

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS
40 CHERRY STREET BALLINA,
ON 22/08/13 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 (Development and Environmental Health Group Manager), Steve Barnier (Strategic and Community Facilities Group Manager) and Sandra Bailey (Secretary) were in attendance.

There were 62 people in the gallery at this time.

1. Australian National Anthem

The National Anthem was performed by St Josephs School, Alstonville.

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

220813/1 RESOLVED

(Cr Sharon Cadwallader/Cr Ben Smith)

That Council confirms the Minutes of the Ordinary Meeting of Ballina Shire Council held on Thursday 25 July 2013.

FOR VOTE - All Councillors voted unanimously.

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5. Declarations of Interest and Reportable Political Donations

Cr Robyn Hordern – declared an interest in Item 9.2 – Land Classification – Council Owned Waterways. (Nature of Interest: non significant, non pecuniary – she owns a property at Ballina Quays). She will be remaining in the meeting while the matter is discussed and voting on the matter.

Cr Sharon Cadwallader – later in the meeting declared an interest in an item she raised in Item 16 – Questions Without Notice (following on from discussions in Item 11.2 – East Ballina Cemetery – Concept Master Plan) relating to an idea raised for a chapel for weddings and funerals. (Nature of Interest: non pecuniary – she is a civil celebrant).

There were no reportable political donations.

6. Deputations

- **Pip Carter** – spoke in favour of Item 10.4 – Lennox Head Bowling Club – Lease.
- **Janine Frangos, Wollongbar Community Preschool** – spoke in opposition to Item 10.3 – Temporary Occupation – Wollongbar Community Hall.
- **Katherine Buckley, Alstonville Community Preschool** – spoke in favour of Item 10.3 – Temporary Occupation – Wollongbar Community Hall.
- **Lawrie Trim, Bookhaven** – spoke in relation to Item 10.5 – Wigmore Arcade – Friends of the Library Second Hand Book Store.
- **Janelle Moss, Friends of the Library** – spoke in relation to Item 10.5 – Wigmore Arcade – Friends of the Library Second Hand Book Store.
- **Lyn Walker, Ballina Environment Society** – spoke in opposition to Item 11.1 – Lennox Head Markets – Review of Location Options.
- **Lyn Walker, Ballina Environment Society** – spoke in favour of Item 11.5 – Tender – Design of Lennox Head Surf Club and Precinct.
- **Ilega Sleja, Ballina Fluoridation Free Network** – spoke in support of Item 13.2 – Notice of Motion – Fluoridation.
- **Ralph Moss** – spoke in opposition to Item 8.2 – DA 2010/962 – Highway Service Centre – Section 96 Amendment.
- **Karen Wiggins** – spoke in favour of Item 8.1 – DA 2011/105 – Section 96 – Bulk Storage.
- **Dr Brendan White** – spoke in opposition to Item 13.2 – Notice of Motion – Fluoridation.
- **Craig Zerk, Ballina Chamber of Commerce & Industry** – spoke in favour of Item 10.6 – Policy (Review) – Local Procurement.

7. Mayoral Minutes

Nil

items

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13.2 Notice of Motion - Fluoridation

A **Motion** was moved by Cr Keith Williams and seconded by Cr Jeff Johnson

That Ballina Shire Council advise Rous Water that it no longer supports the fluoridation of the water supply.

220813/2 RESOLVED

(Cr Susan Meehan/Cr Paul Worth)

That Cr Williams be granted an extension of time for his speech on his motion.

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

The **Motion** was **LOST**.

FOR VOTE - Cr Jeff Johnson and Cr Keith Williams

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

220813/3 RESOLVED

(Cr Sharon Cadwallader/Cr Ben Smith)

1. That Ballina Shire Council advise Rous Water that it reaffirms its support for fluoridation of the Ballina Shire water supply.
2. That Council write to the State Government requesting a direction in respect to the implementation of fluoride in the Ballina Shire water supply.

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

AGAINST VOTE - Cr Jeff Johnson and Cr Keith Williams

Adjournment

The Mayor declared the meeting adjourned at 11.04 am

The Meeting resumed at 11.32 am

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10.3 Temporary Occupation - Wollongbar Community Hall

220813/4 RESOLVED

(Cr Ben Smith/Cr Robyn Hordern)

1. That Council confirms its support for the interim use of the Wollongbar Community Hall by the Alstonville Preschool subject to the Alstonville Preschool implementing the solutions they identified in their attached correspondence to address the issues raised by the Wollongbar Preschool.
2. That Council approves the allocation of \$40,000 to address the traffic management issues at this location, with this funding to be sourced from the Civil Works Contingency Reserve. The expenditure of these funds is not to proceed unless the Alstonville Preschool actually takes up their interim occupation of the Wollongbar Community Hall.

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

AGAINST VOTE - Cr Keith Williams and Cr Ken Johnston

8. Development and Environmental Health Group Reports

8.1 DA 2011/105 - Section 96 - Bulk Storage

220813/5 RESOLVED

(Cr Paul Worth/Cr Keith Williams)

That the Section 96 1(A) application seeking to amend DA 2011/105 by the creation of an additional hard stand area to be used for the purpose of storage and the establishment of a new vehicular access onto Teven Road on Lot 20 DP 1051208, No 1188 Teven Road, Alstonville be **REFUSED** as it is prohibited by the provisions of the Ballina Local Environmental Plan 2012 and as per the contents of Option Two within the report.

FOR VOTE - Cr David Wright, Cr Jeff Johnson, Cr Keith Williams, Cr Susan Meehan and Cr Paul Worth and the casting vote of the Mayor

AGAINST VOTE - Cr Sharon Cadwallader, Cr Keith Johnson, Cr Ken Johnston, Cr Robyn Hordern and Cr Ben Smith

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8.2 DA 2010/962 - Highway Service Centre - Section 96 Amendment

220813/6 RESOLVED

(Cr Ben Smith/Cr Robyn Hordern)

That the Application under S96 (1A) of the Environmental Planning and Assessment Act to amend the provisions of Condition 5.23 and Schedule 1 of DA 2010/962 in relation to the roads contribution levy be **APPROVED** subject to strict compliance with the specified condition as set out below:

Developer Contributions

Prior to issue of the Construction Certificate (Building) where building work is proposed, payment to Council of monetary contributions shall be made towards the provision of public services, infrastructure and amenities, which are required as a result of the development in accordance with the following contribution plans prepared under Section 94 of the Environmental Planning & Assessment Act, 1979:

Contribution Plan/Development Servicing Plan	Adopted
Ballina Shire Contributions Plan 2008	23 October 2008
Ballina Shire Roads Contribution Plan 2010	25 February 2010
Ballina CBD Car Parking Contribution Plan	25 November 2004
Lennox Head Village Centre Car Parking Contribution Plan	12 February 2004
The Council of the Shire of Ballina Section 94 Contributions Plan: Heavy Vehicle Traffic Generating Development - Maintenance and Construction of Roads	9 February 1996

The Contribution Plans provide for the indexing of contribution amounts and are also subject to amendment. The contribution rates payable will be the rates that are applicable at the time payment is made. Copies of the Contribution Plans may be viewed at Council's Customer Service Centre, Cherry Street, Ballina or on Council's website www.ballina.nsw.gov.au.

The Contribution amounts applicable at the time this consent is issued are as per Schedule One (as follows).

Schedule One

Contribution	Receipt Code	Contribution Unit	Rate per contribution Unit	Total Units Payable	TOTAL COST
North & West Ballina Roads 2010	5202	equivalent residential allotment	\$10,123.00	62.1524	\$629,169.0

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Roads Administration 2010	5203	equivalent residential allotment	\$154.00	62.1524	\$9,624.00
West Ballina Sewerage (DSP Area B)	3003	equivalent tenement	\$6,886.00	48.3170	\$332,710.86
West Ballina Water (DSP Area B)	2003	equivalent tenement	\$3,179.00	30.2720	\$96,234.69
Rous Water 2009	5001	equivalent tenement	\$6,222.00	30.2720	\$188,352.38
TOTAL					\$1,256,090.93

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

11.1 Lennox Head Markets - Review of Location Options

A **Motion** was moved by Cr Ben Smith and seconded by Cr Sharon Cadwallader

1. That Council, based on the feedback from the key stakeholder consultation workshop, take no further action in respect of considering options to relocate the Lennox Market from its current location.
2. That Council confirms its support for the current practice to relocate the market to the Community Centre and Williams Reserve when the road beside the lake is flooded and during the peak summer period.
3. That Council require the Market Co-ordinator to facilitate the development of a partnering agreement between key stakeholders directly impacted when the market is relocated to the Community Centre and Williams Reserve.
4. That Council review the Management Plan for the Lake and surrounding areas to identify mitigation measures that may be able to be accelerated to assist with the protection of the lake and riparian zone, including but not limited to closing the eastern road.

An **Amendment** was moved by Cr Keith Williams and seconded by Cr Paul Worth

1. That Council review the Management Plan for the Lake and surrounding areas to identify mitigation measures that may be able to be accelerated to assist with the protection of the Lake and riparian zone, including but not limited to closing the eastern road.

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2. That Council confirms its support for the current practice to relocate the market to the Community Centre and Williams Reserve when the road beside the lake is flooded and during the peak summer period.
3. That Council require the Market Co-ordinator to facilitate the development of a partnering agreement between key stakeholders directly impacted when the market is relocated to the Community Centre and Williams Reserve.

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

FOR VOTE - Cr Keith Williams

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

The **Motion** was **LOST**.

FOR VOTE - Cr Sharon Cadwallader

AGAINST 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

220813/7 RESOLVED

(Cr Jeff Johnson/Cr Robyn Hordern)

1. That the Lennox Head markets be permanently relocated from Lake Ainsworth to the Lennox Head Cultural and Community Centre.
2. That the rugby field be roped off on market days to ensure that no market stalls or cars encroach onto the playing surface.
3. That Council require the Market Co-ordinator to facilitate the development of a partnering agreement between key stakeholders.

FOR VOTE - All Councillors voted unanimously.

12. Public Question Time

Nil

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10.5 Wigmore Arcade - Friends of the Library Second Hand Book Store

220813/8 RESOLVED

(Cr Robyn Hordern/Cr Ben Smith)

1. That Council acknowledges the complaint in respect to the current occupation of the Wigmore Arcade by the Friends of the Library, however as any landlord is allowed to negotiate a reduced or free rental to tenants, and as the feedback is that this tenancy is providing a positive impact on the Wigmore Arcade, Council agrees to continue the existing tenancy until a replacement tenant is confirmed.
2. That the General Manager prepare a report for consideration by Council that provides a documented policy to assist staff in the management of the short term occupation of Council properties.
3. That Council provide signage for the Friends of the Library store that promotes other competing book stores.

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

11.5 Tender - Design of Lennox Head Surf Club and Precinct

220813/9 RESOLVED

(Cr Sharon Cadwallader/Cr Keith Williams)

1. That Council accepts the tender from Complete Urban Pty Ltd, up to a maximum amount of \$278,770, for the review and design of the Lennox Head Surf Club and Surrounding Precinct.
2. That Council authorises the Council seal to be attached to the contract documents.

FOR VOTE - All Councillors voted unanimously.

Adjournment

The Mayor declared the meeting adjourned at 1.27 pm

The meeting resumed at 2.09 pm
(Cr Jeff Johnson was not in attendance at this stage.)

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8.3 Development Consent Statistics - July 2013

220813/10 RESOLVED

(Cr Ben Smith/Cr Sharon Cadwallader)

That Council notes the contents of the report on development consent statistics for 1 July 2013 to 31 July 2013.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Jeff Johnson

8.4 Development Applications - Works in Progress - August 2013

220813/11 RESOLVED

(Cr Ben Smith/Cr Sharon Cadwallader)

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

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Jeff Johnson

9. Strategic and Community Facilities Group Reports

9.1 LEP Amendment Request - Reservoir Hill Site, Lennox Head

220813/12 RESOLVED

(Cr Sharon Cadwallader/Cr Ben Smith)

1. That Council prepare a planning proposal for the rezoning of Lot 5 DP 517111, North Creek Road, Lennox Head to enable residential development on the land.

2. That the preparation of the planning proposal includes further consideration of:

- land use zoning options associated with residential development on the land
- land use zoning options for proposed open space areas and
- minimum lot size standards for subdivision of the land.

Cr Jeff Johnson returned to the meeting at 02:11 pm.

FOR VOTE - All Councillors voted unanimously.

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9.2 Land Reclassification - Council Owned Waterways

220813/13 RESOLVED

(Cr Keith Williams/Cr Paul Worth)

1. That Council endorses the commencement of the process for the reclassification of the Ballina Quays canals (Lot 63 DP 263861 & Lot 132 DP 775228) and Banyanda Lake (Lot 50 DP 259593) from community land to operational land based on the planning proposal contained in Attachment Two.
2. That Council submit the planning proposal for the reclassification of the Ballina Quays canals (Lot 63 DP 263861 & Lot 132 DP 775228) and Banyanda Lake (Lot 50 DP 259593) to the Department of Planning and Infrastructure for review and Gateway determination.
3. That upon an affirmative Gateway determination being received from the Department of Planning & Infrastructure, the procedural steps associated with progression of the planning proposal, including public exhibition and the holding of a public hearing, be undertaken.
4. That a further report be presented to Council in relation to the reclassification of the Ballina Quays canals (Lot 63 DP 263861 & Lot 132 DP 775228) and Banyanda Lake (Lot 50 DP 259593) following mandatory community consultation.
5. That Council prepare a draft policy in relation to the management of private structures within Council owned waterways and that this matter be reported to Council for its consideration.
6. That in conjunction with its consideration of a draft policy for the management of private structures within Council owned waterways, that Council also consider options regarding the levying of fees and charges for the leasing/licensing of private structures in Council owned waterways.

FOR VOTE - All Councillors voted unanimously.

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9.3 Land Reclassification - Lot 5 DP 843369, Old Bagotville Road

220813/14 RESOLVED

(Cr Paul Worth/Cr Ben Smith)

1. That Council submits the planning proposal for the reclassification of Lot 5 DP 843369, Old Bagotville Road, Wardell from community land to operational land to the Department of Planning and Infrastructure for review and Gateway determination.
2. That upon affirmative Gateway determination being received from the Department of Planning and Infrastructure, the procedural steps associated with progression of the planning proposal, including public exhibition and the holding of a public hearing, be undertaken.
3. That a further report be presented to the Council in relation to this matter following the mandatory community consultation.

FOR VOTE - All Councillors voted unanimously.

9.4 Planning Proposal - Dual Occupancy Lots, Lennox Head

220813/15 RESOLVED

(Cr Sharon Cadwallader/Cr Susan Meehan)

1. That Council endorses the application of an R3 Medium Density Residential zone and associated minimum lot standard for subdivision of 800m² over the following land:
 - Lots 182, 183 & 184 DP 1165078 and Lot 168 DP 1166175.
 - Two approved lots under development consent No 2008/628 within existing Lot 177 DP 1172682 and one approved lot under development consent No 2007/503 within existing Lot 20 DP1121759 and Lot 3 DP 253428 (as shown in Figure 1 of the planning proposal contained in Attachment One).
2. That Council proceed to finalise and implement Planning Proposal BSCPP 13/002, relating to various approved dual occupancy lots in Lennox Head, directly in liaison with Parliamentary Counsel.

FOR VOTE - All Councillors voted unanimously.

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9.5 Planning Proposal - Crane Street, Ballina

220813/16 RESOLVED

(Cr Ben Smith/Cr Robyn Hordern)

1. That the Council endorses the application of a B3 Commercial Core zone to Lot 2 DP 506103, 60 Crane Street, Ballina (as shown in Map 1 of the planning proposal contained in Attachment One).
2. That Council submit the planning proposal BSCPP 13/004 relating to Lot 2 DP 506103, 60 Crane Street, Ballina to the NSW Department of Planning & Infrastructure to be finalised.
3. That Council advise the NSW Department of Planning & Infrastructure that it does not intend to exercise its delegations with respect to the finalisation of the planning proposal in this case.

FOR VOTE - All Councillors voted unanimously.

9.6 Australian Fishing Tournaments Pty Ltd - Request to Waive Fees

220813/17 RESOLVED

(Cr Ben Smith/Cr Susan Meehan)

That Council does not endorse the request to waive the Council application and hire fees for the 2013 North Coast Fishing Bonanza event, run by Australian Fishing Tournaments Pty Ltd, as the event is being conducted on a fee for entry basis.

FOR VOTE - All Councillors voted unanimously.

10. General Manager's Group Reports

10.1 Use of Council Seal

220813/18 RESOLVED

(Cr Susan Meehan/Cr Keith Williams)

That Council affix the Common Seal to the following document.

US13/17	Council to The Northcott Society – Licence to Occupy part 14 Martin Street Ballina (formerly 42 Tamar Street Ballina) for a nominal rental of \$1.
US13/18	Request Document – Transfer of Lot 100 DP 1184545, Walsh Place, Ballina Heights from Council to Roman Catholic Church.

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FOR VOTE - Cr David Wright, Cr Sharon Cadwallader, 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 Jeff Johnson

10.2 Investment Summary - July 2013

220813/19 RESOLVED

(Cr Sharon Cadwallader/Cr Ben Smith)

That Council notes the record of banking and investments for July 2013.

FOR VOTE - All Councillors voted unanimously.

10.4 Lennox Head Bowling Club - Lease

220813/20 RESOLVED

(Cr Ben Smith/Cr Robyn Hordern)

That a Councillor briefing be held on this matter with Club Lennox being invited to attend.

FOR VOTE - All Councillors voted unanimously.

10.6 Policy (Review) - Local Procurement

220813/21 RESOLVED

(Cr Sharon Cadwallader/Cr Ben Smith)

That a Councillor briefing be held on this matter.

FOR VOTE - All Councillors voted unanimously.

10.7 Concealed Water Leak Write Off - 1 King Lane Ballina

220813/22 RESOLVED

(Cr Ben Smith/Cr Keith Williams)

That Council approves the write off totaling \$1,118.01 in water consumption charges for 1 King Lane Ballina in accordance with Council's Concealed Water Leaks Policy and pursuant to clause 131 of the Local Government (General) Regulation 2005, as detailed within this report.

FOR VOTE - All Councillors voted unanimously.

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10.8 Rates and Charges Write Offs - 2012/13

220813/23 RESOLVED

(Cr Sharon Cadwallader/Cr Ben Smith)

1. That Council notes the \$11,436.14 rates, charges, and interest written off under delegation of the General Manager for the 2012/13 rating year, pursuant to clause 131 of the Local Government (General) Regulation 2005, as outlined within this report.
2. That Council receive a report on options to review the concealed water leaks policy.

FOR VOTE - All Councillors voted unanimously.

10.9 Conduct Review Panel

220813/24 RESOLVED

(Cr Ben Smith/Cr Robyn Hordern)

That Council confirms its Conduct Review Panel membership is as follows:

Existing Members

- Inspector Greg Moore
- Gary Faulks
- Peter Cordery
- Kim Holwell
- Andrew McGinley

NOROC Panel

- Michael L Enders
- Peter Brown
- Bruce Clarke
- Emma Broomfield
- Sharon Lee
- Mitchell Morley
- Shane White
- Belinda Nolan
- Alison Cripps
- Brent James Stephens
- Kathy Thane
- Peter Mulhall
- Gary Faulks (existing panel member)
- Lloyd Graham
- Peta Tumpey
- Kath Roach
- Joanne Browne
- Greg Wright

FOR VOTE - All Councillors voted unanimously.

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10.10 NEWLOG - Financial Statement 2012/13

220813/25 RESOLVED

(Cr Sharon Cadwallader/Cr Susan Meehan)

That Council notes the contents of this report on the draft NEWLOG Financial Statement for 2012/13.

FOR VOTE - All Councillors voted unanimously.

10.11 Budgets Carried Forward and Reserve Movements

220813/26 RESOLVED

(Cr Ben Smith/Cr Sharon Cadwallader)

That Council approves the projects carried forward and reserve movements as outlined in tables one and two of this report.

FOR VOTE - All Councillors voted unanimously.

11. Civil Services Group Reports

11.2 East Ballina Cemetery - Concept Master Plan

220813/27 RESOLVED

(Cr Sharon Cadwallader/Cr Susan Meehan)

1. That Council adopts the East Ballina Cemetery Master Plan as exhibited and as attached to this report.
2. That Council endorses the following program of capital works, as per table two of this report, for inclusion in our long term financial plan, including the allocation of funds in the 2013/14 budget:

Item	13/14	14/15	15/16	16/17	17/18
Construction of the Eastern Path	35,000				
Planting, bollards / closing of roads			50,000		
Landscaping - The Main Entrance				55,000	
Toilet - The Main Entrance		45,000			
Landscaping - Entry Two					18,000
Callitris Forest Memorial Walk					32,000

3. That Council authorises the creation of a new position of Labourer within the Open Spaces and Reserves Section.

FOR VOTE - All Councillors voted unanimously.

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11.3 Ewaste Collection Contract

220813/28 RESOLVED

(Cr Paul Worth/Cr Ben Smith)

1. That Council authorises the General Manager to sign a contract with DHL to act as a Collection Agent under the Federal Product Stewardship Scheme for end of life computers and televisions for a term of up to five years.
2. That Council authorises the Council seal to be attached to the contract documents.

FOR VOTE - All Councillors voted unanimously.

11.4 Wastewater Treatment Plants Upgrade - Update

220813/29 RESOLVED

(Cr Keith Johnson/Cr Ben Smith)

That Council notes the contents of the progress report on the upgrade of the Ballina and Lennox Head Waste Water Treatment Plants.

FOR VOTE - All Councillors voted unanimously.

11.6 Local Traffic Committee Report - August 2013

220813/30 RESOLVED

(Cr Keith Johnson/Cr Sharon Cadwallader)

1. The Council approves the application from Jims Group to conduct a Movember Mowathon Fundraising Walk on 26 November 2013, subject to the event being conducted in accordance with the conditions of approval from the NSW Police and RMS.
2. That Council approves the request from the RMS to amend the 4.6 metre route approvals in Ballina Shire following construction of the Alstonville and Ballina Bypasses, and endorse the schedule of changes set out in the information provided by the RMS.
3. That Council approves the closure of Missingham Bridge from 7.45 pm to 8.15 pm on 16 November 2013 for the Prawn Festival, subject to the closure being conducted in accordance with the submitted traffic control plan and the requirements of Section 116 of the Roads Act.

FOR VOTE - All Councillors voted unanimously.

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13. Notices of Motion

13.1 Notice of Motion - Street Lighting - Parklands Drive, Alstonville

220813/31 RESOLVED

(Cr Keith Johnson/Cr Ben Smith)

1. That Parkland Drive Alstonville street lighting schedule be brought forward to 2013/14 and that the General Manager identify matching savings to offset the cost of this work.
2. That Council receive a report reviewing the street lighting priority program.

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

AGAINST VOTE - Cr Ken Johnston.

14. Advisory Committee Minutes

14.1 Environmental & Sustainability Committee Minutes - 7 August 2013

220813/32 RESOLVED

(Cr Keith Williams/Cr Sharon Cadwallader)

That Council confirms the minutes of the Environmental & Sustainability Committee meeting held 7 August 2013 and that the recommendations contained within the minutes be adopted.

FOR VOTE - Cr David Wright, Cr Sharon Cadwallader, 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 Jeff Johnson

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14.2 Facilities Committee Minutes - 7 August 2013

220813/33 RESOLVED

(Cr Ben Smith/Cr Sharon Cadwallader)

That Council confirms the minutes of the Facilities Committee meeting held 7 August 2013 and that the recommendations contained within the minutes be adopted and that recommendation in Item 4.1 (Marine Rescue Centre – Design Update) be amended to read:

1. That Council endorses option two, as outlined in this report, to relocate the Marine Rescue Search & Rescue Co-ordination Centre to the east and refurbish the existing toilet facilities, as the preferred design option for this project, subject to point six below.
2. That Council ensure that cyclists can ride through the area without having to dismount.
3. That Council investigate the need for a backup search and rescue co-ordination base.
4. That the total project budget includes the restoration of the carpark in that location.
5. That Council not take any action in respect to the top floor of the toilet block until confirmation is received on the back up search and rescue co-ordination base and Council receives a report on the costs / benefits of retaining or removing the roof.
6. In respect to point one, Council confirms its preferred option is for the removal of the kiosk from the design of the building.

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

AGAINST VOTE - Cr Keith Williams and Cr Susan Meehan

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

15.1 Mayoral Meetings

220813/34 RESOLVED

(Cr David Wright/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
40 CHERRY STREET BALLINA,
ON 22/08/13 AT 9.00 AM**

16. Questions Without Notice

16.1 Cr Sharon Cadwallader - Lighthouse Parade – Damaged Fencing

Cr Sharon Cadwallader – advised that there were missing sections of the post and rail fencing along Lighthouse Parade.

John Truman to follow up.

16.2 Cr Sharon Cadwallader - Proposed Chapel

Cr Sharon Cadwallader – following on from a suggestion made in Item 11.2 – East Ballina Cemetery – Concept Master Plan where the idea of a chapel was raised, can we have a report on possible locations with a water backdrop (not necessarily at the cemetery) for a location for a chapel for funeral/wedding services?

Cr Cadwallader declared a non pecuniary interest in this matter as she is a civil celebrant.

Paul Hickey advised that he was reluctant to take on this as an extra project in the 2013/14 Operational Plan and as such the matter will be considered as part of the 2014/15 Operational Plan.

16.3 Cr Susan Meehan - Rural Fire Service - Lennox Head

Cr Susan Meehan – has concerns with the spray painting recently carried out by the Rural Fire Service on the parking area at the Lennox Head Rural Fire Service shed.

Rod Willis advised that barrier boards had previously been delivered to the Rural Fire Service for them to place across the entry as and when needed.

John Truman to write to the Rural Fire Service expressing our concerns and Council to rectify the spray painting.

16.4 Cr Robyn Hordern - MLAK Public Toilet Keys

Cr Robyn Hordern – raised the issue of public education for people requiring an MLAK key for public toilets. She believed that people were not aware of where to access these keys and believed promotion and education is required.

John Truman to investigate further promotion of the availability of MLAK keys.

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL
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ON 22/08/13 AT 9.00 AM**

16.5 Cr Robyn Hordern -

Cr Robyn Hordern – can anything be done to provide a pedestrian refuge mid block in Tamar Street from the bus stop to the pathology centre?

John Truman to investigate.

16.6 Cr Robyn Hordern - Disability Parking

Cr Robyn Hordern – can we investigate providing disability parking or drop off zones outside the medical surgeries in Moon Street and Martin Street?

John Truman to investigate.

16.7 Cr Ben Smith -

Cr Ben Smith – can we provide an update to the Wardell Progress Association on the Osprey nesting at Wardell, which is apparently holding up work at the boat ramp?

Following the meeting John Truman advised that the ecologist monitoring the Osprey is to inspect the site again at the end of August. There is a possibility that the breeding season could be extended as far out as November.

MEETING CLOSURE

4.00 pm

The Minutes of the Ordinary Meeting held on 22/08/13 were submitted for confirmation by council on 26 September 2013 and amendments (if any) are contained in the confirming resolution. Such Minutes were signed by the Mayor at the meeting on 26 September 2013.