of the 31 December 2012 review of the Delivery Program and Operational Plan.

FOR VOTE - All Councillors voted unanimously.

10.11 Integrated Planning and Reporting - Community Strategic Plan

240113/17 RESOLVED

(Cr Ben Smith/Cr Sharon Cadwallader)

1. That Council approves the public exhibition of the Draft Community Strategic Plan as per the attachment to this report.
2. That Council notes the timeline (with a change to the meeting date of Monday 22 April 2013 to be determined) proposed for the formulation of the Delivery Program and Operational Plan for 2013/14.

FOR VOTE - All Councillors voted unanimously.

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS
CNR CHERRY & TAMAR STREETS, BALLINA,
ON 24/01/13 AT 9.00 AM**

17. Confidential Session

240113/18 RESOLVED

(Cr Ben Smith/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.

17.2 Fawcett Park Café – Leasing Proposals

Reason for Confidentiality

This report is **CONFIDENTIAL** in accordance with Section 10A(2)(d) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following:-

- d) commercial information of a confidential nature that would, if disclosed:
 - (i) prejudice the commercial position of the person who supplied it, or
 - (ii) confer a commercial advantage on a competitor of the council, or
 - (iii) reveal a trade secret

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 due to ongoing commercial negotiations with interested parties.

17.1 Industrial Update

Reason for Confidentiality

This report is **CONFIDENTIAL** in accordance with Section 10A(2)(a) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following:-

- a) personnel matters concerning particular individuals (other than councillors)

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 matter may involve discussions regarding individual staff members..

FOR VOTE - All Councillors voted unanimously.

(The Council moved into Confidential Session at 11.25am).

Open Council

240113/19 RESOLVED

(Cr Ben Smith/Cr Keith Williams)

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

FOR VOTE - All Councillors voted unanimously.

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS
CNR CHERRY & TAMAR STREETS, BALLINA,
ON 24/01/13 AT 9.00 AM**

(The Council moved into Open Council at 12.53 pm).

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

17.2 Fawcett Park Cafe - Leasing Proposals

CF240113/1 RECOMMENDED

(Cr Keith Williams/Cr Sharon Cadwallader)

1. That Council approves an allocation of \$50,000 from the Commercial Opportunities Reserve to undertake the essential maintenance works identified in this report for the Fawcett Park Café.
2. That Council approves a reconfiguration of the external leased area to allow the existing leased western area to be returned to public ownership with the existing public walkway to be leased as an offset as per attachment five of the report.
3. That Council confirms that it will not provide funding to enclose the southern section of the leased area, however the preferred lessee is authorised to undertake works that provide adequate weather protection for this area.
4. That Council confirms its preferred lessee is proponent two based on the submissions outlined in this report. The General Manager is authorised to finalise the lease agreement based on the items listed in this resolution and generally in accordance with the information contained within this report, subject to point five below.
5. Council accepts that the final negotiations may result in some minor alterations to the information provided in this report and authorises the General Manager to still finalise the lease within the general parameters of the report. If the General Manager is concerned that any negotiations are beyond any reasonable parameters then Council authorises the Mayor to call an Extraordinary Meeting to resolve any issues outstanding.
6. Council authorises the Common Seal to be attached to the relevant lease documentation.

FOR VOTE - All Councillors voted unanimously.

A **Motion** was moved by Cr S Cadwallader and seconded by Cr K Williams.

1. That Council approves an allocation of up to \$120,000 for the provision of public toilets in Fawcett Park.
2. That Council approve the closure of the public toilets to the public.

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS
CNR CHERRY & TAMAR STREETS, BALLINA,
ON 24/01/13 AT 9.00 AM**

An **Amendment** was moved by Cr Robyn Hordern and seconded by Cr Susan Meehan.

That Council approves an allocation of up to \$65,000 to allow for a clear delineation between the public and private toilets on the existing site, including all weather access.

The **Amendment** was **CARRIED**.

FOR VOTE - All Councillors voted unanimously

The **Amendment** then became the **Motion** and was **CARRIED**.

CF240113/2 RECOMMENDED

(Cr Robyn Hordern/Cr Susan Meehan)

That Council approves an allocation of up to \$65,000 to allow for a clear delineation between the public and private toilets on the existing site, including all weather access.

FOR VOTE - All Councillors voted unanimously.

17.1 Industrial Update

CF240113/3 RECOMMENDED

(Cr Ben Smith/Cr Sharon Cadwallader)

That Council notes the contents of this Industrial Update report.

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

AGAINST VOTE - Cr Keith Johnson

Adoption of Recommendations from Confidential Session

240113/20 RESOLVED

(Cr Robyn Hordern/Cr Keith Johnson)

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

FOR VOTE - All Councillors voted unanimously.

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS
CNR CHERRY & TAMAR STREETS, BALLINA,
ON 24/01/13 AT 9.00 AM**

11. Civil Services Group Reports

11.1 Tender - Waste Transport and Disposal

240113/21 RESOLVED

(Cr Paul Worth/Cr Ben Smith)

1. That Council declines to accept any of the conforming tenders submitted, as detailed in this report, as the alternative tender, as offered by Veolia Environmental Services, represents the best value to the community.
2. That Council accepts the alternative tender as offered by Veolia Environmental Services, to transport and dispose of both putrescible and non-putrescible waste, as outlined in this report, as it represents the best value to the community.
3. That Council authorises the Mayor and General Manager to sign the contract documentation and attach the Council Seal to any documents associated with this contract.
4. That the contract include a provision to allow Council to terminate the contract if the Queensland Government re-introduces a waste levy.

FOR VOTE - All Councillors voted unanimously.

11.2 Street Lighting - Impact on Sea Turtles

240113/22 RESOLVED

(Cr Keith Williams/Cr Sharon Cadwallader)

1. That Council notes the contents of this report in respect to the impact of street lighting on the nesting of sea turtles.
2. That Council, in the design of any new or replacement lighting on the coastal fringe take into consideration the affect of artificial lighting on the nesting habits of sea turtles. This is to include lighting on new building developments, street lighting, car park and reserve lighting.

FOR VOTE - All Councillors voted unanimously.

12. Public Question Time

Nil

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS
CNR CHERRY & TAMAR STREETS, BALLINA,
ON 24/01/13 AT 9.00 AM**

13. Notices of Motion

13.2 Notice of Motion - Coal Seam Gas

240113/23 RESOLVED

(Cr Susan Meehan/Cr Ben Smith)

That Council ask NOROC to jointly fund research with Southern Cross University on baseline data collection on pre CSG groundwater, with a view to providing \$30,000 a year for three years to match available Australian Research Council funding.

FOR VOTE - All Councillors voted unanimously.

13.3 Notice of Motion - Refurbishment of Wigmore Arcade

A **Motion** was moved by Cr Jeff Johnson

1. Council receive an urgent report that outlines the costs involved to refurbish the Wigmore Arcade.
2. That this report be discussed at a Council workshop.

The **Motion LAPSED**.

14. Advisory Committee Minutes

Nil Items

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

15.1 Mayoral Meetings

240113/24 RESOLVED

(Cr Robyn Hordern/Cr Ben Smith)

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

FOR VOTE - All Councillors voted unanimously.

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS
CNR CHERRY & TAMAR STREETS, BALLINA,
ON 24/01/13 AT 9.00 AM**

16. Questions Without Notice

16.1 Cr Ken Johnston – E2 and E3 Zones

Cr Ken Johnston – Can Council write to all of the landowners who maybe impacted by the E2 and E3 zones proposed through Council's 2012 LEP advising of the current State Government review?

The General Manager advised that Council would write to the State Government and ask it to write to the landowners as this is a State Government initiated review.

16.2 Cr Sharon Cadwallader - Vegetation Issues in Pinnacle Row.

Cr Sharon Cadwallader – Can Council investigate the vegetation issues in Pinnacle Row, Lennox Head with further information to be provided to Council staff?

John Truman to respond once that further information is available.

16.3 Cr Sharon Cadwallader - Soil Testing – Old Depot Site

Cr Sharon Cadwallader – Asked what is the status of the soil testing for this site?

The General Manager advised that it became necessary to approach an alternative soil testing firm and it is anticipated that the soil testing will be carried out this week or next.

16.4 Cr Jeff Johnson – 2012 LEP

Cr Jeff Johnson – What is the current status of the new LEP?

Steve Barnier advised that the Minister has signed the Council's plan but there will be changes to the plan submitted by Council. It is understood that the plan will commence operating on 4 February 2013 at which time Council will have two LEPs operating due to the removal of the E2 and E3 zones

16.4 Cr Jeff Johnson - Beverages in Council Chambers

Cr Jeff Johnson – Are Councillors allowed to drink hot beverages in the Council Chambers during Council Meetings?

The General Manager advised that the Code of Meeting Practice does not allow food and beverage to be consumed during Council Meetings. It is then a matter for the Chair to enforce the code.

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS
CNR CHERRY & TAMAR STREETS, BALLINA,
ON 24/01/13 AT 9.00 AM**

MEETING CLOSURE

1.32 pm

The Minutes of the Ordinary Meeting held on 24/01/13 were submitted for confirmation by council on 28 February 2013 and amendments (if any) are contained in the confirming resolution. Such Minutes were signed by the Mayor at the meeting on 28 February 2013.