

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL  
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS  
40 CHERRY STREET BALLINA,  
ON 28/11/13 AT 9.00 AM**

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**Attendance**

Crs David Wright (Mayor - in the chair), Jeff Johnson, Keith Williams, 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 Joanne Cordery (Secretary) were in attendance.

There were 26 people in the gallery at this time.

**1. Australian National Anthem**

The National Anthem was performed by Cabbage Tree Island School.

**2. Acknowledgement of Country**

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

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

**3. Apologies**

Apologies were received from Crs Sharon Cadwallader and Keith Johnson.

**281113/1 RESOLVED**

(Cr Ben Smith/Cr Paul Worth)

That such apologies be accepted.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Sharon Cadwallader and Cr Keith Johnson

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**4. Confirmation of Minutes**

**281113/2 RESOLVED**

(Cr Ben Smith/Cr Paul Worth)

That Council confirms the Minutes of the Ordinary Meeting of Ballina Shire Council held on Thursday 24 October 2013.

FOR VOTE - All Councillors voted unanimously.  
ABSENT. DID NOT VOTE - Cr Sharon Cadwallader and Cr Keith Johnson

**5. Declarations of Interest and Reportable Political Donations**

**Cr Robyn Hordern** – later in the meeting declared an interest in item 13.3 – Notice of Motion – Ballina Quays Land Classification (Nature of Interest: non significant non pecuniary – Cr Hordern owns a property in Ballina Quays but does not live there). Cr Hordern will remain in the meeting while the matter is discussed and will vote on the matter.

There were no reportable political donations.

**6. Deputations**

**Kiri Dicker – Lennox Head Chamber of Commerce** – spoke in opposition to Item 13.1 – Rescission Motion – Lennox Head Market Location

**Alan Mitchell** – spoke in favour of Item 8.2 – DA 2013/298 – Attached Dual Occupancy, Lennox Head.

**Alison Morris** – spoke in favour of Item 13.1 – Rescission Motion – Lennox Head Market Location

**Nadia Elliott-Burgess – Ballina Chamber of Commerce & Industry** – spoke in favour of Item 9.1 – 4WD Caravan, Camping and Marine Show – Relocation.

**7. Mayoral Minutes**

Nil items.

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**13.1 Rescission Motion - Lennox Head Market Location**

A **Motion** was moved by Cr Ben Smith and seconded by Cr Paul Worth

That Resolution 220813/7, as follows, be rescinded:

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.

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

FOR VOTE - Cr Keith Williams, Cr Paul Worth and Cr Ben Smith

AGAINST VOTE - Cr David Wright, Cr Jeff Johnson, Cr Susan Meehan, Cr Ken Johnston and Cr Robyn Hordern

ABSENT. DID NOT VOTE - Cr Sharon Cadwallader and Cr Keith Johnson

**281113/3        RESOLVED**

(Cr Susan Meehan/Cr Robyn Hordern)

That Council waive the hire fees for the Westpac Helicopter Rescue Service for the hire of the Lennox Head Community Centre for the Lennox Head Markets for the balance of 2013/14.

FOR VOTE - Cr David Wright, Cr Jeff Johnson, Cr Susan Meehan, Cr Ken Johnston and Cr Robyn Hordern

AGAINST VOTE - Cr Keith Williams, Cr Paul Worth and Cr Ben Smith

ABSENT. DID NOT VOTE - Cr Sharon Cadwallader and Cr Keith Johnson

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**8.2     DA 2013/298 - Attached Dual Occupancy, Lennox Head**

**281113/4         RESOLVED**

(Cr Jeff Johnson/Cr Robyn Hordern)

That Development Application No. 2013/298 be **APPROVED** subject to the following conditions:

- a) All landscaping to the southern boundary is to be of low plantings, below the existing 1.8 metre fence height level
- b) The building is to be constructed in accordance with the approved plans having a maximum height of RL 17.795 metres AHD. Certification from a registered surveyor is to be submitted to Council at completion of the framing stage, prior to wall and roof cladding being installed, verifying compliance with the levels on the approved plans
- c) The coloured finish to the buildings is to be in accordance with the submitted approved colour scheme
- d) The northern carport posts are to be a minimum 1,000mm from the northern boundary to provide adequate pedestrian access from unit two to the street.

FOR VOTE - Cr David Wright, Cr Jeff Johnson, Cr Keith Williams, Cr Susan Meehan, Cr Ken Johnston, Cr Paul Worth and Cr Robyn Hordern  
AGAINST VOTE - Cr Ben Smith  
ABSENT. DID NOT VOTE - Cr Sharon Cadwallader and Cr Keith Johnson

**Adjournment**

The Mayor declared the meeting adjourned at 10.35am.

The Meeting resumed at 10.56am

**9.1     4WD Caravan, Camping and Marine Show - Relocation**

A **Motion** was moved by Cr Robyn Hordern and seconded by Cr Keith Williams.

- 1. That Council provides its in principle support for a cash contribution of \$20,000 to the 4WD Caravan, Camping and Marine Show from the 2014/15 Festivals and Events Program.
- 2. That Council confirms that any increase above CPI in the Festivals and Events Program for 2014/15 onwards is to be funded by a matching reduction in the Donations and Civic Function Programs.
- 3. That Council support the following funding program for 2014/15:

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<b>Festival and Event Funding Program – 2014/15</b>	<b>Council Contribution</b>	<b>Category Totals</b>
<b>Event Allocation</b>		
Ballina Boat & Leisure Show	5,000	
Ballina Fine Food & Wine	5,000	
Summerland House Country Fair	5,000	15,000
<b>Christmas and New Year Allocation</b>		
Apex Club of Alstonville – New Year’s Eve	15,000	
Lennox Head Chamber of Commerce – Carols	5,000	
Ballina District Ministers Association Inc – Carols	5,000	15,000
<b>Major Festival Allocation</b>		
Ballina Coastal Country Music Festival	25,000	
Prawn Festival	25,000	
Skulcandy Oz Grom Open	20,000	70,000
<b>Seed Funding Allocation</b>		
4WD Caravan, Camping and Marine Show	20,000	20,000
<b>Total</b>	<b>130,000</b>	<b>130,000</b>

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

1. That Council provides its in principle support for a cash contribution of \$20,000 to the 4WD Caravan, Camping and Marine Show from the 2014/15 Festivals and Events Program for a period of up to three years.
2. That Council hold a briefing on the festivals and events program.

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

FOR VOTE - All Councillors voted unanimously.  
ABSENT. DID NOT VOTE - Cr Sharon Cadwallader and Cr Keith Johnson

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

**281113/5      RESOLVED**

(Cr Jeff Johnson/Cr Susan Meehan)

1. That Council provides its in principle support for a cash contribution of \$20,000 to the 4WD Caravan, Camping and Marine Show from the 2014/15 Festivals and Events Program for a period of up to three years.
2. That Council hold a briefing on the festivals and events program.

FOR VOTE - All Councillors voted unanimously.  
ABSENT. DID NOT VOTE - Cr Sharon Cadwallader and Cr Keith Johnson

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**8. Development and Environmental Health Group Reports**

**8.1 DA 2011/506 - South Ballina Beach Caravan Park**

A **Motion** was moved by Cr Susan Meehan and seconded by Cr Jeff Johnson

1. That DA 2011/506 to undertake the expansion of the existing Caravan Park comprising the Creation of an additional 123 short term accommodation sites (65 being caravan/recreational vehicle sites and 58 being camping sites), indoor recreation hall and associated amenities building, additional deck adjoining the existing kiosk/shop and office/reception, manager's cabin, associated facilities, infrastructure and rehabilitation works on Lot 1712 DP 597523 & Lot 1 DP 1186674 (previously containing a road enclosure permit), No. 440 South Ballina Beach Road, South Ballina be **APPROVED** subject to the imposition of the attached recommended conditions to minimise any environmental impacts, along with point two below.
2. That the General Manager also include appropriate wording in the conditions to address the following matters.
  - That all guests sign a declaration in respect to the rules of the park and the environmentally and ecologically sensitive areas.
  - That signage be erected regarding warning of the environmentally and ecologically sensitive areas similar to Flat Rock, including dogs.
  - That the on-site sewage management scheme be inspected by Council Officers during peak holiday periods.
  - That a dog proof fence be erected around the existing cleared area of the park with spring loaded gates.
  - That a permanent buffer zone be established for the Sheok Trees.

An **Amendment** was moved by Cr K Williams and seconded by Cr Jeff Johnson.

1. That DA 2011/506 to undertake the expansion of the existing Caravan Park comprising the Creation of an additional 123 short term accommodation sites (65 being caravan/recreational vehicle sites and 58 being camping sites), indoor recreation hall and associated amenities building, additional deck adjoining the existing kiosk/shop and office/reception, manager's cabin, associated facilities, infrastructure and rehabilitation works on Lot 1712 DP 597523 & Lot 1 DP 1186674 (previously containing a road enclosure permit), No. 440 South Ballina Beach Road, South Ballina be **APPROVED** subject to the imposition of the attached recommended conditions to minimise any environmental impacts, along with point two below.
2. That the General Manager also include appropriate wording in the conditions to address the following matters.

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- That all guests sign a declaration in respect to the rules of the park and the environmentally and ecologically sensitive areas.
- That signage be erected regarding warning of the environmentally and ecologically sensitive areas similar to Flat Rock.
- That the on-site sewage management scheme be inspected by Council Officers during peak holiday periods.
- That a permanent buffer zone be established for the Sheok Trees.
- That under the existing condition 11c that all words after “dogs on site” be deleted (that dogs not be allowed in the park).

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

FOR VOTE - Cr David Wright, Cr Jeff Johnson, Cr Keith Williams, Cr Susan Meehan and Cr Robyn Hordern

AGAINST VOTE - Cr Ken Johnston, Cr Paul Worth and Cr Ben Smith

ABSENT. DID NOT VOTE - Cr Sharon Cadwallader and Cr Keith Johnson

The **Amendment** then became the **Motion**.

An **Amendment** was moved by Cr P Worth and seconded by Cr Ken Johnston.

1. That DA 2011/506 to undertake the expansion of the existing Caravan Park comprising the Creation of an additional 123 short term accommodation sites (65 being caravan/recreational vehicle sites and 58 being camping sites), indoor recreation hall and associated amenities building, additional deck adjoining the existing kiosk/shop and office/reception, manager’s cabin, associated facilities, infrastructure and rehabilitation works on Lot 1712 DP 597523 & Lot 1 DP 1186674 (previously containing a road enclosure permit), No. 440 South Ballina Beach Road, South Ballina be **APPROVED** subject to the imposition of the attached recommended conditions to minimise any environmental impacts, along with points two and three below.
2. That the General Manager also include appropriate wording in the conditions to address the following matters.
  - That all guests sign a declaration in respect to the rules of the park and the environmentally and ecologically sensitive areas.
  - That signage be erected regarding warning of the environmentally and ecologically sensitive areas similar to Flat Rock.
  - That the on-site sewage management scheme be inspected by Council Officers during peak holiday periods.
  - That a permanent buffer zone be established for the Sheok Trees.
  - That under the existing condition 11c that all words after “dogs on site” be deleted (that dogs not be allowed in the park).
3. That prior to issuing the consent that Council staff review the developer contributions in recognition that this is an isolated park.

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

FOR VOTE - Cr David Wright, Cr Keith Williams, Cr Ken Johnston, Cr Paul Worth and Cr Ben Smith

AGAINST VOTE - Cr Jeff Johnson, Cr Susan Meehan and Cr Robyn Hordern  
ABSENT. DID NOT VOTE - Cr Sharon Cadwallader and Cr Keith Johnson

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

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Sharon Cadwallader and Cr Keith Johnson

**281113/6        RESOLVED**

(Cr Paul Worth/Cr Ken Johnston)

1. That DA 2011/506 to undertake the expansion of the existing Caravan Park comprising the Creation of an additional 123 short term accommodation sites (65 being caravan/recreational vehicle sites and 58 being camping sites), indoor recreation hall and associated amenities building, additional deck adjoining the existing kiosk/shop and office/reception, manager's cabin, associated facilities, infrastructure and rehabilitation works on Lot 1712 DP 597523 & Lot 1 DP 1186674 (previously containing a road enclosure permit), No. 440 South Ballina Beach Road, South Ballina be **APPROVED** subject to the imposition of the attached recommended conditions to minimise any environmental impacts, along with points two and three below.
2. That the General Manager also include appropriate wording in the conditions to address the following matters.
  - That all guests sign a declaration in respect to the rules of the park and the environmentally and ecologically sensitive areas.
  - That signage be erected regarding warning of the environmentally and ecologically sensitive areas similar to Flat Rock.
  - That the on-site sewage management scheme be inspected by Council Officers during peak holiday periods.
  - That a permanent buffer zone be established for the Sheok Trees.
  - That under the existing condition 11c that all words after "dogs on site" be deleted (that dogs not be allowed in the park).
3. That prior to issuing the consent that Council staff review the developer contributions in recognition that this is an isolated park.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Sharon Cadwallader and Cr Keith Johnson



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**12. Public Question Time**

**12.1 DA for 62 Horizon Drive, Ballina**

**Ralph Moss** – enquired in relation to the development consents advertised in the Advocate and in particular the DA for 62 Horizon Drive Ballina for sports fields for Emmanuel College. When did that DA come before the Council?

Rod Willis advised that the consent was issued under delegated authority by staff.

**8.3 Development Consent Statistics - October 2013**

**281113/7      RESOLVED**

(Cr Ben Smith/Cr Keith Williams)

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

FOR VOTE - All Councillors voted unanimously.  
ABSENT. DID NOT VOTE - Cr Sharon Cadwallader and Cr Keith Johnson

**8.4 Development Applications - Works in Progress - November 2013**

**281113/8      RESOLVED**

(Cr Ben Smith/Cr Keith Williams)

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

FOR VOTE - All Councillors voted unanimously.  
ABSENT. DID NOT VOTE - Cr Sharon Cadwallader and Cr Keith Johnson

**9. Strategic and Community Facilities Group Reports**

**9.2 Environmental Action Plan - 2013 Update**

**281113/9      RESOLVED**

(Cr Ben Smith/Cr Robyn Hordern)

That Council notes the contents of this update on the Environmental Action Plan for 2012/13.

FOR VOTE - All Councillors voted unanimously.  
ABSENT. DID NOT VOTE - Cr Sharon Cadwallader and Cr Keith Johnson

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**Additional Report**

**281113/10      RESOLVED**

(Cr Paul Worth/Cr Robyn Hordern)

That Item 9.3 be dealt with as a matter of urgency, as the land that is the subject of this report is due to be sold (i.e. settle) on Friday 29 November 2013 and following settlement Council will not be in a position to include details of its intentions in respect to this land on the Section 149 Certificates to be issued with the contracts for sale.

FOR VOTE - All Councillors voted unanimously.  
ABSENT. DID NOT VOTE - Cr Sharon Cadwallader and Cr Keith Johnson

**9.3      LEP Amendment Request - Ballina Heights Estate**

**281113/11      RESOLVED**

(Cr Paul Worth/Cr Robyn Hordern)

1. That the Council endorses the application of the R2 Low Density Residential zone to 28 lots and the R3 Medium Density Residential zone to two "duplex" lots consistent with the approved subdivision plan for Stage 7a of the Ballina Heights Estate as the basis for a planning proposal (as shown in the site plan contained in attachment 1).
2. That the Council authorises the preparation and submission of a planning proposal relating to the identified residential lots comprising Stage 7a of the Ballina Heights Estate to the NSW 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, be undertaken.
4. 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.  
ABSENT. DID NOT VOTE - Cr Sharon Cadwallader and Cr Keith Johnson

**Adjournment**

The Mayor declared the meeting adjourned at 1.00pm

The meeting resumed at 1.37pm

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**17. Confidential Session**

**281113/12 RESOLVED**

(Cr Paul Worth/Cr Ben Smith)

That Council moves into committee of the whole with the meeting closed to the public, to consider the following item in accordance with Section 10A (2) of the Local Government Act 1993.

**17.1 Seabreeze Holiday Park - Update on Compliance Matters**

**Reason for Confidentiality**

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

- g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege

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 advice from Council's insurers is that any matters associated with the on-going compliance action being taken in respect to the Seabreeze Holiday Park should be discussed by Council in confidential session to minimise the risk of legal actions being taken against Council.

FOR VOTE - All Councillors voted unanimously.  
ABSENT. DID NOT VOTE - Cr Sharon Cadwallader and Cr Keith Johnson

(The Council moved into Confidential Session at 1.38pm).

**Open Council**

**281113/13 RESOLVED**

(Cr Ben Smith/Cr Robyn Hordern)

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

FOR VOTE - All Councillors voted unanimously.  
ABSENT. DID NOT VOTE - Cr Sharon Cadwallader and Cr Keith Johnson

(The Council moved into Open Council at 1.54pm).

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

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**17.1 Seabreeze Holiday Park - Update on Compliance Matters**

**CF281113/1 RECOMMENDED**

(Cr Paul Worth/Cr Ben Smith)

That Council pursue the outstanding matters and provide a formal response to LLCP Pty Ltd, as per option three of the report, with such response to include advice that should LLCP Pty Ltd determine to scale down its operations and amend its licence, Council is prepared to review its requirements regarding the OSSM system upgrade.

FOR VOTE - All Councillors voted unanimously.  
ABSENT. DID NOT VOTE - Cr Sharon Cadwallader and Cr Keith Johnson

**Adoption of Recommendations from Confidential Session**

**281113/14 RESOLVED**

(Cr Robyn Hordern/Cr Keith Williams)

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

FOR VOTE - All Councillors voted unanimously.  
ABSENT. DID NOT VOTE - Cr Sharon Cadwallader and Cr Keith Johnson

**Cr Robyn Hordern** – declared an interest in item 13.3 – Notice of Motion – Ballina Quays Land Classification (Nature of Interest: non significant non pecuniary – Cr Hordern owns a property in Ballina Quays but does not live there). Cr Hordern will remain in the meeting while the matter is discussed and will vote on the matter.

**13.3 Notice of Motion - Ballina Quays Land Classification**

**281113/15 RESOLVED**

(Cr Susan Meehan/Cr Keith Williams)

That Council receive a report on the current state of the created lakes and canals in Ballina along with associated budgets to ascertain when it is likely to be appropriate to remove silt build up.

FOR VOTE - All Councillors voted unanimously.  
ABSENT. DID NOT VOTE - Cr Sharon Cadwallader and Cr Keith Johnson

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**13.4 Notice of Motion - Cumbalum Access Ramps**

**281113/16      RESOLVED**

(Cr Susan Meehan/Cr Ben Smith)

That Council writes to Minister for Roads and the Minister for the North Coast to seek their commitment for the delivery of a full highway interchange off the Pacific Highway at Cumbalum and other bypass related issues.

FOR VOTE - All Councillors voted unanimously.  
ABSENT. DID NOT VOTE - Cr Sharon Cadwallader and Cr Keith Johnson

**10. General Manager's Group Reports**

**10.1 Use of Council Seal**

**281113/17      RESOLVED**

(Cr Ben Smith/Cr Keith Williams)

That Council affix the Common Seal to the following documents.

US13/25	Temporary licence agreements for the Ballina Surf Club Café and Kiosk
US13/26	Plan of Consolidation of Lots 1 and 2, DP 1061771 – Fawcett Street Café.

FOR VOTE - All Councillors voted unanimously.  
ABSENT. DID NOT VOTE - Cr Sharon Cadwallader and Cr Keith Johnson

**10.2 Investment Summary - October 2013**

**281113/18      RESOLVED**

(Cr Ben Smith/Cr Keith Williams)

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

FOR VOTE - All Councillors voted unanimously.  
ABSENT. DID NOT VOTE - Cr Sharon Cadwallader and Cr Keith Johnson

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**10.3 Tender - Banking Services**

**281113/19      RESOLVED**

(Cr Ben Smith/Cr Paul Worth)

That Council accepts the tender from the Commonwealth Bank for Banking Services as detailed within this report.

FOR VOTE - All Councillors voted unanimously.  
ABSENT. DID NOT VOTE - Cr Sharon Cadwallader and Cr Keith Johnson

**10.4 Policy (Review) - Councillor Expenses and Facilities**

**281113/20      RESOLVED**

(Cr Ben Smith/Cr Paul Worth)

That Council adopts the Councillor Expenses and Facilities Policy, as exhibited, and as attached to this report.

FOR VOTE - All Councillors voted unanimously.  
ABSENT. DID NOT VOTE - Cr Sharon Cadwallader and Cr Keith Johnson

**10.5 Community Donations**

**281113/21      RESOLVED**

(Cr Ben Smith/Cr Paul Worth)

That Council refuse the request from Northern NSW Local Health District as detailed within this report as it is more appropriate for donations to be included as a collective group in July each year to ensure that funds are allocated equitably and also the concessional rate for the use of Council's Community Facilities already provides a significant donation to users of those facilities.

FOR VOTE - All Councillors voted unanimously.  
ABSENT. DID NOT VOTE - Cr Sharon Cadwallader and Cr Keith Johnson

**10.6 Financial Statements 2013**

**281113/22      RESOLVED**

(Cr Ben Smith/Cr Paul Worth)

That the annual financial reports and auditor's reports for the financial year ended 30 June 2013, as publicly advertised, be adopted and presented to the public.

Cr Susan Meehan left the meeting at 02:27 pm.

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FOR VOTE - All Councillors voted unanimously.  
ABSENT. DID NOT VOTE - Cr Sharon Cadwallader, Cr Keith Johnson and  
Cr Susan Meehan

**11. Civil Services Group Reports**

**11.1 Policy (Draft) - Dual Water Supply Plumbing**

**281113/23 RESOLVED**

(Cr Paul Worth/Cr Ben Smith)

1. That Council adopts the Dual Water Supply Plumbing Policy, as attached to this report, which replaces the existing Ballina Heights Dual Water Supply Plumbing Guidelines.
2. That Council exhibit the Dual Water Supply Plumbing Policy for public comment, with any submissions received to be resubmitted back to Council. If no submissions are received then the policy is deemed to be adopted.

FOR VOTE - All Councillors voted unanimously.  
ABSENT. DID NOT VOTE - Cr Sharon Cadwallader, Cr Keith Johnson and  
Cr Susan Meehan

**11.2 Waste Water Treatment Plants Upgrade - Update**

**281113/24 RESOLVED**

(Cr Ben Smith/Cr Robyn Hordern)

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.  
ABSENT. DID NOT VOTE - Cr Sharon Cadwallader, Cr Keith Johnson and  
Cr Susan Meehan

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**11.3 Coastal Public Safety Risk Assessment**

**281113/25      RESOLVED**

(Cr Paul Worth/Cr Ben Smith)

1. That Council notes the contents of this report regarding the Coastal Public Safety Risk Assessment Study.
2. That Council confirms its support for the actions in response to the study as detailed within the report.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Sharon Cadwallader, Cr Keith Johnson and Cr Susan Meehan

**13. Notices of Motion**

**13.2 Notice of Motion - Sister City Relationship**

**281113/26      RESOLVED**

(Cr Jeff Johnson/Cr Keith Williams)

1. Ballina Council gives in principle support for the creation of a sister city relationship with the city of Guayaquil in Ecuador to acknowledge the special connection that has been created due to the arrival of the Las Balsas rafts into Ballina 40 years ago.
2. That an official invitation be sent to the Mayor of Guayaquil.
3. That the Mayor write to Mr Raul Gangotena, Ecuador's Ambassador to Australia to thank him for his support of the Las Balsas 40th year Reunion celebrations and to seek his support and assistance to help form a closer friendship between Ballina and the city of Guayaquil.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Sharon Cadwallader, Cr Keith Johnson and Cr Susan Meehan



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**14. Advisory Committee Minutes**

**14.1 Facilities Committee Meeting Minutes - 19 November 2013**

**281113/27 RESOLVED**

(Cr Ben Smith/Cr Paul Worth)

That Council confirms the minutes of the Facilities Committee meeting held 19 November 2013 and that the recommendations contained within the minutes be adopted.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Sharon Cadwallader, Cr Keith Johnson and Cr Susan Meehan

**14.2 Commercial Services Committee Minutes - 19 November 2013**

**281113/28 RESOLVED**

(Cr Ben Smith/Cr Robyn Hordern)

That Council confirms the minutes of the Commercial Services Committee meeting held 19 November 2013 and that the recommendations contained within the minutes be adopted.

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Sharon Cadwallader, Cr Keith Johnson and Cr Susan Meehan

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

**15.1 Mayoral Meetings**

**281113/29 RESOLVED**

(Cr David Wright/Cr Robyn Hordern)

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

FOR VOTE - All Councillors voted unanimously.

ABSENT. DID NOT VOTE - Cr Sharon Cadwallader, Cr Keith Johnson and Cr Susan Meehan

**MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL  
HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS  
40 CHERRY STREET BALLINA,  
ON 28/11/13 AT 9.00 AM**

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**16. Questions Without Notice**

**16.1 Cr Jeff Johnson - LEP Amendment Request - Teven Road Transport Facility**

**Cr Jeff Johnson** – enquired if Council has written to the Office of Environment and Heritage in respect to this facility.

Steve Barrier advised that no letter had been sent at this stage as the Planning Proposal has not been activated. Research is still needed in respect to the viability and impact of the proposal.

**16.2 Cr Keith Williams - DA 2012/421 - 44 Blue Seas Parade, Lennox Head**

**Cr Keith Williams** – advised that Fiona Folan of the Ballina Environment Society missed public question time today and asked if Cr Williams could ask a question on her behalf.

A DA was lodged to renovate and extend the building at 44 Blue Seas Parade, Lennox and the DA was approved under staff delegation. It is alleged that the building has now been demolished, the slab removed and a new slab laid which has not been inspected by Council. Will Council be taking any action?

Rod Willis to investigate and respond.

**16.3 Cr Paul Worth - Parking Restrictions - New Car Park in Tamar Street**

**Cr Paul Worth** - Will Council look at having four hour parking at the new Tamar parking precinct as two hours is not long enough?

John Truman advised that the plan is to have two hour parking consistent with Wigmore Car Park. Councillors were notified by bulletin of this proposal. The two hours can be trialled and then reassessed to see how it is impacting on town centre parking.

**16.4 Cr Robyn Hordern - Woolworths River Street - Parking**

**Cr Robyn Hordern** – who is policing the two hour parking restriction at the new Woolworths in River Street?

John Truman advised that Woolworths has asked Council to manage that.

**16.5 Cr Robyn Hordern - Waste Management**

**Cr Robyn Hordern** – The recent presentation from Morrison Low had significantly higher population / waste figures for Lismore. Are they doing recycling?

John Truman advised that Lismore has a proactive recovery program, and invest more into their programs. There may have been an error in the figures sourced from the original Hyder report.

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**16.6 Cr Robyn Hordern - Erosion near Boat Harbour/Ramada**

**Cr Robyn Hordern** – enquired if the erosion occurring at the walking path near the boat harbour and Ramada, was Council’s responsibility? Cr Hordern asked if a letter could be sent to Crown Lands and the local member.

John Truman advised that it was not Council’s responsibility it was Crown Lands, however Council will send a letter to Crown Lands and the local member to follow this up as it could impact on Council’s shared pathway.

**16.7 Cr Ben Smith - Tamar Street Carparks**

**Cr Ben Smith** - How is the car parking schedule going and will the car parks be open by Christmas?

Paul Hickey advised that 74 Tamar Street car park is planned to be completed in full and 78 Tamar Street will have a temporary surface by Christmas (Subsequent to the Council meeting it was confirmed that 74 Tamar Street will have a temporary surface by Christmas and 78 Tamar Street will not be operational).

**MEETING CLOSURE**

3.05pm

The Minutes of the Ordinary Meeting held on 28/11/13 were submitted for confirmation by council on 19 December 2013 and amendments (if any) are contained in the confirming resolution. Such Minutes were signed by the Mayor at the meeting on 19 December 2013.